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PURCHASE OF UNITED NATIONS BONDS

HEARINGS

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH CONGRESS

SECOND SESSION

ON

S. 2768

A BILL TO PROMOTE THE FOREIGN POLICY OF THE UNITED STATES BY AUTHORIZING THE PURCHASE OF UNITED NATIONS BONDS AND THE APPROPRIATION OF FUNDS THEREFOR

JUNE 27, 28, 29, JULY 2, 17, 18, 19, 20, 23, 24, AND 26, 1962

Printed for the use of the Committee on Foreign Affairs



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PURCHASE OF UNITED NATIONS BONDS

WEDNESDAY, JUNE 27, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met at 10:45 a.m., in the Ways and Means Committee room, 1102 New House Office Building, Hon. Thomas E. Morgan (chairman of the committee) presiding.

Chairman MORGAN. The committee will come to order.

Mr. PILCHER. I ask unanimous consent that our study mission report to the Far East, south Asia, and the Middle East may be filed as a House report.

Chairman MORGAN. Without objection it is so ordered.

Mr. BURLESON. Mr. Chairman, I make a similar request that the report of the congressional delegation to the United Nations General Assembly this last fall be filed as a House report.

Chairman MORGAN. Without objection, it is so ordered.

Today the Committee on Foreign Affairs begins testimony in open session on S. 2768 which authorizes a loan to the United Nations.

Our witness this morning is the Honorable Adlai E. Stevenson, U.S. representative to the United Nations.

Mr. Ambassador, you have a prepared statement, and you may proceed.

STATEMENT OF HON. ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS

Mr. STEVENSON. First, Mr. Chairman, let me thank you and the members of the committee for permission to be heard today rather than on Friday when I was originally scheduled. We have in session in New York the resumed General Assembly, and it is moving toward a conclusion, which makes my presence there necessary. Accordingly, it is a matter of convenience and importance to me, I believe, and to our delegation, if I can return and be in New York until the Assembly is concluded.

I appreciate this opportunity to appear before the committee, and particularly to discuss a matter which affects the entire relationship between our country and the United Nations.

Several of the members of this committee have served as delegates to the United Nations General Assembly on the U.S. delegation. Others have visited our mission to the U.N. in New York, as I hope all of you will find occasion to do.

I think those of you who have had that experience agree there is much in the working of the United Nations that is familiar to an American legislator. This is true even though the resolutions of the

General Assembly generally don't possess the force of law, as yours do. The United Nations parliamentary procedures are essentially the same as ours. The process of decisionmaking, public debate, of quiet diplomacy, of reconciling opposing interests, devising formulas which will command a majority vote, all of these elements are congenial to our American tradition. This common ground makes it immensely advantageous to the United States to have the support and advice of the Congress in our United Nations policy, and to have bipartisan representation from the Congress in our annual delegations to the General Assembly.

I believe these, Mr. Chairman, are among the reasons why over the years under Democrats and Republicans alike the United States has achieved such a measure of success and influence in the United Nations. There are other reasons, too, some of which I hope will emerge in my remarks this morning. But I do want to stress at the outset how greatly our congressional traditions are reflected in the spirit and the practices of this institution of the United Nations.

The question before the committee, as you have stated, sir, is whether the United States shall lend $100 million to the United Nations to relieve the financial crisis in the world organization and make possible the continuation of its peacekeeping activities which are in the national interest of the United States.

The Senate, by a bipartisan vote of 70 to 22, has approved this bill authorizing the appropriation to the President of up to $100 million for such a loan to be evidenced by bonds of the United Nations.

The bill provides that the loan is not to be used to relieve U.N. members of arrearages and shall not exceed by more than $25 million the loans made or agreed to be made by other countries. Further, the United States is to deduct each year from its assessments the amount due from the United Nations to this country for principal and interest on the loan. Finally, the bill states that the loan shall not be considered a precedent for further large-scale borrowing.

Let me add in response to an inquiry that I have had here this morning that the repayment will be in dollars.

The administration has endorsed the Senate bill and commends it to this committee.

It seems to me that the proposed loan raises what are really two questions. First of all is a question of financial policy: Is the method of financing that has been proposed a sound method?

Second, is the more basic question of foreign policy: Is the purpose for which the money is to be used a sound purpose?

As to the financial question, the committee has before it a wealth of facts and figures, and two of my colleagues, Ambassador Plimpton and Assistant Secretary Cleveland, will testify as to the financial aspects in due course.

I should say that I have considered this matter long and carefully with my associates in the U.S. Mission to the United Nations, and in the Department of State, and I am convinced that the method proposed by President Kennedy, and approved with certain amendments by the Senate, is sound. Indeed, I think there is no alternative method available to us at this time.

The United Nations financial difficulties do not arise from its ordinary operations. Its regular budget, to which the United States now contributes 32.02 percent—as compared with 39.89 percent in 1946—is in good shape, and the arrears are of little importance.

However, the major United Nations peacekeeping operations have caused financing problems not found in the regular budget. This is what we are concerned with.

In fact, the Congo peacekeeping operation and the smaller United Nations Emergency Force in the Middle East, taken together, imposed on the members of the U.N. assessments far larger than the regular budget of the United Nations itself. Many member states fell behind in their payments for these special operations. Others, including the members of the Soviet bloc, refused to pay at all because they felt the United Nations actions cut across their own objectives. Questions were raised by some countries as to whether the assessments for these operations are legally binding.

It happens that these actions do suit the policies and interests of the United States, because they serve the cause of peace and stability, and protect emerging nations from outside pressure, in two very critical areas of the world: the heart of Africa and the Middle East.

Because of that the United States has not only paid its own assessed share for these activities. To help keep these U.N. forces in the field, we have gone further and made voluntary contributions which, taken together with assessments, have meant that we contribute about 47½ percent of the budgeted costs for peace and security operations.

Let me only add that these voluntary contributions were not designed, and have not served, to reduce the amounts that are due from and payable by the Soviet Union or from any other delinquent country.

These financing measures were obviously not a permanent solution. They did not bring in enough cash, and they were too dependent on voluntary contributions. Last year the General Assembly adopted a more businesslike financial plan, one result of which is the bill now before this committee.

The first part of this financial plan is an energetic effort to collect arrearages. To clear up any legal doubts the General Assembly last fall asked the International Court of Justice for an advisory opinion as to whether assessments for UNEF and Congo operations are legally binding. If the Court's reply is in the affirmative, this will threaten the more seriously delinquent states with the loss of their votes in the General Assembly. The Court has already received both written and oral argument on this question from the United States and several other countries, and is expected to hand down its advisory opinion later this summer.

The new financial plan also calls for loans by governments, in the form of 25-year bond obligations, in the amount of $200 million. It assures repayment of both principal and interest by providing that these expenses will be included in the regular U.N. budget to which all member states regularly contribute in accordance with their regular assessment percentages.

This means that the United States will be contributing only its regular assessed percentage of 32.02 percent toward the repayment of these governmental loans, which will be used in large part to finance the cost of the Congo and Middle East operations.

At this date, 39 states have already purchased or formally pledged the purchase of $65,701,175 of United Nations bonds. Twenty-two others have definitely said they intend to make purchases. Twenty-nine others, including the United States, are now considering the

action they will take. As well may be expected, naturally there is grave anxiety and interest about what we, the United States, may do.

The present financing plan adopted last fall by the General Assembly is itself an interim solution to a continuing problem. The Senate has wisely insisted, as indeed the General Assembly did also, that this long-term loan arrangement not be a precedent for future U.N. financing.

Once the Court opinion has been handed down and has been acted upon by the General Assembly, and its effect assessed, we will be in a position to explore concrete plans for more permanent financial support for the U.N. peacekeeping operations—operations which I firmly believe are in our national interest.

I believe that the loan bill as passed by the Senate provides both a practical and emergency means for the United States to do its share this year in support of the U.N.'s ongoing peace and security operations. The bill would enable us to do this—and to do it on terms more favorable than have prevailed in the past.

But the financial aspect of the problem is only one of the questions before us, and the lesser one at that. For the financial question is one of means; the basic question is of ends—specifically whether, and how, the United Nations serves the national interest of the United States.

The United Nations Charter sets forth certain basic commitments by all the members: To settle their disputes peacefully; to act collectively against aggression; to work together for economic and social progress; to promote the enjoyment of human rights; and to help dependent peoples prepare themselves for self-government and nationhood.

I believe Americans should feel a certain family pride in the knowledge that the ideals of the United Nations stem chiefly from our own tradition. The same belief in the equality of all men before God and before the law, and in the dignity and freedom of the individual, on which the American Nation was founded in 1776, also underlay the launching of the United Nations 170 years later. Indeed, it was 17 years ago this very week that the charter was signed, if I am not mistaken.

The United Nations does not have many of the real attributes of government; it has full sovereignty over no territory, it has no citizens, it cannot tax individuals, or draft soldiers. Except in certain cases of threats to the peace, breaches of the peace, and acts of aggression, it lacks even the legal power, let alone the actual capacity, to enter a country against the will of that country's government. Its motive force must be provided by its members.

Ever since the founding of the United Nations the greatest threat to the achievement of its purpose has been the hostile attitude of the Soviet Union. But from the beginning the U.N. has established a pattern of defeating Soviet proposals—and that pattern holds good today.

It is instructive to compare the relative influence on United Nations affairs of the United States and the Soviet Union. Any factual comparison shows that it has not been the Soviet Union but the United States that has exerted the greatest influence in the U.N. This contrast appears throughout the United Nations.

In the Security Council the Soviet Union, unable to prevent its adverse majority votes, has resorted to the veto 100 times. It cast

its 100th veto this last week in the Kashmir case. The United States has never felt the need to use its veto power.

The General Assembly has proved repeatedly, most recently in the Congo case, that it can act when the Council is tied up by the veto. And the Soviet Union has never been able to organize a majority, or anything approaching a majority, of the General Assembly against the United States on any important matter. Last winter, for example, Communist charges against the United States of aggressive designs against Cuba did not muster a single vote outside the Communist countries.

The Soviets have tried, and failed again, to paralyze the Secretariat since they could not control it either.

The greatest change which has taken place in the United Nations in the past 7 years is the enlargement of the membership—from the half a hundred, when the organization was established, that signed the charter in 1945, to the 104 members of today.

This change was brought about by historical causes inherent in Western civilization; it was not brought about by Communist pressure. The Communists have mistakenly thought that they could ride to power on the independence movement, but more and more their hopes have been frustrated. The reason is clear; the new nations have no wish to emerge from one colonial system merely to enter another. That is why none of the 42 nations born since World War II have chosen communism as a way of government.

The United Nations has made many contributions to the peaceful march to independence. Some of its work has been so quiet that few people except specialists know of it. Since 1945 the Trusteeship Council has overseen the process by which the peoples of seven trust territories have become citizens of independent nations. An eighth country will follow next week. In several of these cases the United Nations held plebiscites to determine the will of the people. In every case, thus far, the transition has been entirely peaceful.

Historically, as we know, imperialism has followed imperialism. The decline and fall of one imperialism has created a vacuum which has been quickly filled by a new imperialism. If the United Nations can eliminate this historical tendency and avoid the violence which has usually accompanied the sequence of imperialisms it will in that alone have made a priceless contribution to the history of these times.

Since 1950 the United Nations, drawing on resources and specialists of many countries, has played an increasing part in helping the new nations build the foundations of modern societies—and thus the foundations of political stability. The United Nations expanded program of technical assistance; the growing Special Fund with its training centers and preinvestment surveys; the investments of the World Bank and the International Development Association—these and other services are available to aid in the urgent tasks of nation building. Four-fifths of the staffs of the United Nations Secretariat and the specialized agencies are engaged in such nonpolitical functions as these. The new nations themselves put a very high value on this impartial source of aid and counsel, insulated as it is from the cold war but maintaining rigorous technical standards. This role is clearly in the national interest of the United States, for the U.N. is supplementing and complementing what we and our European allies are doing on our own to create an expanding economy in the less developed areas of the world.

The U.N.'s actions in the field of international peace and security equally serve our interest. Iran, Greece, Indonesia, Kashmir, Palestine, Korea, Suez, Lebanon, Congo—through all those actions since 1946 the U.N. has developed a capacity to uphold the independence of small nations under attack, and to keep quarreling neighbors from mutual destruction. It has been the agent of peace—not the peace of conquest and surrender, but the peace of mutual toleration.

As a world power the United States must defend its interests and pursue its goals through a variety of institutions which serve quite different national purposes. NATO, for example, was formed not to preserve colonies but to defend Europe and the Atlantic Community against aggression by the Soviet Union. We look to it, not to the U.N., to perform that vital function. Conversely, we look to the United Nations, not NATO, to shield small and weak nations in Africa and the Middle East and Asia, and to provide a community in which they can feel a measure of security and equality and of comity with their former rulers.

I find it impressive that the United States, during the last session of the General Assembly, voted with the majority of its NATO allies on all of the 41 key rollcall votes—including a score of important colonial issues. Of all the members of NATO, in fact, we were the only one to side with the NATO majority in all of these votes.

If there were no U.N., and as a result Africa were to move from the old empire of the West into a new empire of communism, then NATO would be outflanked and the security of the United States and the whole Atlantic Community would be drastically undermined.

Note that in 1961 Soviet propaganda broadcasts to Africa attacked not only NATO but also the United Nations, day in and day out, as a sinister tool of "Western imperialism."

Why should the Soviets talk to Africa in that way about the U.N.? Not because the U.N. is a Western institution, but because the U.N. is a universal organization and is an obstacle to the designs of the Communists everywhere. Increasingly, the U.N. is becoming a bridge between the advanced nations of the West and the emerging nations of postcolonial Africa. The Russians have been trying to undermine the U.N. bridge at the African end. Thus far they have had little or no success. I just hope we won't do their work for them by undermining it at the Western end, because that bridge is one of the great elements in this country's security.

We have heard fears expressed that the United Nations might be perverted to serve Soviet purposes in this situation; namely, to unite the Soviet bloc with Africa and Asia in a majority against the West, under the banner of extreme colonialism. But in practice this has not happened. Usually when the Soviets have proposed extreme anti-Western resolutions on colonial issues, such as Angola or the Congo, they have found little support among the Afro-Asian members. I believe this will continue so long as our diplomacy is active and our policies are in harmony with the legitimate aspirations of the African and Asian countries for independence and development.

It is true that the "one nation, one vote" rule in the General Assembly is illogical in some respects. But this same principle of sovereign equality applies without fatal results in many national legislatures, as we know. It is certainly more of a problem to them than it is to the U.N. General Assembly which has no legislative power except, to a limited extent, on its own budget and finances.

Moreover, the members in the General Assembly may have equal votes, but they are far from having equal influence. Dag Hammarskjold made this point 5 years ago in his annual report to the General Assembly. These are his words:

> The criticism of "one nation, one vote," irrespective of size or strength, as constituting an obstacle to arriving at just and representative solutions, tends to exaggerate the problem. The General Assembly is not a parliment of elected individual members; it is a diplomatic meeting in which the delegates of member states represent governmental policies, and these policies are subject to all the influences that would prevail in international life in any case. * * *

I would sum up in this way. The United States is not all powerful at the U.N., any more than we are all powerful in the world. But even though the numerical majority has shifted from the West to Africa and Asia, our position in the United Nations is still preeminent. Therefore, the value of the United Nations to our interests depends to a great extent on what we make of it.

Sometimes we hear the suggestion that the United States should give less emphasis to the United Nations because—so the argument runs—the U.N. is not a dependable basis for our security against hostile forces. This argument misses the point. This country does not rely on the United Nations to do anything which some other instrumentality can do better. The greatest achievements of the United Nations for peace and security have been achievements for which no really valid alternative means existed.

And if we consider their case—as you do in this committee this week—I think it is clear that the cost to the United States of U.N. operations in the Congo and the Middle East is very modest indeed compared to the cost we would have had to bear, both in dollars and in lives, if our own Armed Forces, instead of U.N. forces, were engaged in keeping the peace.

History does not always ask questions of us in the form or at the time we would have chosen. Yet we must answer. Today, in the United Nations financial crisis, history is asking whether the United States wants, or does not want, an effective United Nations; whether the United States will continue to play, or will no longer play, the great part in the U.N.'s affairs that befits our power and our responsibility for the survival and growth of freedom.

I do not like to think what would happen if the United States said no to that question.

Let me conclude, if I may, Mr. Chairman, with some comments on the reasons for some of the disillusionment with the United Nations on the part of those who once tended to regard it as a panacea. It is not a world government. It is admittedly unable, as I say, to impose any settlement on the great or often on the small powers against their will, though it can on occasion exercise a potent persuasive force. It is a reflection of the world in which it lives. It is only effective to the extent that its members permit it to be effective. However, it has repeatedly stopped hostilities and restored order, even if only an uneasy order, where the parties directly concerned were prepared to listen. Its mechanisms for peaceful settlement and change stand readily available for the use of members if they desire or can be persuaded to use them, and the consensus of its members as expressed through its General Assembly and councils represents a moral force that cannot be lightly ignored.

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Perhaps the most important single impression that I should like to leave with you is that we should think of the United Nations not just as a convenient repository for insoluble problems but rather as an instrument of U.S. policy, which we should use to further our objectives.

It is a complicated instrument, of course, because it is also an instrument of the foreign policy of 103 other countries. But we are not without resources or skill to get our way where it matters. It is also a limited instrument. If we wanted to defend Europe the United Nations, as I say, is largely irrelevant and NATO is essential. If we want to relate ourselves to the less developed countries of Asia, Africa, Latin America, the United Nations is essential and NATO is irrelevant. It is an important instrument. Not only because it generates a great deal of the world's political noise but because it now has the capacity to act. It has successfully intervened in nine peacekeeping situations, and has operated as the third man in a very large number of international disputes, of which current examples are the work of Ambassador Ellsworth Bunker of the United States in the case of New Guinea and of Joseph Johnson in the case of Palestine refugees.

It is essential, gentlemen, to make a clear distinction between what is symbolic and what is real in this institution. The General Assembly session that we are just in, which we are just winding up, contains one excellent example of both the symbolic and the real. The Assembly has been deciding the future of Ruanda-Urundi, small trusteeships in central Africa under Belgian administration. It is making executive decisions this morning that will really affect the lives of more than 5 million people resident in these small territories. It has also been holding a big public protest rally on the situation in Southern Rhodesia, one of the white settler countries which presents such a stubborn racial problem, a situation for which the General Assembly has no responsibility whatever. It is notable that the delegates are a good deal more sober on Ruanda-Urundi than they are on southern Rhodesia. I think there is an analogy, Mr. Chairman, in the difference in our Congress between a joint resolution on freeing the captive nations of Europe and an executive decision to move the marines into Eastern Europe during the Hungary revolt, which was not done by the administration and not recommended by the Congress.

Throughout the field of United Nations affairs, it is essential, then, to keep clearly in mind this distinction between what is talk and what is action. The newspapers don't make this distinction most of the time. But most of the United Nations delegates pretty clearly make this distinction. And it behooves responsible Americans to be clear about it, too. It is unlikely that any great power and probably no minor power, either, is going to violate what it regards as its own security interests to bow to a majority of the United Nations, or even to the principles of the charter.

Khrushchev has said this in so many words: The difference between the United States and the Soviet performance in the U.N. reflects the fact that the U.N. stands for a kind of world that is diametrically opposed to the Soviet vision of a Communist one world, and the United States normally can agree with a majority of the members and the Soviet Union normally cannot agree with the majority.

The charter of the United Nations is an accurate projection of our own basic documents on the international plane; accordingly, it is an anathema to the Soviet Union. It is for these reasons essentially that the Soviet Union has, as I say, cast 100 vetoes in the Security Council, while the United States has still to cast a veto for the first time.

Let me conclude by saying that building the United Nations is the world's toughest, most complex, most delicate, most advanced task of institution building. The United Nations is the seat for disputes after other forums and tactics have been exhausted. If we sometimes become frustrated by the inability of this institution to find a solution or by the fact that the solution it does find is a compromise or an inferior decision, we must remember that the United Nations essentially is a fire brigade. We are trying to solve issues that have become insoluble through traditional diplomacy. It is sometimes the court of last resort before force is used. National passions are high and the problems are many and difficult.

Looked at in this context, the United Nations record looks very good. The stake is no less than a future system of world order in which the United States can find long-term security in the post-colonial age of atoms and of outer space. In a small way we are learning some of the essential operational lessons that would make it possible to organize a world order, if we can ever get anywhere with our disarmament negotiations.

Thank you, Mr. Chairman. I apologize for imposing upon the committee at such length.

Chairman MORGAN. Thank you, Mr. Ambassador.

Mr. Ambassador, on page 4 of your statement, paragraph 3, you state that 39 nations have already purchased or pledged $65 million toward the bonds, that 22 other nations have definitely said they intend to purchase. Twenty-nine others, including the United States, are now considering the action they will take.

According to my arithmetic this adds up to 90 nations out of the 104, leaving 14 nations who have shown no interest whatsoever in the bond issue. Are most of these nations the Soviet bloc nations?

Mr. STEVENSON. I think 11 of them would be in the Soviet bloc. Eleven of them would be in the Soviet bloc—10 plus Cuba.

(The following information has been supplied for inclusion in the record:)

The complete tally on the nations included in the reference table with respect to the purchase of U.N. bonds was as follows on June 18, 1962:

Countries on which information secured:	*Nations*
Purchased bonds	11
Pledges	28
Purchase or pledge	39
In favor	22
Under consideration (including the United States)	29
Do not plan to subscribe	8
Total	98
No specific information on intentions, but assume they do not plan to subscribe:	
Soviet bloc and Cuba	11
Total	109
Less non-U.N. members (included above) that plan to purchase bonds	5
Total U.N. members	104

Chairman MORGAN. Mr. Ambassador, what methods other than a bond issue to raise money for this emergency were explored by the United Nations?

Mr. STEVENSON. Just about everything. Bank loans, the idea of a new level of assessments, and other devices which we will have to consider when it comes to the solution for the permanent financing problem. These were all reviewed as emergency measures. But the only one that the General Assembly and the United States concluded was feasible at this time was this method of raising money by loan from the member states and repaying it out of the regular assessments as they were collected in the future.

Chairman MORGAN. Mr. Ambassador, how was the figure $200 million determined as the correct amount?

Mr. STEVENSON. It was determined by a computation of the probable cost of the Congo and UNEF operations to the end of the last quarter of next year.

Actually, as things now stand, if the operation should continue at the same level of costs in the future as they have in the past, some U.N. estimates indicate we would be out of money by the first of March or April of next year, assuming we raise $170 million or thereabouts now. I think that is about right, if we grant their assumptions.

Chairman MORGAN. Mr. Ambassador, will the money derived from the sale of bonds be used to pay off outstanding debts or will it be used to pay for future operations?

Mr. STEVENSON. It is going to pay for future operations largely, and it will also have to pay for some existing debts, some accumulated indebtedness on the Congo operation.

Chairman MORGAN. Mr. Ambassador, just one last question on the United Nations itself. Many members of the United Nations, if not a majority, have deep-seated motivations which prevent them from looking at issues as we do. I have in mind such matters as anti-colonialism, a resentment of the poor nations against the rich, racial antagonisms, and religious differences. If we continue to build up the influence and the prestige of the United Nations, are we not involving ourselves deeper and deeper in a situation where we are likely to be outvoted on issues vital to our own security and national interest?

Mr. STEVENSON. I wouldn't suggest for a moment that we can predict with certainty that we won't be outvoted from time to time in the future. I have tried to demonstrate this morning by what I have said in the past: we have not only not been outvoted but we have prevailed in all of the important issues that have come before the United Nations—that is, the Western position has prevailed, and I mean by that the American position also. I can't predict with any certainty, however, that this will always be the case.

Chairman MORGAN. Thank you, Mr. Ambassador.

Mr. Chiperfield.

Mr. CHIPERFIELD. Thank you, Mr. Chairman.

Mr. Ambassador, I am very happy to see you.

Mr. STEVENSON. Delighted to see you.

Mr. CHIPERFIELD. I want to thank you for a very fine and constructive report. I would like to follow up the chairman's questions in regard to the financing of this measure. We received yesterday a

supplemental report prepared by the State Department on the financing of the United Nations which is very helpful and answers a good many questions. It is also revealing because it discloses other questions with which the United Nations will be confronted. We haven't had too much time to study it because we have just received it.

This report on page 2 discloses that the unpaid United Nations bills totaled over $113 million on December 31, 1961. I am told the latest figures as of today are $137 million. This same report discloses that as of December 31, 1961, the arrears on the budget and for the U.N. in the UNEF and the Congo totaled about $93 million. I am told the figure is about $10 million a month for the Congo, which would be $120 million a year; a million and a half a month for the Near East, which would be $16 million a year—so in the next 12 months it would cost $136 million to operate those two programs.

Assuming that the Court decision is in our favor, and that you get the $200 million, these figures disclose you will use up more than $200 million of the bond issue, if these other countries don't pay their arrears because those two amounts owed by the U.N. are more than the proposed bond issue. I realize the whole purpose of this bond issue is to force these countries in arrears to pay their assessments. Of course, as they pay up the amount will be reduced by that amount.

But in the Senate report, on this bill, it showed 62 out of 104 countries unwilling to pay anything on their peacemaking assessment in the Congo. It may be a good stopgap measure, but I am wondering how you are going to be able to continue. I would like to know what your plans are for the future, because you can see with only $200 million if these other countries didn't pay up, you would use it up immediately.

I realize under article 19 that these countries which are in arrears for 2 years would lose their voting right in the Assembly. But that can be extended a considerable length of time over 2 years, because they could pay their regular assessment and fail to pay their peace activity assessments, and still not get in arrears the total amount required before they would lose their vote.

I am not presenting these facts in a critical manner at all, Mr. Ambassador. But it seems to me that the measure in and of itself presents a terrifically difficult position. I would like to know how under those circumstances the United Nations is going to solve their financial problems permanently or are we just going to do something temporarily and then be faced with the same problem again.

Incidentally you raised a question of the financing of this measure by bonds. I would like to have seen it presented as a regular appropriation. But I don't see that as an issue now. This bill providing for bonds is before us. So I don't think there is any issue on that score now. I think we are faced with this problem and we will have to carry it out under this type of arrangement. I wonder if you would like to comment on the problem I have raised. If all we are going to do is just raise $200 million, and not solve anything, except temporarily, and then be confronted with the same situation, it worries me.

May I ask one more question: Have you any judgment when we could expect a decision from the World Court?

Mr. STEVENSON. Mr. Congressman, answering your last question first, I think it is true that the Court heretofore has always recessed

for the summer by the middle of July. I don't know whether they will continue in session longer than that this year or not. If that were so we could anticipate a decision by the middle of July. I think certainly there isn't any reason why they shouldn't stay in session longer. I can't predict.

As to your second question, the number of nations that have contributed or promised to contribute so far, which does not include the United States, is 61. I think one should bear in mind that there are some 28 additional states that are——

Mr. CHIPERFIELD. Mr. Ambassador, I am assuming that all the money is raised by the other countries—that they will raise their $100 million and we will furnish another $100 million. I don't care which countries contribute. I am going on the assumption that the program will be successful in raising the money, that you will have your $200 million. Then what happens?

Mr. STEVENSON. We won't discuss, then, how many have contributed and how much and why some haven't.

Let me just address myself to your second question, which is what we do after this interim period is over, which, as I said, I think will probably be somewhere toward the end of the next calendar year. This is a problem to which we in our mission in New York have given a great deal of attention, to which the State Department has given a good deal of attention, and I know that the fiscal officers of the Secretariat have done likewise. How many other states have worked on it I am not informed except as to the British, who have also done a great deal of work on it.

We have had meetings with them. We will have further meetings with them later on this summer, and with certain other countries which have been major contributors.

I don't think there is any consensus yet, Mr. Congressman, as to what long-term financing plan would be submitted to the General Assembly this fall. It will have to be acted upon during the Assembly some time between the middle of September and the middle of December this fall. What the Congress of the United States felt about it would obviously be very influential on the General Assembly because we are the largest contributor. I think, therefore, any counsel and advice we can get from the members of this committee and the staff as we go along in the exploration of alternatives could be very helpful.

As to the ways that have been considered: They fall into several categories. There is the broad idea of another scale of assessments for special operations, for peacekeeping operations. There is the idea of a consortium of states in each individual case—the interested states—especially interested in the peacekeeping operation. There is the other idea of passing the hat, as we have previously done, and so on.

I really can't answer your question as to how we are going to permanently finance the United Nations. I think it is one of the most stubborn, perplexing, difficult problems we have: not the United Nations regular operations, just the peacekeeping operations.

Now that we have gotten into this area, and we presumably will stay in it, it may present difficulties more or less. It is hard to foretell. I think many countries would be reluctant to see us engage in an operation of the order of magnitude of the Congo soon again, unless we were adequately financed in advance.

Mr. CHIPERFIELD. Thank you very much, Mr. Ambassador.

Chairman MORGAN. Mr. Zablocki.

Mr. ZABLOCKI. Thank you, Mr. Chairman.

Mr. Ambassador, it is good to see you.

Mr. STEVENSON. Nice to see you.

Mr. ZABLOCKI. I would like to pursue for a moment the question raised by Mr. Chiperfield. You state that the proposed loan shall not be considered a precedent for future large-scale borrowing. Since you came to the conclusion that borrowing was the most feasible, cheapest, the best way of handling the financial problem of the United Nations at the moment, are we to conclude that, in the future, it will remain the method used for financing the peacekeeping functions of the United Nations?

Further, are we to presume that the financing problem will only be settled if a favorable decision will be rendered by the World Court?

Mr. STEVENSON. No, not really, Mr. Congressman. The decision of the Court will be of the greatest importance insofar as the collection of arrearages is concerned. As Congressman Chiperfield pointed out a moment ago, and as the committee print indicates, there are $93 million of arrears that have been accumulated. The effect of the Court opinion will be to impose the same penalties on the failure to pay assessments for peacekeeping operations that are presently imposed by the charter on the failure to pay regular assessments. In that respect the opinion is of the greatest importance. It does not relate, however, to future financing. It relates only to making payment of past assessments compulsory. I don't know if I make that clear.

Mr. ZABLOCKI. I still don't see any long-term solution to the U.N.'s problem.

Mr. STEVENSON. I think we will come up with some suggestions for you. We would certainly welcome any you have.

Mr. ZABLOCKI. Since you haven't come up with one thus far, how can we expect that one will be forthcoming in the near future?

Mr. STEVENSON. Until we can get this Court opinion resolved and decide whether or not we can collect the arrearages it is very hard to make a future plan, if you follow me. We can't really decide what we should do in the future until we decide what our legal basis is.

Mr. ZABLOCKI. Thank you.

Chairman MORGAN. Mrs. Bolton.

Mrs. BOLTON. Thank you, Mr. Chairman.

Welcome to our city, Mr. Ambassador.

With whom and through whom was the agreement made to have this bond issue? Who sat around the table and decided on it?

Mr. STEVENSON. It was decided by all the 104 countries sitting around in the General Assembly in New York last fall. I think it was in November.

Mrs. BOLTON. From whom did the suggestion come for it?

Mr. STEVENSON. I think the suggestion originated in the Secretariat in consultation with our mission, with perhaps half a dozen other missions who were particularly concerned about the fiscal problem.

Mrs. BOLTON. Would those be Britain, France, or what?

Mr. STEVENSON. I think the Dutch; I think the British; the Italians. I don't believe the French were in on those meetings.

I can't recall precisely which countries participated in those original plans.

Mrs. BOLTON. We could have that information, could we not?

Mr. STEVENSON. If the Secretary General will reveal it. I don't see why he shouldn't. Many of the meetings were not with us. They were with him.

Mrs. BOLTON. The Secretary General, then, was the one who started the ball rolling?

Mr. STEVENSON. No; I think probably the ball was brought to him perhaps by our delegation with the support of others. I must say I am not really competent to answer this question without reviewing the log of events of who said what, and when.

Secretary Cleveland reminds me that the Secretary General talked with every delegation at one time or another about the problem of long-term financing, at least "every delegation" may be fairly loosely used.

Mrs. BOLTON. You have just used the term "long-term financing." That is what Mr. Chiperfield was asking about.

Mr. STEVENSON. I mean this financing.

Mrs. BOLTON. Just the bonds?

Mr. STEVENSON. Yes.

Mrs. BOLTON. Was it discussed at all? Did you discuss it at all as our representative in the United Nations with any of the Members of Congress?

Mr. STEVENSON. Mr. Klutznick handled it for us, and his staff in the economic section of the mission. Whether he discussed it with Members of Congress before the plans were formulated, I don't know. I suspect—I don't know whether those Members of the Congress who were sitting here today——

Mrs. CHURCH. Would the gentlewoman yield?

I would say to the Ambassador that the proposal was reported to the two Members of Congress who were in the delegation, Mr. Burleson and myself.

Mrs. BOLTON. Thank you very much, Mrs. Church. I wanted it brought out on the record that it was merely discussed.

Mr. STEVENSON. I should say, Mrs. Bolton, I think there was also some discussion with several Senators who have served at the U.N. in the past.

Mrs. BOLTON. The money would be used for future expenditures of the United Nations?

Mr. STEVENSON. Yes; it will be used for peacekeeping operations in contrast to the regular budget.

Mrs. BOLTON. Peacekeeping, that was what was supposed to have been done for the Congo, and there is so much disturbance in the minds of so many people about the methods used and the things done by the United Nations in the Congo that I for one, and I certainly think many others, have very troubled consciences. Many people feel that if the bond issue is agreed to, and the money is available, the United Nations will go in and forcibly insist upon Katanga going into the Congo. If that happens there could well be a terrific blood bath. Is it not possible that the matter is far more serious than the general public has been given to understand? Do you have any comment on that?

Mr. STEVENSON. I don't think there is any relation between the money and the policies of the United Nations operation in the Congo.

Mrs. BOLTON. How can there help but be? It takes money to do those things.

Mr. STEVENSON. I meant if you wanted to strangle the operation, yes; if there was no money they would have to pull out and all the troops would have to go home, and the consequences I think would be fairly obvious as to what would happen in the Congo.

Mrs. BOLTON. There is the other side of it, however. If they have the money they can just go ahead with force and do whatever they see fit.

Mr. STEVENSON. They can only do what they see fit, according to the mandates that are issued to the Secretary General by the Security Council.

Mrs. BOLTON. I think there is a great deal of unhappiness over it, and there is a great deal of sense abroad that the matter will not be handled with wisdom and discretion. You surely must have had——

Mr. STEVENSON. Yes, indeed. I happen to disagree with it——

Mrs. BOLTON. I am sure you disagree but there are many who feel that way. It is rather important that there be peace in Africa rather than war.

Mr. STEVENSON. We think this is the only way we are going to get peace in Africa.

Mrs. BOLTON. I am sure you do. But a great many other people think that is not the way to bring peace. People here in this country are going to be quite helpless in the matter if the bond issue is passed and there is plenty of money and the United Nations wants to send more soldiers in there and force Katanga into the plan of a union that the U.N. will set up. That is all there is to it, then? We have no more to say about it?

Mr. STEVENSON. Nothing can be done by the Secretary General that isn't authorized by the Security Council. We will have something to say as to what is done by the Security Council. We sit as a permanent member on the Security Council.

Mrs. BOLTON. I don't think we had much to say before. Certainly the results are not what we hoped for.

Mr. STEVENSON. Certainly we would like to avoid the use of force——

Mrs. BOLTON. Not only the use of force, but the methods used, the people involved, the people who are backed by the United Nations that are not trusted by many of the people who do know a very great deal about the situation in the Congo.

Chairman MORGAN. The gentlewoman's time has expired.

Mrs. BOLTON. Thank you, Mr. Chairman.

Chairman MORGAN. Mr. Burleson.

Mr. BURLESON. Thank you, Mr. Chairman.

Mr. Ambassador, it is always good to see you. In your prepared statement, as always, you make a most impressive argument in your own inimitable fashion. I am impressed particularly with the scope of your discussion. You indicate an awareness of these things to which Mrs. Bolton refers; of the criticism which is directed toward the U.N., both by the professional opposers and those who may not understand or those who have a misimpression. Members of Congress and particularly members of this committee have opportunity to hear daily these sentiments from all over the Nation.

Having said that, Governor, and again referring to your question, Mrs. Bolton, I can assure you that as Mrs. Church indicated this

matter was discussed with the two congressional delegates to the U.N. this last fall. I think it was in November. Incidentally——

Mrs. CHURCH. Would the gentleman yield?

Mr. BURLESON. Of course.

Mrs. CHURCH. I would like to say to my congressional partner in the United Nations delegation, that my statement that the matter was discussed with us was not meant to indicate that I did not view the proposal with some skepticism. We were not asked for approval or disapproval. The proposition was merely reported to us; is that correct?

Mr. BURLESON. That is correct. Ambassador Klutznick at the time was assured that this plan would have rough sledding in the Congress. The gentlelady is certainly correct in that we didn't agree that this was the best method or the only method. As will be recalled by Secretary Cleveland it was suggested then that every exploration should be made of the possibility of the bond issue being financed by some international lending organization such as the World Bank. I understood that those inquiries were made. As to what depth, I don't know.

In subsequent inquiry I was given assurance that discussions were held with officials of the World Bank and no encouragement was found for the suggestion. I have felt there were other alternatives to the financing of these U.N. bonds, but you say, Governor, on page 2, that there are no alternatives. There may be none but even though the international lending agencies were not created to meet a situation of this nature, I continue to believe possibilities exist.

With some 84 member nations of the U.N. belonging to the World Bank it occurs to me that they should be able to control its actions in investing in its own obligations. The Soviet bloc, and many of the newer member nations which do not belong to the Bank are not going to participate in this matter of financing peacekeeping operations anyway.

Now it seems to me there is another alternative which if explored thoroughly holds opportunity, both as to financing these certain United Nations operations and also for the taxpayers of our country. The idea was offered in the form of an amendment to the foreign aid measure recently voted out favorably by this committee.

Very briefly, my amendment would have utilized foreign currency owned by the United States in the several countries to which the U.N. is indebted. India offers an excellent example. It is my understanding that the U.N. is indebted to India. It is my further understanding that our country has generated considerable sums in counterpart funds in India by sale of agricultural products. Those currencies are frozen. These impounded funds are not put in the bloodstream of the economy of India because of inflationary effects, as I understand it. The U.N. owes India certain sums for its duties in the Congo. Since we have rupees in India, it seems to me in an exchange these could be used for the purchase of these bonds, repayable in dollars to the United States when the bonds mature.

I hope that has been explored in depth. I should add that my colleagues were less than enthusiastic about the amendment I offered in the committee on this subject.

Passing from that, although I would welcome a comment, may I take advantage of the time I have, for fear the chairman will not let me continue after your answer, to ask one further question and have your comments in one package. Have not the Soviets and the Soviet bloc already declared that regardless of the decision of the World Court on obligations to finance the UNEF and the Congo operation they would not recognize the advisory opinion of the World Court and, therefore, the opinion would have no real effect on their obligation? Would we not be back where we started if this is the case—and I think it is? If I understood your reply to the chairman, the proceeds from the $200 million bond issue is to be applied to future operations. Should the Court determine that these expenses are a part of the expenses of the Organization and not applied retroactively, would that not imperil the bond issue and even if they were declared to be a retroactive obligation on all member nations, would it be necessary, assuming that all would pay, to have the bond issue at all?

Mr. STEVENSON. Mr. Congressman, first, with respect to your comment on the World Bank: if my recollection serves me we had a number of discussions with the President of the World Bank, Mr. Eugene Black, about the possibility of the Bank financing ad interim the deficit of the United Nations peacekeeping operations. Your memory is perhaps better than mine. My recollection is that he approved heartily of the bond issue proposal, although I don't like to put words in his mouth.

Moreover, any financing by the World Bank would have required very substantial amendments to the charter of the Bank which were not considered practical at the time.

Secondly, as to the attitude of the Soviet Union to the decision of the Court, I don't think they have conclusively said that they will decline to comply with the opinion. On the contrary, there is some evidence at least that they take the opinion very seriously because they appeared and argued, and argued this case very effectively in The Hague before the World Court, with one of their foremost jurists, when it was presented in May.

This is the first time that the Soviets have ever participated in oral argument in a case before the International Court of Justice.

As to your third question about the use of local currencies, this question, I think, has been discussed from time to time. It has been felt that we should use one monetary standard in the United Nations—I believe this goes back to the origins of the Organization when I participated in 1945 and 1946—and that is in dollars, as long as the headquarters was in the United States. I think it is possible for the Secretary General to be authorized by act of the General Assembly to accept other currencies, if he chooses to do so in given cases, or accept convertible currencies.

As to your final question, I confess I am not sure that I am able to answer it. If you would be good enough to restate it for me further before I attempt to answer it.

Mr. BURLESON. The last question was on this point: If the World Court should decide affirmatively that these peacekeeping operations are obligations the same as the regular assessments, then if these nations which have not paid for this peacekeeping operation, paid their delinquent account, would the bond issue be necessary?

Mr. STEVENSON. I see——

Mr. BURLESON. There is another part. Should the court decide adversely, what would be the effect of issuing the bonds? Would it not impair the stability, security, and repayment? Would there be a legal matter concerning the issuance of the bonds? This seems to me a very vital question.

Mr. STEVENSON. I can answer with confidence only one part of that, that is, that the legality of the bond issue isn't to be affected by the opinion in any way. They are entirely independent one from the other. Whether there would be an insistence for a bond issue if the opinion was satisfactory, and if all the arrears were collected, I can't answer that without knowing more about the amount of the arrears and their collectibility.

Mr. Cleveland tells me that $82 million of assessments are in arrears; there is a $137 million deficit now. From July on there is no assessment, and there will be only bond money available. So from July on we will have no means of financing this operation except by proceeds of this bond issue.

Chairman MORGAN. The gentleman's time has expired.

Mr. STEVENSON. The bond issue would presumably carry us for a year and a half.

Mr. BURLESON. Thank you, Mr. Ambassador.

Chairman MORGAN. Dr. Judd.

Mr. JUDD. Thank you, Mr. Chairman.

Mr. Ambassador, as always you have presented eloquently the reasons why means must be found to keep the U.N. in operation. I concur wholly that the benefits to ourselves so outweigh the costs thus far that it is not a question of whether, but of how, to help the U.N. through these present difficulties, and to get its financing on a sound basis.

I heard you say that 82 members are in arrears. Is that on their share of the regular budget or on the special appeals for help for the so-called peacekeeping operations? In your statement you said, sir, that the regular budget to which the United States now contributes 32 percent is in good shape and the arrears are insubstantial.

Mr. STEVENSON. Let me see if I can summarize it for you, Mr. Congressman. On page 13 of the committee print of June 25 you will find a tabulation as of May 31. It shows that the number of countries in arrears on the regular budget was 30. The number of countries in arrears on the UNEF—United Nations Emergency Force—budget was 52. The number of countries in arrears on the Congo operation was 66. It tabulates the amounts of the arrearages in every case. If I gave you the figure, I don't know why I gave you the figure of 82.

Mr. JUDD. A good many of the countries that are in arrears on one item are also the ones in arrears on the others.

Mr. STEVENSON. The $82 million figure was, according to the committee print on page 10, the amount of money in arrears.

Mr. JUDD. Let's get it straight for the record, that is all, so we don't have statements that later may be quoted and give an erroneous impression.

The questions I am going to ask you are the questions that are asked me by American citizens. First, shouldn't we wait for the advisory opinion? I judge that you hope that the advisory opinion will be in the affirmative; is that correct?

Mr. STEVENSON. If what, sir?

Mr. JUDD. You hope that the advisory opinion will be in the affirmative?

Mr. STEVENSON. Yes, by all means, of course.

Mr. JUDD. This time an affirmative opinion would be advantageous to us because the results of the operations in the Gaza strip and so on were favorable to our national interest. But this question is raised: Suppose the United Nations now goes ahead in so-called peacekeeping operations in places where what it did was not only disadvantageous, but even dangerous to our interests. Then, wouldn't this affirmative advisory opinion put us in exactly the same position as the Soviets are now in where we would be called upon to support financially operations that we don't approve. The Soviet Union says it won't give any money to help in the Congo because its purposes obviously were defeated in the Congo?

Mr. STEVENSON. I assume that is always a danger in participation in a multilateral organization.

Mr. JUDD. I wish you would enlarge on that a little. This objection or fear is raised by sincere people and we need as much help as possible in answering it.

Mr. STEVENSON. I can only point out that in the Security Council, which is the principal source of authority for the Secretary General to act in peacekeeping operations, the situation as of now at least is that the Western countries—that is, those who share common views common to ourselves—are in the preponderance. Those which represent the Communist point of view are only 2 in number out of 11. We have two neutrals, two members of the Soviet bloc, and the balance are Western. So that we haven't had any problem so far.

Let me also say, while I have you on this, that the figure $82 million is the total figure that occurs from the same table of the arrears.

Mr. JUDD. I hope you will spell out, and some of us can support it as a fact, that when the U.S. positions are right, and its reasons are skillfully presented at the U.N., its position will prevail. When I was serving as one of our delegates to the U.N., some people said, "Oh, it is fine when they vote with us. What will happen when they vote against us?" I replied, "I don't think they will vote against us if we are right and present our case convincingly." Isn't that true?

Mr. STEVENSON. We have to believe this, and we have to practice it. Otherwise, I think that this instrument could be a hazard to us. As long as we have confidence in our views and as long as we can make them, express them with clarity and conviction, and as long as we believe they represent the interest of the greatest mass of people in the world, as I think they demonstrably do, I don't see why we should be too apprehensive.

Mr. JUDD. I note you said that on such and such occasions we voted with the others. I wish you had said that they voted with us, and that it was not because of arm twisting by us, but because our positions were in the interests of the people of the world, and others realized it, despite hostile charges. I was never embarrassed by the positions we took at the U.N. on almost all issues, except the Congo, I must say. I think we ought to calm the fears that the smaller new countries are going to vote en masse and overwhelm the United States. They know that if they were to overwhelm the United States, they

would lose what they know is their own best hope of maintaining their precious newly won independence.

Mr. STEVENSON. I think they appreciate this more and more. Once we resolve the colonial question—and we are reaching the end of it in the United Nations—I think the passions that that question has engendered among these new countries will subside.

Mr. JUDD. Another objection raised is that when the U.N. engages in so-called peacekeeping operations—actually they are military operations, they require use of armed forces—the Under Secretary for Special Political and Security Council Affairs is and always must be a Soviet representative because of an alleged understanding or agreement that was made when the U.N. was established. They say that if peacekeeping means the use of armed forces, and they are under the direction of the Under Secretary who handles military affairs, aren't we just turning over so-called peacekeeping operations into the hands of the Soviets who are not likely to work very hard to make them successful for the purposes we and the majority in the General Assembly have in mind?

Mr. STEVENSON. Actually, the fact of the matter is that the Soviet official that you refer to as the Under Secretary for Security Affairs, has had nothing whatever to do with conduct of forces in the field, or with the instructions that proceed to them. They proceed from the Secretary General only, or from his chief of staff.

Mr. JUDD. In Korea did he not have something to do with it? Wasn't he party or privy to everything that the U.N. forces did in Korea? I am trying to get out the facts on this. Frequently I get the question in letters from people at home, whether or not everything that the U.N. does in this field goes through the hands of an Under Secretary, who by some agreement must be a Soviet nominee.

Mr. STEVENSON. He has nothing to do with the operations, themselves. He has to do with the conduct of the Security Council business, but not with the operations in the field.

Mr. JUDD. The direction of operations in the field is directly under the Secretary General?

Mr. STEVENSON. Yes, sir; and in the case of Korea, the United States was requested by the Security Council to appoint the commander of the unified command.

Chairman MORGAN. The gentleman's time has expired.

Mr. STEVENSON. And in the case of the Congo, if I may have one further word, Mr. Chairman, it is Ralph Bunche of the United States who deals with Congo questions at headquarters.

Mr. JUDD. Mr. Chairman, I have to ask this one more question. On page 5 you say, "The equality of all men before God." I just wondered if you had read the Supreme Court decision. My question is, "What God?"

Chairman MORGAN. Mrs. Kelly.

Mrs. KELLY. Thank you, Mr. Chairman.

Mr. STEVENSON. I think I will not get into this last one, if you don't mind.

Mrs. KELLY. I will ask my question, Mr. Ambassador.

There seems to be so many problems today resting on the decision or I should say the advisory opinion of the International Court, that I would like to ask if this opinion is in the affirmative will that be enough or sufficient to give the U.N. the right to raise funds in the future without an amendment to article 17?

Mr. STEVENSON. The opinion of the World Court will——

Mrs. KELLY. It is not an opinion, is it?

Mr. STEVENSON. The advisory opinion of the World Court in the future will presumably—strike the word "presumably"—will enable us to impose a sanction, the sanction of suspending the right to vote in the General Assembly of all countries that are in arrears. Our definition of what constitutes "in arrears" is somewhat different, I think, in the United Nations than it is in normal practices when your bills come due every month. Our bills come due in the United Nations every year.

Mrs. KELLY. In other words, that decision will give you the right to impose sanctions; is that correct?

Mr. STEVENSON. Yes; the loss of vote.

Mrs. KELLY. When you say "to impose sanctions," do you mean by the Assembly or by the Security Council?

Mr. STEVENSON. Assembly.

Mrs. KELLY. That is under article 17 of the charter; is that correct?

Mr. STEVENSON. The loss of vote under article 17? I think it is article 19, isn't it?

Mrs. KELLY. I want to continue the question of Mr. Burleson at the moment.

On page 13, I believe, of the joint committee report on the operation of the United Nations, is a list of nations who were delinquent on the regular budget and the Middle East and the Congo assessment. There are many local currencies accrued in those countries. Mr. Burleson asked if they could, with the consent of the United States, pay up their deficit to the United Nations and repay the United States in dollars. Would that be possible?

Mr. STEVENSON. I don't know. I am not competent to answer that question. I think it would have to be only with the approval of the Secretary General.

Mrs. KELLY. I believe we have to have an amendment to the mutual security bill, too. In lieu of that I wondered——

Mr. STEVENSON. I think you would have to have an amendment to this bill which is before you, wouldn't you?

Mrs. KELLY. This bill I believe, or both.

Mr. STEVENSON. To accept any payment except in dollars.

Mrs. KELLY. No, no. My question was that we could convert it to dollars.

Mr. STEVENSON. If you convert it, yes, then it is dollars.

Chairman MORGAN. Mrs. Church.

Mrs. CHURCH. Governor, it is good to welcome you here. Referring to my earlier statement that the bond proposal was reported to us, we did discuss the possibility of acceptance or rejection by the Congress. I said then that sometimes in time of pending disaster it is better to step in with a life preserver rather than to start a new process of preservation.

I personally still think that it would be easier to put through the Congress a necessary life preserver of appropriation than to start on a new program of lending through a bond issue. I, like Dr. Judd, receive many questions from your section of the country. Many people think that we are suggesting a blood transfusion without going into the means of ending what seems to be a disease.

If we have waited 6 months to take action would there not be merit in waiting until after this World Court decision is handed down, which is expected to be just a matter of 4 weeks, at the most perhaps 6 weeks, so that we may know where we are. People say to me in defense of the bond issue that unless we have it, an agonizing reappraisal of U.N. financing will be necessary. It would seem to me that it would be better to have the reappraisal based upon facts that we know, rather than to leap forward into something which we know not of. One thing bothers me very frankly, Mr. Ambassador, about this plan: If the proceeds of the issue are used to pay a certain proportion of the arrears, will even this bond issue meet the actual need for running expenses? Until we know the decision of the World Court, there remain imponderables that raise doubt in my mind about the wisdom of taking action now.

Emerging new nations, where we anticipate possible bloodshed, and the necessities of keeping peace present another imponderable. In delineating, as did the Senate that proposed repayment of principal and interest be deducted from an annual assessment, I am not sure we are not robbing Peter to pay Paul and likewise depending on the anticipated payment, of which we are not assured, merely to give a golden touch of hope for the return of this money.

Surely to delay action for 6 weeks would be helpful. I wondered if you would address yourself to the question of whether or not the decision should not go over until the World Court acts? One does not pump money into a corporation until one receives a definitive report.

Mr. STEVENSON. My answer to your first question, Mrs. Church, is that it will make no difference what the opinion of the court is as to the necessity for this bond issue. The necessity for this additional money to finance the operation into next year will persist whether or not the decision is favorable. That, of course, is due to the fact that we can't hope to collect all of the arrears at once. It will take some time. It would be impossible even if we had somebody out collecting the bills. We have strongly recommended to the Secretary General that he appoint a minister of finance, or something of that kind, who could travel around and see what he could do to collect this money promptly, but the problem of payment to many countries is extremely difficult, as you know. It is so difficult, indeed, that two countries came within an ace of losing their vote—both Latin American—in the last 2 weeks, and only paid up at the last minute.

I don't think it is reasonable to assume that if we have a favorable opinion that we are also going to collect all the money in a short time.

Mrs. CHURCH. If you receive an unfavorable opinion your problem changes, does it not?

Mr. STEVENSON. If you have an unfavorable opinion the problem is more acute. You won't have any arrears—I mean, you won't have any collectible arrears.

As to your second question, whether or not you will have enough money for the regular budget if you repay these loans by deductions from the regular assessments, my answer to that is "I don't know." I assume that you will; that as a bookkeeping matter it will cancel out and rather than to ask the United Nations to pay you $10 when you owe them $10, you cancel the account on both books. In effect, that is what it amounts to.

Mrs. CHURCH. May I ask a legal question in connection with this? If the amendment in the Senate bill is included in the House bill, and passed by the House—namely that the United States shall deduct its share before it pays its new assessment—is that a definite hazard against the United States paying its full assessment in the future? Suppose you find yourself in a situation where, once again, the United States is the only country which is willing to rush in to the rescue? What would happen if this provision is operative?

Mr. STEVENSON. My colleagues tell me that they would interpret the Senate bill as making it mandatory that there be a setoff, that the amount the U.N. owes us would be set off against the amount we owe them.

Mrs. CHURCH. Under no circumstances——

Chairman MORGAN. The lady's time has expired.

Mr. STEVENSON. This is the peacekeeping budget——

Mrs. CHURCH. Dr. Judd stole a minute, and I want to steal one. I believe one of the high moments in United Nations history occurred at that December midnight when you spoke in protest against the Soviet veto of the Goa resolution. I would like the record to show that.

Chairman MORGAN. Mr. Hays.

Mr. HAYS. Mr. Ambassador, I am sure you are aware that the United States does not recognize the right of the World Court to litigate about any matter concerning us unless we give our consent.

Mr. STEVENSON. Yes.

Mr. HAYS. So you are going to take the Soviet Union into a court that we refuse by law to recognize and get an advisory opinion against them and then make them pay up. Do you think that is a very practical way to do it?

Mr. STEVENSON. I am afraid that is the only means available to us. This is an advisory opinion, you understand.

Mr. HAYS. It is a pretty weak reed to lean on?

Mr. STEVENSON. I don't see anything the matter with that. That is an advisory opinion of the Court.

Mr. HAYS. You are going to take them into a court that we don't recognize and get a decision against them. Won't they say, "You don't recognize the decision; why should we?" This decision, opinion, or call it whatever you may.

Mr. STEVENSON. Let me just say a word about that. A proceeding in the Court is a request for an advisory opinion, an interpretation of the charter, Mr. Congressman. It is not an adversary proceeding between opposing litigants. It is purely advisory. While I might differ from you or others as to the Connally amendment, and its wisdom, we recognize that it exists, but it has nothing to do with an advisory proceeding.

Mr. HAYS. I don't happen to be for the Connally amendment but it is there. I am sure the Soviet Union will use it for what it is worth. There are several questions I could ask. I would like to throw this one out——

Mr. STEVENSON. The Connally amendment doesn't say we don't recognize the jurisdiction of the Court. It says we reserve the right to determine whether a question is within our domestic jurisdiction.

Mr. HAYS. Let's don't split hairs. It amounts to the same thing. We reserve the right to say whether we will pay any attention to the World Court. It comes out to about the same thing.

Mr. STEVENSON. In this case we are saying we will.

Mr. HAYS. Another thing that bothers me is that in NATO we pay 24.2 percent of the cost. There are 15 nations involved. There are 104 nations in the United Nations, and our regular assessment is 32 percent. Actually, we are paying 47 percent. Don't you think we are being taken a little bit there?

Mr. STEVENSON. Yes. I wish we didn't have to pay anything. We are paying 47 percent, and have been historically for peacekeeping operations.

For the regular budget it is only 32 percent.

Mr. HAYS. The regular budget I think is way too high. If a fair share of NATO is 24.2 percent with 15 nations, those same 15 nations are in the U.N., plus 89 others. Yet we are paying more money.

Mr. STEVENSON. I don't know the basis of the assessment in NATO. I point out that the situations are hardly comparable. The NATO exists for the defense of those very countries. They should make this contribution. I would have thought if anything they should make a greater contribution to their defense.

Mr. HAYS. Presumably the U.N. exists for the same thing. You said in your statement——

Mr. STEVENSON. Not military.

Mr. HAYS. To protect and preserve their freedom, many of these countries.

Mr. STEVENSON. Not for their——

Mr. GALLAGHER. Will the gentleman yield?

Mr. HAYS. Not at the moment.

Mr. GALLAGHER. I might be able to answer the question.

Mr. HAYS. We are engaged in a military operation in the U.N., aren't we? We are financing one in the Congo.

Mr. STEVENSON. Yes.

Mr. HAYS. If we weren't pouring the money in it wouldn't be there.

Mr. STEVENSON. Yes.

Mr. HAYS. There are a lot of people in the Congress who don't know—who are not convinced and who don't think maybe we are supporting the right side.

Mr. STEVENSON. I understand that.

Mr. HAYS. I happen to be one of them. I said I think [this Adoula is a lemon and I will say it again. I think we are going to wind up in a pretty sad state of affairs. I am not from Mississippi, or any other Southern State. I have voted for every single civil rights piece of legislation since I have been in Congress. But, Mr. Ambassador, when the American people find out that we are paying for Ghurkas and Moroccans to murder white missionaries, I don't think they are going to like it much, and they are finding this out.

Mr. STEVENSON. You must have facts that I don't have.

Mr. HAYS. I have talked to some of these people who were there in Katanga. It has disturbed Mrs. Bolton. It has disturbed a lot of people. The photographs, the facts, the testimony is irrefutable. That is what is causing your trouble here. A lot of us are pretty concerned about this whole Congo operation.

Mr. STEVENSON. I understand that.

Mr. HAYS. We didn't go to war when Upper Volta and the rest of that federation split up. Are we going to war because Ruanda-Urundi wants to split up? Are we going to send troops in there when that civil war breaks out?

Mr. STEVENSON. We haven't sent any troops, I remind you, to the Congo. There is not an American life that has been lost in the Congo or the Middle East since the United Nations operations began.

Mr. HAYS. We are hiring mercenaries who are not very well disciplined.

Mr. STEVENSON. They are not mercenaries. They are other members—they are armed forces of other sovereign states, just as sovereign as we are.

Mr. HAYS. That is a debatable question, too. Many of these states are on the foreign aid dole and they wouldn't exist if we weren't supporting them. They call themselves sovereign states. I suppose the Congo calls itself a sovereign state but it is a little debatable about how sovereign they are. These are pretty fundamental things.

Mr. Ambassador, I am back in touch with the people in Ohio every day, and they are concerned about this, and they are disturbed about it, and they are going to do something about it.

Chairman MORGAN. Mr. Mailliard.

Mr. MAILLIARD. I will pass, Mr. Chairman, to answer my name on the pending rollcall in the House.

Chairman MORGAN. Mr. Pilcher.

Mr. PILCHER. Thank you, Mr. Chairman.

Mr. Ambassador, should we have an adverse decision in the World Court, and then these countries that have refused to pay their assessment continue to refuse to pay them on the grounds that this would mean money to pay back this loan, then where would we go? What would be our position?

Mr. STEVENSON. If I understood you correctly, the answer is that the loan doesn't in any way depend on the decision of the World Court. I think this has gotten confused.

Mr. PILCHER. I mean if these countries refuse to pay their dues right now on the ground that much of this money that they use would go to help pay off these loans, on that matter they refuse to make payment.

Mr. STEVENSON. Yes; I suppose they would be defaulting under their ordinary budget and get penalties therefor.

Mr. PILCHER. Article 19—you understand that better than I do—states if they are in arrears for 2 years. But a part of the article gives them a loophole when it says that the General Assembly may permit a member to vote if they refuse to pay because of a condition beyond the control of the member. It doesn't mean if they don't pay in 2 years they don't have a vote. It is left to the discretion of the General Assembly.

I just want to know what you think. I know you can't say what the United Nations will do. I have a lot of confidence in you. What would be your position, say, if we had an adverse opinion in the World Court, and then these countries refused right on to pay their dues in the United Nations? What would you recommend?

Mr. STEVENSON. I think we would have to examine it case by case. I don't think you can lay down any broad generality. There would be some cases where the payment might be——

Mr. PILCHER. I didn't want to call names. I will say Russia and the satellites.

Mr. STEVENSON. I think Russia would be just as liable as anyone else for payment and as able to pay as anyone else. Other countries where we know their budgets are——

Mr. PILCHER. We will forget about the little countries. Say Russia and her satellites refuse to pay right on. What would be our position or what would be your position?

Mr. STEVENSON. I think they would lose their vote after 2 years if they were in default automatically. So that the judgment of any one country would make no difference whatever.

Mr. PILCHER. You think the Assembly would back that up?

Mr. STEVENSON. Yes, I think so.

Mr. PILCHER. That is all.

Mr. HAYS (presiding). Mr. Fountain.

Mr. FOUNTAIN. Thank you, Mr. Chairman.

Mr. Ambassador, it is good to have you with us. Many of the questions I have in mind have already been asked. I want to ask one or two questions concerning this advisory opinion.

As I understand it, if the advisory opinion is favorable, it will still require a two-thirds vote to prevent a country from voting if it remains in arrears; is that not true?

Mr. STEVENSON. No, sir. Our interpretation—our assumption is that while the General Assembly may have to pass resolutions on details as to timing and method and one thing or another, that countries would automatically lose their vote after arrearages had amounted to the unpaid assessments for 2 years.

Mr. FOUNTAIN. I was looking at article 18, paragraph 2, which says that—

> decisions in the General Assembly on important questions shall be made by two-thirds majority of the members present and voting. These questions shall include—

and it says—

> the suspensions of the rights and privileges of membership.

Would that not include the right of voting?

Mr. STEVENSON. I don't think so, sir. If you look at article 19 it says that a member who is in arrears in the payments of its financial contributions to the organization shall have no vote in the General Assembly if the amount of its arrears exceeds the amount of contributions for the previous 2 years.

Mr. FOUNTAIN. This is along the line of the question that was asked by Mr. Pilcher. Suppose the Soviet bloc continues to refuse to pay and suppose they lose their votes, will that mean the end of the United Nations?

Mr. STEVENSON. The United Nations would not be the same if any major state like the Soviet Union were to drop out for whatever reason. I don't think merely losing its vote until it corrects its arrearages is tantamount to withdrawing. I suppose you are speaking of withdrawing from the United Nations, not merely nonpayment of dues. Then you don't have a United Nations in the sense of a universal organization. It is ironic, however, that a good many people in this country would like the United Nations a lot better if the Soviet Union was out of it.

Mr. FOUNTAIN. That is all.

Mr. HAYS. Mr. Ambassador, I am sure that some of the members would like to come back. They were called for a quorum call. I have an unusual opportunity here since I am the only member present. I don't like to impose on you. We might wait a couple of minutes and see if somebody does come back.

Perhaps we might pursue this question of the amendment a little further. I am curious to know what would be our attitude, if, saying we get this advisory opinion, and the Soviet Union says, "We don't recognize the right of the World Court to act on this subject." What do you do then?

Mr. STEVENSON. It is difficult for me to answer some of these questions because I just don't know.

Mr. HAYS. Imagine how much more difficult it is for me, as I am not a lawyer.

Mr. STEVENSON. If they say they don't recognize the decision of the World Court and continue in arrears, it would be for the General Assembly to determine whether or not, under article 19, they had lost their vote, regardless of whether they say they approve or don't approve of the opinion of the Court.

Mr. HAYS. Then we would be confronted with the situation, in essence, of the General Assembly voting on whether or not to deprive the Soviet Union of a vote. You don't realistically think that we could muster a majority for that?

Mr. STEVENSON. I wouldn't have any doubt about it personally.

Mr. HAYS. I would have a good deal of doubt. You are up there and I am not.

Mr. STEVENSON. I think most of these people want to keep this organization alive. They want to keep it healthy, want to keep it responsible, want to keep it adequately financed and effective.

If any step of this kind were to be taken, which would be tantamount to destruction of the very means of its existence, I think there would be a very general protest.

Mr. HAYS. I am glad to get that on the record and I hope you are right. We may have to wait for a while to see. I hope if we come to that, you are right. Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Chairman. I am very happy to have you here today, Governor. Mr. Ambassador, you are going to have another crisis arise in the very near future. You touched upon it in reference to Rhodesia and the trust territories. I am very fearful of what is going to come about when the two kingdoms of Ruanda and Urundi receive their independence.

It is my understanding that they became trust territories following the creation of the United Nations and were administered by Belgium. They were mandated territories under the League of Nations of the former German Southeast Africa colony. I understand the former German Southeast African colony—namely, Tanganyika—became a trust territory under the administration of the British. These two particular kingdoms have a problem, a tribal problem. They clashed about 2 or 3 years ago, and the Batutsi, which is the stronger tribe but lesser in numbers, had formerly enslaved the other tribe, the Bahutus. And I now understand that the Bahutus now control Rwanda. They have deposed the king of that particular kingdom. I am wondering what is going to happen when the Belgians withdraw their forces.

Who is going to maintain the peace? This definitely is going to be a peacekeeping operation.

If the United Nations does not step in, who will step in?

Mr. STEVENSON. You have asked a question, Congressman, which at this very moment, is a matter of the gravest concern to all of us who work at the United Nations, because this matter is being debated and reaching a final vote this morning in New York.

Let me first say that you referred to Rwanda and Burundi as two kingdoms. One of them is a kingdom and one is a republic. In the case of Burundi, that is the monarchy, it is generally assumed they will be able to maintain law and order within their country with their own constabulary and their own forces, so that when the Belgians withdraw the 1st of July or the 1st of August, or whatever date it is determined upon, we are reasonably hopeful this estimate of the future of Burundi is correct.

As to the other one, Rwanda, the situation is very dangerous, as you have indicated. The probability that there will be tribal conflict between the Bahutus and the Watusis is universally assumed. This is a relationship that has persisted for centuries. There are old scores to settle. They are extremely, as you know, warlike people, although they only represent a small minority of the population. There are some 135,000 of them in exile who will perhaps try to come back, with consequences that are ominous in the extreme.

Let's assume that the Belgians withdraw and that some trouble of this kind breaks out as you have indicated. Who is going to preserve law and order? I don't know. I think these people would be extremely foolish to let the Belgians go until they had established their own adequate gendarmerie and peacekeeping forces.

I rather think this is what they will do: That they will ask the Belgians to stay after they have attained their independence. Certainly they will want the technicians to stay. Whether the Belgians will permit the technicians to stay if the soldiers are forced to leave is a question.

So I would answer your question by saying this is a grim and dangerous situation which could ignite the whole of central Africa again.

Mr. MURPHY. Thank you, Governor.

Chairman MORGAN. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

First of all, let me say that I have enjoyed listening to the testimony, despite the acoustics in this room. I would like to ask you, Mr. Ambassador, whether the contingency fund in the foreign aid program could be used by the President for a loan or for a purchase of U.S. bonds, in your opinion.

I might say this matter was discussed in committee. Reference was made earlier as to the possibility of using this fund for this purpose.

Mr. STEVENSON. We have been all over this and I wish I were a little more confident about the answer, because I frankly have forgotten it. At the time it came up last fall, we discussed it originally. My recollection is, Mr. Congressman, that the President could have authority to use the contingency fund for this purpose. However, the President thought that in this case it would be more appropriate

not to use it and therefore submitted a separate request for authority to make this loan.

Mr. FRELINGHUYSEN. I notice that the recommendations originally made by the President with respect to the language suggest that the $100 million should be used, and I quote, "for the purchase of United Nations bonds."

The language in the Senate bill is an authorization for a loan to the United Nations.

Is there any distinction, in your opinion, between the language originally proposed and the language as passed by the Senate?

Mr. STEVENSON. Really, there is no distinction as to meaning. I think some of the Senators, during the discussion in the Senate, preferred a loan to the purchase of bonds because they were fearful of the precedent that the latter might establish.

Mr. FRELINGHUYSEN. Isn't the loan money going to be used for the purchase of bonds if it is authorized——

Mr. STEVENSON. Yes; the bonds will be the evidence of the indebtedness.

Mr. FRELINGHUYSEN. There isn't any difference, then?

Mr. STEVENSON. No.

Mr. FRELINGHUYSEN. It could be used. It is a broader authorization, but it will not be used in a way different from what was originally recommended; am I correct?

Mr. STEVENSON. I think that is correct.

Mr. FRELINGHUYSEN. You referred several times to the fact that the proceeds would be used for future expenses. As I understand it, the expenses are only those running up through the present fiscal year. The loan would not be for the future operations of the United Nations at all; is that not correct?

Mr. STEVENSON. Yes; this money would be used to pay the operating cost of the special operations as long as the money would last. We assume that would be through a good part of next year.

Mr. FRELINGHUYSEN. The President's message in January, point 1, says this money is to cover anticipated expenses for the U.N. operations in the Congo and the UNEF, through the end of the present fiscal year.

I would assume that would only be available for expenses through the end of the present fiscal year?

Mr. STEVENSON. That is the period the assessment covers. Not the period for which the proceeds of this loan would be used.

Mr. FRELINGHUYSEN. That is not my reading of the language. It says, "To cover anticipated expenses through the end of the present fiscal year." Only those expenses running through June 30, not the ones thereafter.

Mr. STEVENSON. I think what you are reading refers to the assessments.

Mr. FRELINGHUYSEN. I am reading from the message of the President of the United States, January 30, 1962.

Mr. STEVENSON. I am going to ask Secretary Cleveland if he would be good enough to answer the question.

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STATEMENT OF HON. HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

Mr. CLEVELAND. The President's message referred to three parts of the U.N.'s financial plan. One part was the reference to the Court which has been discussed. One part was the bond issue. The third part was an assessment to cover the period from the beginning of November last year to the end of our present fiscal year.

The funds to cover that, as far as the United States is concerned, are actually in a supplemental appropriation request pending before the Congress. That is part of the present appropriation process here. This was a special assessment, in other words, to cover the expenses for the period up through June 30, 1962.

From July 1 this year on, there is no assessment by the General Assembly, and no appropriation provided for in the President's budget as far as the U.S. share is concerned; that was on the assumption that the proceeds of this U.N. loan-bond arrangement would be available to pay the ongoing expenses for peacekeeping from July 1 on.

Mr. FRELINGHUYSEN. Perhaps we will have greater leisure to discuss this with you at a later date, Mr. Cleveland. It still isn't clear to me if, for instance, a crisis arises in Rwanda, whether there will be funds available after the 30th of June that could be immediately utilized.

Governor Stevenson, I believe, said that unless financing were available prior to the event he did not anticipate the United Nations could move any peacekeeping forces in any future emergency.

I am not sure whether there are funds available or whether there are not, if the money should be forthcoming as a result of issuing these bonds.

Mr. STEVENSON. The proceeds of these bonds would be available, if the General Assembly wanted to use them, for Ruanda-Urundi or any other purpose.

Mr. FRELINGHUYSEN. For future emergencies?

Mr. STEVENSON. Yes.

Mr. FRELINGHUYSEN. It is not at all clear. It is also incomprehensible to me why, after a lapse of 6 months after the passage of the U.N. resolution, we have not already actively engaged in the process of developing a program for long-term financing of these peacekeeping operations. Why do we argue that we can't do anything, that our hands are tied until the advisory opinion of the International Court of Justice has been handed down? This seems to me very shortsighted.

It seems to me we have two alternatives—either this opinion is going to be affirmative, or negative. Should we not develop alternative programs, in any event, about the long-term problem facing us regardless of the decision of the World Court?

Mr. STEVENSON. If I gave you the impression that we haven't done work on this or thought about it, I was in error. I think I said that we have reflected over a great many alternatives, at least all the alternatives that have occurred to us. I enumerated them.

Our studies in this field have advanced very far. We don't have any consensus on them. We don't have any agreement of the Secretary General. We don't have any agreement among other countries. It has been very difficult to do this and our other work concurrently. I haven't any doubt, once the immediate financing problem is out of the way, that these plans we have made and these sugges-

tions we have developed will have active consideration by the Secretary General.

Mr. FRELINGHUYSEN. Do your possible plans include a revision of the charter?

Mr. STEVENSON. Not a revision of the charter for this express purpose. We have active plans for revision of the charter for other purposes, largely the enlargement of the Council—the Economic and Social Council, and the Security Council.

Mr. FRELINGHUYSEN. I notice that the December U.N. resolution authorizing these bonds says that the proceeds of the sale of the bonds can be used, and I quote, "for purposes normally related to the Working Capital Fund."

I wonder what the Working Capital Fund is? Specifically, would the Congo operation be related in some way to the Working Capital Fund?

Mr. STEVENSON. The Working Capital Fund is to accommodate the situation that results from the fact that assessments are made and are payable in January. Actually, the assessments are made in January but they don't have to be paid for a year afterward.

As a result of this, there have been shortages frequently in the United Nations operating resources, and for that purpose, a Working Capital Fund has been established in order to carry us over these periods in which——

Mr. FRELINGHUYSEN. These funds would be available to make up for the arrearages in the normal accounts of delinquent nations?

Mr. STEVENSON. Yes.

Mr. FRELINGHUYSEN. Not the special peacekeeping——

Mr. STEVENSON. For all purposes.

Mr. FRELINGHUYSEN. How many of the nations which have already pledged to buy bonds are currently delinquent in their obligations to the U.N.? Wouldn't it be more advisable for them to pay up their arrearages than to pay out on bonds?

Mr. STEVENSON. We think it would have been desirable, yes, but they didn't pay up. How long it is going to take us to collect from them is a question.

Mr. FRELINGHUYSEN. How many of the commitments to purchase bonds are being made by nations which are already delinquent on their current obligations?

Mr. STEVENSON. If your question is how many nations have promised to buy bonds, who are already delinquent in their assessments for special operations, I would have to provide you that information.

Mr. FRELINGHUYSEN. I don't know whether this is true, because I haven't time to check. I assumed you would know. I understand there are about 15 nations which already owe $16 million, which have pledged to buy somewhat over $12 million worth of bonds.

Mr. STEVENSON. That could be.

Mr. FRELINGHUYSEN. This doesn't seem to be very strong support for the U.N. bond issue if a substantial amount is coming from nations which are already delinquent to the U.N. for greater amounts?

Mr. STEVENSON. I am sorry, Mr. Congressman. I can't answer that question or explain what their circumstances are without knowing who they are.

(The following information has been supplied for the record:)

It was determined that, in order to put the United Nations financial house in order, a breathing spell of about 18 months would be needed. During this breathing spell all nations would be urged to pay up their past arrears, to pay their current assessments without delay, and to purchase some of the United Nations bonds.

The following is a list of countries which have purchased or have pledged to purchase U.N. bonds to help finance the organization, even though they are in arrears in U.N. payments to the regular budget, UNEF, or UNOC as of May 31, 1962:

I. Total: Seventeen such countries have purchased or pledged:

Afghanistan	Iran	Pakistan
Austria	Israel	Sudan
Cambodia	Italy	Togo
China	Jordan	Venezuela
Ecuador	Lebanon	Yugoslavia
Ethiopia	Panama	

II. Breakdown:

1. Countries in arrears only on regular budget:
Israel (purchased $200,000).
Pakistan (pledged $500,000).
2. Countries in arrears only on Congo account:
Austria (pledged $900,000).
Ecuador (pledged $12,000).
Iran (pledged $500,000).
Italy (purchased $8,960,000).
Yugoslavia (pledged $200,000).
3. Countries in arrears only on UNEF and Congo:
Afghanistan (pledged $25,000).
Ethiopia (pledged $200,000).
Jordan (pledged $25,000).
Lebanon (pledged $8,000).
Panama (pledged $25,000).
Sudan (purchased $50,000).
Togo (purchased $10,000).
Venezuela (pledged $300,000).
4. Countries in arrears only on regular and Congo: Cambodia (pledged $5,000).
5. Countries in arrears on all three accounts: China (pledged $500,000).

Mr. FRELINGHUYSEN. One final question if I have the time, Mr. Chairman. I wonder whether currencies other than dollars could be used to purchase bonds?

Mr. STEVENSON. I think the answer to that is that they could be if the Secretary General so decides.

Mr. FRELINGHUYSEN. That isn't an unreasonable imposition on the Secretary General? In other words, he would be likely, I assume, to authorize purchases of bonds in currencies other than dollars, would he not?

Mr. STEVENSON. Where, for example, he has local bills payable, as, for example, for troop support in India. There are a large number of these forces in the Congo that come from India.

Chairman MORGAN. The gentleman's time has expired. Mr. Gallagher.

Mr. GALLAGHER. Thank you, Mr. Chairman.

Mr. Ambassador, as to the planting of the germ of partisanship, which may have been injected into this hearing, I would think the record should disclose, while one part of the State Department which you are vitally concerned with, would happily accept the use of the President's contingency fund as a method of operation, there is another part that would feel that the contingency fund that the President has requested would be completely depleted if the U.N. bonds were purchased from the contingency fund.

While the operation in the past has been partly supported through the contingency fund, the foreign aid authorization request this year does not include the United Nations bond proposal.

Anticipating the proceedings of several weeks from now on foreign aid, I would like the record to show this.

Mr. STEVENSON. I think if I may interrupt to say I don't think any of us would be pleased with using the contingency fund as a means of financing the United Nations. I think we have to have a much more solid and firm basis.

Mr. GALLAGHER. Thank you.

There is another school of thought which contends that we ought to wait until there is a declaratory judgment in the World Court and it has been handed down. Is it not so that, regardless of the judgment, the need for these funds will be strongly required whatever the decision may be?

Mr. STEVENSON. Yes. I tried to make that clear in response to Mrs. Church's question. I think whatever the decision of the Court is these funds are going to be necessary in any event. We can't begin to collect all those arrearages, and even if we could collect them right away they wouldn't be adequate.

Mr. GALLAGHER. Is not this question vital? One is how are we going to collect the arrearages, and the second part is how are we going to pay for the future operations which is what the U.N. bond issue concerns itself with.

Mr. STEVENSON. Yes.

Mr. GALLAGHER. I would like to take this time to reply to the gentleman who was discussing budgets with you, why is the NATO budget not in the same proportion as the United Nations budget.

The fact of the matter is the United Nations includes the adversaries of the NATO. The aims and mission of NATO are far more harmonious than they would be in the United Nations.

Another question which I would like for the record, it probably would help us out when we get to the hearing on this—the fight on the floor on this—this question: If we only explored other avenues of raising this money which you explained to the committee, Mr. Ambassador, just what explorations were made, did anyone come up with another solution more palatable than the one we are discussing today?

Mr. STEVENSON. The answer is that many possible solutions were considered. None were advanced which would be as palatable or as satisfactory as this one.

Mr. GALLAGHER. What nations, if any, Mr. Ambassador, have pledged themselves for the purchase of bonds over and above their normal assessment?

Mr. STEVENSON. Your question was what nations have promised to purchase or have purchased bonds in addition to paying their regular assessments?

Mr. GALLAGHER. No, sir. What nations have purchased or have pledged to purchase an amount of bonds exceeding their assessment. The premise being that one of the criticisms is that the United States is solely carrying this bond proposal.

Mr. STEVENSON. I could enumerate a number of countries, including all the Scandinavian, who have pledged more than their regular assessment.

Mr. GALLAGHER. That is what I would like to have in the record.

Chairman MORGAN. Mr. Cleveland, you can furnish that for the record.

Mr. STEVENSON. Denmark, Finland, Iceland, Ireland, Italy, Norway, and Sweden have all purchased amounts greater than their regular assessments. In addition Germany and Switzerland, which aren't even members, have made substantial contributions.

Mr. GALLAGHER. Contributions or pledges?

Mr. STEVENSON. Pledges.

Mr. GALLAGHER. Thank you very much.

(The following information has been supplied for inclusion in the record:)

Nations which have purchased or pledged to purchase United Nations bonds, as of June 28, 1962, in an amount equal to, or in excess of, their regular U.N. assessment rate as applied to the $200,000,000 bond goal

Country [1]	Regular assessment (percent)	Pledge or purchase	Ratio of purchase to regular percent
Australia	1.66	[2] $4,000,000	1.2
Austria	.45	900,000	1.0
Canada	3.12	6,240,000	1.0
Denmark	.58	[2] 2,500,000	2.2
Ethiopia	.05	200,000	2.0
Finland	.37	[2] 1,480,000	2.0
Iceland	.04	[2] 80,000	1.0
Iran	.20	500,000	1.3
Ireland	.14	[2] 300,000	1.1
Italy	2.24	[2] 8,960,000	2.0
Liberia	.04	200,000	2.5
Malaya	.13	340,000	1.3
Netherlands	1.01	2,020,000	1.0
New Zealand	.41	[2] 1,000,000	1.2
Nigeria	.21	1,000,000	2.4
Norway	.45	[2] 1,800,000	2.0
Sweden	1.30	[2] 5,800,000	2.2
Switzerland	.95	1,900,000	1.0
Tunisia	.05	475,000	4.8

[1] Total of 19 countries.
[2] Purchase.

Chairman MORGAN. Mr. Barry.

Mr. BARRY. Thank you, Mr. Chairman.

Mr. Secretary, it is very nice to have you with us today. I always enjoy your presentation.

I would like to ask if you believe that the United States should contribute as much as 32 percent toward the United Nations in view of the fact that under NATO we only pay 24 percent; and Europe is becoming much more capable now of paying a larger and higher assessment than at the time the United Nations was organized. It was devastated at that time and unable to pay a proportionate share of the cost of the United Nations in relation to its volume of world trade, and its internal development and production. Now, other nations of the world, including Japan, have demonstrated a very substantial ability in productive forces of their nation and in international trade. The World Court is expected to hand down a decision soon, and with this bond issue the whole financial structure of the United Nations is being examined with the idea of putting the U.N. on a firm financial basis. Should not the United States now speak up and say to the rest of the world that somewhere below 20 percent—I

will leave it for you and others in the State Department to decide—should that not be our legitimate dues in the United Nations?

Mr. STEVENSON. In the first place, I think it is a great mistake to ever relate the NATO budget to the United Nations budget. They bear no resemblance whatsoever nor are the two organizations even comparable. The 24 percent that we do contribute to the NATO budget is for administrative expenses only. It doesn't take into account the cost of troop maintenance in Germany, the nuclear weapons that we provide, the weapons that we provide generally and all the materiel that we contribute to the NATO defense effort. As I understand it, if you were to take all those items into account, our contribution to NATO would be immense.

Mr. BARRY. Conversely if that were so we would need to take the military assistance side of our Mutual Security Act and add that to the cost of those members of the United Nations, you see, because we do assist many nations in our Mutual Security Act. I believe we strengthen our position in the United Nations by paying less, for this reason: That our opponents can say, "The United Nations is bought by the United States," by virtue of the fact that we contribute so much to its support that it might be labeled a Western instrument. If we contributed less, and other nations more, to its support, we would be in a healthier position in world opinion.

What do you think about that?

Mr. STEVENSON. If we can then leave the question of NATO for a moment and talk about the American contribution to the budget of the United Nations, I would point out to you that the original contribution of the United States was 40 percent. We are now down to 32 percent. There has been a substantial decrease already in the proportion of the budget that is paid by the United States. If you use the criterion of "ability to pay" you would find that the statistics—I think generally accepted—would indicate that the United States should pay about 44 or 45 percent of the cost of the United Nations. Therefore the proportion of the budget of the United Nations that we should pay would be very considerably more than we have ever paid, let alone more than 32 percent. For the very reason that you said, however, no one, including our adversaries, has wanted the United States to pay anything like its relative proportion on the basis of capacity to pay, because of the very fear that you gave voice to a moment ago, that it would be interpreted as selling the organization out to the United States and give rise to a disproportionate influence of the United States within the organization. So that the budget has been held down—the American contribution to the regular budget has been held down deliberately for that reason since 1947 when I sat in the budgetary committee and when this scale was originally established.

Mr. BARRY. Some of the nations which we have helped support and granted aid are those who do not pay their assessments to the United Nations. I wonder how you feel about making the meeting of obligations as far as arrearages are concerned a condition for further qualification under our aid program? In other words, make it a criterion for future aid that all nations who are the beneficiaries under our aid program be paid up to the United Nations in full.

Mr. GALLAGHER. Would the gentleman yield? If they paid up they wouldn't need the aid.

Mr. BARRY. That is not quite so. We have many nations who are receiving aid today from us who have not paid their dues in the United Nations, which further aggravates our problem in having to make voluntary contributions to keep the United Nations from floundering financially. I am exploring the possibility of offering an amendment to the Mutual Security Act that would require all nations to be current in their dues in order to be recipients of our further aid.

Mr. STEVENSON. I think one answer at least is that it would not put any pressure on the Soviet Union. It would only put pressure on our friends.

Mr. BARRY. That is true. But sometimes our friends need a little nudging, too.

Chairman MORGAN. The gentleman's time has expired.

Mr. O'Hara?

Mr. O'HARA. Mr. Ambassador, it is good to have you as a witness.

Mr. STEVENSON. Thank you, sir.

Mr. O'HARA. I suppose you and I have enjoyed an older friendship than that of any two other persons in this room.

Mr. STEVENSON. I think that is right, Barratt.

Mr. O'HARA. I notice in your fine statement you did stress the words "peace-seeking activities of the United Nations."

Mr. STEVENSON. Peacekeeping.

Mr. O'HARA. That is right. Do you regard the United Nations, imperfect though it may be, sometimes noisy, and of course it is better to fight with words than with atomic bombs—do you regard the United Nations as the bridge to peace?

Mr. STEVENSON. I do, sir. I think that its peacekeeping machinery in the past has been used effectively in a number of instances that I have cited here this morning. I think the improvement, the enlargement, the strengthening of its peacekeeping duty in the future is one of our major objectives.

Mr. O'HARA. Recognizing that while we have our own organizational approaches like the Disarmament Agency, is there any bridge to peace other than the United Nations on which the Soviet and our country are brought together in an international effort and in a world climate? In other words, is not the United Nations the only bridge to peace that we have left?

Mr. STEVENSON. I think it is fair to say it is the only institution in which we meet face to face continuously. There are, of course, constant negotiations between the United Nations and the Soviet Union over a specific problem that relates to peace, like Laos, Berlin, and so on. We also meet in certain of the specialized agencies of the United Nations of which the Soviet is a member.

Mr. O'HARA. Peace, Mr. Ambassador, you would call a dream, a precious dream?

Mr. STEVENSON. Also indispensable to not only our national security but perhaps even our survival in this atomic nuclear era in which we live.

Mr. O'HARA. And our desire to conquer space and reach the moon, that is a dream of the American people, too, isn't it?

Mr. STEVENSON. Yes, sir.

Mr. O'HARA. Mr. Ambassador, you and I, and I would say our fellow countrymen, have faith that with dedication and effort we in our generation can give substance and reality to both of these dreams.

I venture to say that if a vote on the relative importance of the goals envisioned in these two dreams were taken in the homes of America, expansion to the moon or peace on earth, peace would sweep the boards. Frankly, I cannot understand the manner of arriving at relative evaluations of some of my colleagues who, without batting an eye, voted $4 billion for the space program and close both eyes and mind to a suggestion of $100 million, just one-fortieth as much, to keep open our only bridge to peace. Mr. Ambassador, you have explored thoroughly, I understand, all the other possible means of financing the U.N. in this crisis—the World Bank, soft currencies, and other possibilities?

Mr. STEVENSON. I think so.

Mr. O'HARA. Not only you, but working with you a large staff of experts have made an exhaustive study of all possible alternatives. You tell us now that the bond issue is the best method that you can find, the soundest.

Mr. STEVENSON. Yes, sir.

Mr. O'HARA. One other question, Mr. Ambassador. I am interested in Africa. I think as Africa goes, so goes the world. How many African countries have contributed to this bond issue or have pledged their contributions?

Mr. STEVENSON. I should think it was in the order of 10. I would have to give you a table.

(The information appears on the following page.)

Mr. O'HARA. That is my recollection. The contributions have been, considering the size of the countries and their resources, very large. Would you not accept that, Mr. Ambassador, as an index of the feeling on the Continent of Africa as regards the operations of the United Nations?

Mr. STEVENSON. I would, sir. I would like to supplement that by saying I think it is interesting to note that the very first act that any new nation—which most of them have been in Africa, performs literally—the first act that it performs in the international field is to apply for admission to the United Nations. Whereas the great powers like the United States can defend themselves, the small powers have only one shield; that is this organization. Therefore, they have a far disproportionate interest in it and reliance on it than we do. Finally, may I say I am most grateful for what you have said here this morning, and I think perhaps you should have been the witness instead of me.

Mr. O'HARA. Thank you, Mr. Ambassador. I am merely voicing the sentiment of your countrymen when I say that as our Ambassador to the United Nations you are rendering an imperishable service to our country and to the world of freedom.

Chairman MORGAN. Mr. Whalley?

Mr. WHALLEY. Mr. Chairman.

Mr. Ambassador, many of our people are interested in the support of the United Nations. I think $200 million has to be raised in some way to pay the expenses of the extracurricular activities. Many of the other members have wondered why the regular assessment of the United States for 1962 is 32 percent and Russia's, who appears to want to share at least all of the benefits of the United Nations, assessment is only 14 percent. Of the $200 million bond issue, apparently the U.S. quota is $100 million, or 50 percent. I think

GEOGRAPHICAL BREAKDOWN OF UN BOND PURCHASES BY OTHER NATIONS
(as of June 28, 1962)

	EUROPE		NEAR EAST AND ASIA		FAR EAST		AFRICA		LATIN AMERICA		GRAND TOTAL	
	Country	Amount	Country	Amount	Country	Amount	Country	Amount	Country	Amount	Country	Amount
1. Actual Purchases	Denmark Finland Iceland Ireland Italy Norway Sweden	$2,500,000 1,480,000 80,000 300,000 8,960,000 1,800,000 5,800,000	Israel	$200,000	Australia	$4,000,000	Sudan Togo	$50,000 10,000				
Totals	7 Nations	$20,920,000	1 Nation	$200,000	1 Nation	$4,000,000	2 Nations	$60,000	None		11 Nations	$25,180,000
2. Publicly announced pledges	Austria Canada Germany Netherlands Switzerland United Kingdom Yugoslavia	$900,000 6,240,000 10,000,000 2,020,000 1,900,000 12,000,000 200,000	Afghanistan Ceylon Cyprus India Iran Jordan Lebanon Pakistan	$25,000 25,000 26,175 2,000,000 500,000 25,000 8,000 500,000	Burma Cambodia China Malaya New Zealand Viet Nam	$100,000 5,000 500,000 340,000 1,000,000 10,000	Ethiopia Liberia Nigeria Sierra Leone Tunisia	$200,000 200,000 1,000,000 10,000 475,000	Ecuador Panama Venezuela	$12,000 25,000 300,000		
Totals	7 Nations	$33,260,000	8 Nations	$3,109,175	6 Nations	$1,955,000	5 Nations	$1,885,000	3 Nations	$337,000	29 Nations	$40,546,175
3. Total of assessed purchases and pledges	14 Nations	$54,180,000	9 Nations	$3,309,175	7 Nations	$5,955,000	7 Nations	$1,945,000	3 Nations	$337,000	40 Nations	$65,726,175
4. In favor, but amounts not announced	1 Nation		3 Nations		5 Nations		4 Nations		9 Nations		22 Nations	
5. Under consideration	3 Nations		5 Nations		1 Nation		13 Nations		5 Nations		27 Nations	
6. Do not plan to subscribe at present	1 Nation		1 Nation		None		4 Nations		2 Nations		8 Nations	
7. Total nations, exclusive of Soviet Bloc	19 Nations		18 Nations		13 Nations		28 Nations		19 Nations		97 Nations	

many more of our people would be in favor of the bond issue if Russia's quota would be comparable to the United States. They would feel more inclined then toward the United States contributing. Who sets up the percentage of assessments each year, such as 1962—the 14 percent for Russia and the 32 percent for the United States?

Mr. STEVENSON. That is determined by the Budgetary Committee of the General Assembly, Mr. Congressman. That is comprised of all 104 members, one representative from each. The United States was represented on that Committee in the last General Assembly by Philip Klutznick. It was represented years ago by Arthur Vandenberg, when I was first there, and I assisted him on that Committee.

Let me say that the reason that there is a disparity between the assessment of the United States and the assessment of the Soviet Union for the regular budget of the U.N. is that there is a disparity in the capacity to pay of the two countries as determined by the Budgetary Committee of the U.N.; that is to say, that generally speaking, as I said a moment ago, most figures would seem to indicate that, based on ability to pay, the United States should pay something like 44 or 45 percent of the U.N. assessments, whereas the Soviet Union has a much, much smaller proportion. Therefore, its contribution on that basis is much smaller. It is very much smaller. It is about one-third. As to the $100 million that we are seeking as appropriation from the Congress for the purchase of these bonds of the United Nations, that figure was arrived at because we had been paying almost half of the Congo operation. By repayment it would be reduced to the same 32-percent assessment that we are paying elsewhere. Furthermore, the money could come quicker from this country because of its capacity to pay, because it was an emergency matter. I must tell you, sir, it is getting very acute, the longer the delay goes on. It is harder and harder for the United Nations to commit itself as to its needs and fulfill various obligations it has. That is the way that amount was arrived at. It will be reduced by repayment to exactly the same percentage, 32 percent, as our contribution to the normal budget.

Ambassador Plimpton points out that the assessment of the Soviet Union is really 17½ percent because you have to include in its figure the figure for Byelorussia and for the Ukrainian Soviet Socialist Republic which is all part of the U.S.S.R.

Mr. WHALLEY. Russia gets three or four votes in the United Nations——

Mr. STEVENSON. With its two satellites it gets three.

Mr. WHALLEY. Against our one.

Mr. STEVENSON. Yes.

Mr. WHALLEY. And 17 percent total against our 32 percent.

Mr. STEVENSON. Yes.

Mr. WHALLEY. Do you think there is some possibility to bring the percentages closer for 1963?

Mr. STEVENSON. I think it is fixed—I think it was fixed last time for 3 years to come. One year has elapsed and 2 years to go. The Soviet ante was increased last year while ours was decreased in the last session. Ours was decreased slightly and theirs increased by nearly 1½ percent, I think.

Mr. WHALLEY. What was Russia's original percentage? You said the United States was 40 percent.

Mr. STEVENSON. I think 7.73 was its original percentage. It has gone up from——

Mr. WHALLEY. I don't think we would mind getting the bonds, if Russia would pay a fair comparison.

Mr. STEVENSON. I would hope we could do that. The Russian assessment has increased since the organization was established from 7.73 percent to 17.47 percent. Ours has gone down from something like 40 percent to 32 percent. So the trend that you are speaking about has been going on.

Mr. WHALLEY. If the gross national product of the world was based on hours worked instead of wage scale I doubt that we would have 45 percent of GNP. I think that would be the area that they should look into and our percentage should be based on the actual number of hours worked.

Chairman MORGAN. Mr. Farbstein?

Mr. FARBSTEIN. Mr. Chairman. Mr. Ambassador, although I have serious disagreements with some of the actions of the United Nations and some of the positions taken by our country, I nevertheless will vote for the bill because I feel that weighing in the balance the pros against the cons I think that the United Nations fills a great void in world relations. I would like to ask a question first, in connection with the advisory opinion of the World Court. Supposing that the World Court finds that the peacekeeping operation should be considered as part of the regular operational budget, what then? By that I mean will those countries which fail to make their payments automatically lose their votes?

Mr. STEVENSON. That is our interpretation, that the consequences of article 19 would apply to all nations for all purposes, whatever the money was used for.

Mr. FARBSTEIN. When you say that is "our" interpretation, will you be a little more definitive? When you say "ours" is that an opinion of a majority of the members of the United Nations or the United States?

Mr. STEVENSON. Perhaps I chose the word ineptly, Mr. Congressman. I think that that is the attitude of everyone, and hope that that interpretation of article 19 is universal.

Mr. FARBSTEIN. Thank you.

The next question I would like to ask is in connection with the peacekeeping operations, and that has to do somewhat with policy. I wonder if you could please answer or give the reason for your vote against the Brazzaville resolution in the United Nations.

Mr. STEVENSON. The Brazzaville resolution for the benefit of members of the committee——

Mr. FARBSTEIN. I can't hear you.

Mr. STEVENSON. The Brazzaville resolution for the benefit of the members of the committee was a resolution introduced during the last session of the General Assembly which called for negotiations between Israel and its neighbors. This resolution was introduced over the objection of the United States because we were committed at that time to the exploration of a project, of which we had been the originator, which had been initiated in an effort to resolve the question of the Palestine refugees or make some progress toward the implementation of the resolution of 1948 by a special commission headed by Joseph Johnson, which was then working in the field, in the Middle East and had visited all the countries and was attempting to come up

with some solution for this apparently insoluble problem. We couldn't ride two horses at the same time. Our position had to be in favor of the proposal that we had advanced, and then when a proposal was advanced against our judgment and without consultation we, of course, had to vote against it.

Mr. FARBSTEIN. Do you then take the position that the Johnson Conciliation Commission which was to deal with refugees was similar in effect to the resolution that required or directed the warring countries to sit down for the purpose of talking peace?

Mr. STEVENSON. I didn't say they were similar. I said that the United States had this means—had adopted this means of trying to restore peace to the Middle East.

Mr. FARBSTEIN. Would you say that one was exclusive of the other? Couldn't they both simultaneously be put into effect, the Johnson Conciliation Commission which sought to work something out in connection with the refugee question, and also the warring countries could sit down for the purpose of talking peace generally, which incidentally is the prime function of the United Nations?

Mr. STEVENSON. Our conclusion was the reverse, that we could not possibly support both of them. We were trying to get votes for the Johnson resolution. We had to get Arab votes if possible to pass it. The chance of getting any fruitful negotiations after 15 years seemed to us extremely remote between Israel and its neighbors. The one hope was to begin to act, do something. Talk had been fruitless and unavailing for all of these years. This was the decision that our delegation reached at the time, and the State Department reached. Whether it was right or wrong it was for that reason that we reached it.

Mr. FARBSTEIN. No further questions.

Chairman MORGAN. Mr. Mailliard?

Mr. MAILLIARD. Mr. Ambassador, I, being more or less the cleanup man, will try to be quick. I have some questions that arise out of others which I think may help to clear our record. In answer to a question as to possible efforts to revise the charter, would your plans include an attempt to revise the charter so as to clarify this point of assessments, if the World Court decision was either unfavorable or not effective?

Mr. STEVENSON. We don't think that there is any clarification necessary on the question of the liability—on the question of the sanctions that follow from nonpayment of assessments. Therefore, we wouldn't think that any review of the charter would include any amendment to article 19.

Mr. MAILLIARD. If the World Court should disagree with that view, then certainly this ought to be something to be considered.

Mr. STEVENSON. Yes; if the Court disagreed.

Mr. MAILLIARD. Is there any reasonable explanation why the Latin American countries have been so slow to pledge any support to this bond issue?

Mr. STEVENSON. Only their poverty.

Mr. MAILLIARD. I would think maybe with our Alliance for Progress they could sneak out a few dollars to help out the U.N.

Mr. STEVENSON. I think some of them, we think a number of them will and are waiting for us. Until we act, they are not going to. Actually there are various views that everybody expressed about these peacekeeping operations. I don't attribute this only to Latin

American states. There are many who feel that these peacekeeping operations should be supported in toto by the large powers, by the great powers, and that they shouldn't become a burden on the national budgets of these small powers which are only distantly involved. This would be true of a number of the smaller Latin American countries who have taken this position. It is also true of other countries. Basically the problem of Latin America is one of acute budgetary difficulties in virtually all of the republics.

Mr. MAILLIARD. Governor, there was also some mention about the suggestion that was made that these funds would be made available through the mutual security appropriation, possibly the contingency fund, and I understand your response to be that you would want something more solid than that. Isn't it true that most of the Congo operation has been funded out of the mutual security appropriations, including a substantial amount, I believe, out of the contingency fund?

Mr. STEVENSON. I can't tell you the exact figure, Mr. Congressman, how much has been paid out of contingency fund. When I said "firmer," I meant what we have to look forward to is a permanent plan for the financing of the United Nations.

Mr. MAILLIARD. I thought the record shouldn't stand that the contingency fund would not be a source of funds in an emergency, and a proper one.

Mr. STEVENSON. Yes. I apologize if I left any such impression. I didn't mean to say that. I meant to say that I think this is a matter that we shouldn't deal with as a contingency because it is going to be a permanent matter.

(The following table has been supplied for insertion in the record:)

Source of U.S. contribution to U.N. military operations in the Congo through June 30, 1962

	Fiscal year 1961		Fiscal year 1962		Total
	MSA contingency fund	State Department	AID, ch. 3 (international organization and programs)	State Department	
Congo military budget for July to December 1960:					
U.S. assessed contribution	$15,745,211				$15,745,211
U.S. voluntary cash contribution	3,900,000				3,900,000
U.S. waiver of initial airlift	10,317,622				10,317,622
Total, July to December 1960	29,962,833				29,962,833
Congo military budget for January to October 1961:					
U.S. assessed contribution		$32,204,061			32,204,061
U.S. voluntary cash contribution	6,450,000		$8,855,596		15,305,596
Total, January to October 1961					47,509,657
Congo military budget for November 1961 to June 1962:					
U.S. assessed contributions [1]				$25,616,000	25,616,000
U.S. voluntary cash contribution			11,400,800		11,400,800
Total, November 1961 to June 1962					37,016,800
Total	36,412,833	32,204,061	20,256,396	25,616,000	114,489,290
Grand total	68,616,894		45,872,396		

[1] Appropriation request pending.

Mr. MAILLIARD. My final question: I wonder, since I think our hearing today has indicated the Congo is going to be a slightly inflammatory subject in the debate on this bill, if we could have for the record a chronology of the mandates upon which the Congo operations have been based?

Mr. STEVENSON. Surely.

Mr. MAILLIARD. Whether they arose out of the General Assembly action or out of the Security Council or some other authority of the Secretary General. If we get into a debate on the floor of the House, then we will have an authentic statement of the sources of the U.N. mandates for the operations in the Congo.

Mr. STEVENSON. By all means we will do that, sir. I had an impression it was already in the committee print.

Mr. MAILLIARD. Perhaps it is. I haven't found it in a way that is quite clear to me.

Mr. STEVENSON. Secretary Cleveland reminds me we submitted a full analysis to the Senate committee, and we can do it here.

There is on page 98 of the committee print of February 6, under appendix 21, a summary of resolutions authorizing the United Nations presence in the Congo.

I think we can do a much more comprehensive job than that.

Mr. MAILLIARD. I did glance at that. I think a simple narrative might serve our purposes a little bit better.

Thank you, Mr. Chairman.

(The following information has been supplied for the record:)

A simple narrative summary of resolutions authorizing United Nations presence in the Congo can be found in appendix 21 on page 98 of the Joint Committee Print on Information on the Operations and Financing of the United Nations, February 6, 1962.

A fuller narrative follows (taken from hearings before the Committee on Foreign Relations, U.S. Senate, February 1962, entitled "Purchase of United Nations Bonds," pp. 93–98):

SUMMARY OF RESOLUTIONS AUTHORIZING UNITED NATIONS PRESENCE IN THE CONGO

Resolution of July 13, 1960.—On the basis of the request from the Government of the Congo, the Security Council adopted a resolution authorizing 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, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security of forces may be able, in the opinion of the Government, to meet fully their tasks." No finding was made that a threat to international peace and security existed.

Resolution of July 22, 1960.—The Security Council passed a further resolution, in the preamble of which it stated that the complete restoration of law and order in the Congo would effectively contribute to the maintenance of international peace and security. That resolution called upon Belgium to withdraw its troops and requested all states to refrain from any action that might impede the restoration of law and order or that might undermine the territorial integrity and political independence of the Congo.

Resolution of August 9, 1960.—In early August, United Nations troops were forcibly stopped from entering Katanga. The Secretary General immediately brought this situation to the attention of the Security Council which, in its resolution of August 9, made clear that the Secretary General's responsibilities were to cover Katanga as well as the other Provinces of the Congo. The Council specifically affirmed that the U.N. forces in the Congo were not to be a party to or intervene in the resolution of any internal political conflicts.

General Assembly resolution of September 20, 1960.—After the dismissal of Lumumba in September 1960, the Security Council met once again but could not

act because of a Soviet veto. The matter was then referred to the General Assembly under the "uniting for peace" resolution. The General Assembly passed a resolution repeating, in essence, much of the July 22 resolution of the Security Council. In addition it established the United Nations Congo fund and called upon all states to refrain from providing materials of war and military personnel to the Congo, except upon request of the United Nations through the Secretary General.

Security Council resolution of February 21, 1961.—The Security Council passed a further resolution enlarging the mandate of the United Nations forces in the Congo to include prevention of civil war, by the "use of force, if necessary, in the last resort." The resolution also urged that measures be taken for the withdrawal of all foreign military personnel, political advisers not under the United Nations command, and mercenaries. The resolution of February 21 also said that the situation in the Congo threatened international peace and security and called for the formation of a Congolese Government on the basis of conciliation and without external interference.

Security Council resolution of November 24, 1961.—The United Nations mandate was expanded to include an authorization to use the "requisite measure of force, if necessary," for the expulsion of foreign military personnel.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL AT ITS 873D MEETING ON 13 JULY 1960

The Security Council,

Considering the report of the Secretary-General on a request for United Nations action in relation to the Republic of the Congo,

Considering the request for military assistance addressed to the Secretary-General by the President and the Prime Minister of the Republic of the Congo (document S/4382),

1. *Calls upon* the Government of Belgium to withdraw their troops from the territory of the Republic of the Congo;

2. *Decides* 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, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security forces may be able, in the opinion of the Government, to meet fully their tasks;

3. *Requests* the Secretary-General to report to the Security Council as appropriate.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL AT ITS 879TH MEETING ON 22 JULY 1960

The Security Council,

Having considered the first report by the Secretary-General on the implementation of Security Council resolution S/4387 of 14 July 1960 (document S/4389),

Appreciating the work of the Secretary-General and the support so readily and so speedily given to him by all Member States invited by him to give assistance,

Noting that as stated by the Secretary-General the arrival of the troops of the United Nations force in Leopoldville has already had a salutary effect,

Recognizing that an urgent need still exists to continue and to increase such efforts,

Considering that the complete restoration of law and order in the Republic of the Congo would effectively contribute to the maintenance of international peace and security,

Recognizing that the Security Council recommended the admission of the Republic of the Congo to membership in the United Nations as a unit.

1. *Calls* upon the Government of Belgium to implement speedily the Security Council resolution of 14 July 1960, on the withdrawal of their troops and authorizes the Secretary-General to take all necessary action to this effect;

2. *Requests* all States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of Congo of its authority and also to refrain from any action which might undermine the territorial integrity and the political independence of the Republic of the Congo;

3. *Commends* the Secretary-General for the prompt action he has taken to carry out resolution S/4387 of the Security Council and his first report;

4. *Invites* the specialized agencies of the United Nations to render to the Secretary-General such assistance as he may require;

5. *Requests* the Secretary-General to report further to the Security Council as appropriate.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL ON 9 AUGUST 1960 (886TH MEETING)

The Security Council,

Recalling its resolution of 22 July 1960 (S/4405), *inter alia*, calling upon the Government of Belgium to implement speedily the Security Council resolution of 14 July (S/4387) on the withdrawal of their troops and authorizing the Secretary-General to take all necessary action to this effect,

Having noted the second report by the Secretary-General on the implementation of the aforesaid two resolutions and his statement before the Council,

Having considered the statements made by the representatives of Belgium and the Republic of the Congo to this Council at this meeting,

Noting with satisfaction the progress made by the United Nations in carrying out the Security Council resolutions in respect to the territory of the Republic of the Congo other than the Province of Katanga,

Noting however that the United Nations had been prevented from implementing the aforesaid resolutions in the Province of Katanga although it was ready, and in fact attempted, to do so,

Recognizing that the withdrawal of Belgium troops from the Province of Katanga will be a positive contribution to and essential for the proper implementation of the Security Council resolutions,

1. *Confirms* the authority given to the Secretary-General by the Security Council resolutions of 14 July and 22 July 1960 and requests him to continue to carry out the responsibility placed on him thereby;

2. *Calls upon* the Government of Belgium to withdraw immediately its troops from the Province of Katanga under speedy modalities determined by the Secretary-General and to assist in every possible way the implementation of the Council's resolutions;

3. *Declares* that the entry of the United Nations force into the Province of Katanga is necessary for the full implementation of this resolution;

4. *Reaffirms* that the United Nations force in the Congo will not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise;

5. *Calls upon* all Member States, in accordance with Articles 25 and 49 of the Charter, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Security Council;

6. *Requests* the Secretary-General to implement this resolution and to report further to the Security Council as appropriate.

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

1474 (ES-IV). QUESTION CONSIDERED BY THE SECURITY COUNCIL AT ITS 906TH MEETING ON 16 SEPTEMBER 1960

The General Assembly,

Having considered the situation in the Republic of the Congo,

Taking note of the resolutions of 14 July (S/4387), 22 July (S/4405) and 9 August 1960 (S/4426) of the Security Council,

Taking into account the unsatisfactory economic and political conditions that continue in the Republic of the Congo,

Considering that, with a view to preserving the unity, territorial integrity and political independence of the Congo, to protecting and advancing the welfare of its people, and to safeguarding international peace, it is essential for the United Nations to continue to assist the Central Government of the Congo,

1. *Fully supports* the resolutions of 14 and 22 July and 9 August 1960 of the Security Council;

2. *Requests* the Secretary-General to continue to take vigorous action in accordance with the terms of the aforesaid resolutions and to assist the Central Government of the Congo in the restoration and maintenance of law and order throughout the territory of the Republic of the Congo and to safeguard its unity,

territorial integrity and political independence in the interests of international peace and security;

3. *Appeals* to all Congolese within the Republic of the Congo to seek a speedy solution by peaceful means of all their internal conflicts for the unity and integrity of the Congo, with the assistance, as appropriate, of Asian and African representatives appointed by the Advisory Committee on the Congo, in consultation with the Secretary-General, for the purpose of conciliation;

4. *Appeals* to all Member Governments for urgent voluntary contributions to a United Nations Fund for the Congo to be used under United Nations control and in consultation with the Central Government for the purpose of rendering the fullest possible assistance to achieve the objective mentioned in the preamble;

5. *Requests:*

(*a*) All States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Republic of the Congo of its authority and also to refrain from any action which might undermine the unity, territorial integrity and the political independence of the Republic of the Congo;

(*b*) All Member States, in accordance with Articles 25 and 49 of the Charter of the United Nations, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Security Council;

6. Without prejudice to the sovereign rights of the Republic of the Congo, *calls upon* all States to refrain from the direct and indirect provision of arms or other materials of war and military personnel and other assistance for military purposes in the Congo during the temporary period of military assistance through the United Nations, except upon the request of the United Nations through the Secretary-General for carrying out the purposes of this resolution and of the resolutions of 14 and 22 July and 9 August 1960 of the Security Council.

863rd plenary meeting,
20 September 1960.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL AT ITS 942ND MEETING ON 20–21 FEBRUARY 1961

A

The Security Council,

Having considered the situation in the Congo,

Having learnt with deep regret the announcement of the killing of the Congolese leaders, Mr. Patrice Lumumba, Mr. Maurice Mpolo and Mr. Joseph Okito,

Deeply concerned at the grave repercussions of these crimes and the danger of wide-spread civil war and bloodshed in the Congo and the threat to international peace and security,

Noting the report of the Secretary-General's Special Representative (S/4691) dated 12 February 1961 bringing to light the development of a serious civil war situation and preparations therefor,

1. *Urges* that the United Nations take immediately all appropriate measures to prevent the occurrence of civil war in the Congo, including arrangements for cease-fires, the halting of all military operations, the prevention of clashes, and the use of force, if necessary, in the last resort;

2. *Urges* that measures be taken for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries;

3. *Calls* upon all States to take immediate and energetic measures to prevent the departure of such personnel for the Congo from their territories, and for the denial of transit and other facilities to them;

4. *Decides* that an immediate and impartial investigation be held in order to ascertain the circumstances of the death of Mr. Lumumba and his colleagues and that the perpetrators of these crimes be punished;

5. *Reaffirms* the Security Council resolutions of 14 July, 22 July and 9 August 1960 and the General Assembly resolution 1474 (ES–IV) of 20 September 1960, and reminds all States of their obligation under these resolutions.

B

The Security Council,

Gravely concerned at the continuing deterioration in the Congo, and the prevalence of conditions which seriously imperil peace and order, and the unity and territorial integrity of the Congo, and threaten international peace and security.

Noting with deep regret and concern the systematic violations of human rights and fundamental freedoms and the general absence of rule of law in the Congo,

Recognizing the imperative necessity of the restoration of parliamentary institutions in the Congo in accordance with the fundamental law of the country, so that the will of the people should be reflected through the freely elected Parliament,

Convinced that the solution of the problem of the Congo lies in the hands of the Congolese people themselves without any interference from outside and that there can be no solution without conciliation,

Convinced further that the imposition of any solution, including the formation of any government not based on genuine conciliation would, far from settling any issues, greatly enhance the dangers of conflict within the Congo and threat to international peace and security,

1. *Urges* the convening of the Parliament and the taking of necessary protective measures in that connexion;

2. *Urges* that Congolese armed units and personnel should be re-organized and brought under discipline and control, and arrangements be made on impartial and equitable bases to that end and with a view to the elimination of any possibility of interference by such units and personnel in the political life of the Congo;

3. *Calls* upon all States to extend their full co-operation and assistance and take such measures as may be necessary on their part, for the implementation of this resolution.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL AT ITS 982D MEETING ON 24 NOVEMBER 1961

The Security Council,

Recalling its resolutions S/4387, S/4405, S/4426 and S/4741,

Recalling further General Assembly resolutions 1474 (ES-IV), 1592 (XV), 1599 (XV), 1600 (XV) and 1601 (XV),

Reaffirming the policies and purposes of the United Nations with respect to the Congo (Leopoldville) as set out in the aforesaid resolutions, namely:

(a) To maintain the territorial integrity and the political independence of the Republic of the Congo;

(b) To assist the Central Government of the Congo in the restoration and maintenance of law and order;

(c) To prevent the occurrence of civil war in the Congo;

(d) To secure the immediate withdrawal and evacuation from the Congo of all foreign military, para-military and advisory personnel not under the United Nations Command, and all mercenaries; and

(e) To render technical assistance,

Welcoming the restoration of the national Parliament of the Congo in accordance with the *Loi fondamentale* and the consequent formation of a Central Government on 2 August 1961,

Deploring all armed action in opposition to the authority of the Government of the Republic of the Congo, specifically secessionist activities and armed action now being carried on by the Provincial Administration of Katanga with the aid of external resources and foreign mercenaries, and *completely rejecting* the claim that Katanga is a "sovereign independent nation",

Noting with deep regret the recent and past actions of violence against United Nations personnel,

Recognizing the Government of the Republic of the Congo as exclusively responsible for the conduct of the external affairs of the Congo,

Bearing in mind the imperative necessity of speedy and effective action to implement fully the policies and purposes of the United Nations in the Congo to end the unfortunate plight of the Congolese people, necessary both in the interests of world peace and international co-operation, and stability and progress of Africa as a whole,

1. *Strongly deprecates* the secessionist activities illegally carried out by the provincial administration of Katanga, with the aid of external resources and manned by foreign mercenaries;

2. *Further deprecates* the armed action against United Nations forces and personnel in the pursuit of such activities;

3. *Insists* that such activities shall cease forthwith, and *calls* upon all concerned to desist therefrom;

4. *Authorizes* the Secretary-General to take vigorous action, including the use of requisite measure of force, if necessary, for the immediate apprehension, detention pending legal action and/or deportation of all foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries as laid down in paragraph A–2 of the Security Council resolution of 21 February 1961;

5. *Further requests* the Secretary-General to take all necessary measures to prevent the entry or return of such elements under whatever guise and also of arms, equipment or other material in support of such activities;

6. *Requests* all States to refrain from the supply of arms, equipment or other material which could be used for warlike purposes, and to take the necessary measures to prevent their nationals from doing the same, and also to deny transportation and transit facilities for such supplies across their territories, except in accordance with the decisions, policies and purposes of the United Nations;

7. *Calls upon* all Member States to refrain from promoting, condoning, or giving support by acts of omission or commission, directly or indirectly, to activities against the United Nations often resulting in armed hostilities against the United Nations forces and personnel;

8. *Declares* that all secessionist activities against the Republic of the Congo are contrary to the *Loi fondamentale* and Security Council decisions and specifically *demands* that such activities which are now taking place in Katanga shall cease forthwith;

9. *Declares* full and firm support for the Central Government of the Congo, and the determination to assist that Government in accordance with the decisions of the United Nations to maintain law and order and national integrity, to provide technical assistance and to implement those decisions;

10. *Urges* all Member States to lend their support, according to their national procedures, to the Central Government of the Republic of the Congo, in conformity with the Charter and the decisions of the United Nations;

11. *Requests* all Member States to refrain from any action which may directly or indirectly impede the policies and purposes of the United Nations in the Congo and is contrary to its decisions and the general purpose of the Charter.

Chairman MORGAN. Thank you, Mr. Ambassador. The committee stands adjourned until 10:30 tomorrow morning.

(Whereupon, at 12:50 p.m., the committee adjourned until Thursday, June 28, 1962, at 10:30 a.m.)

PURCHASE OF UNITED NATIONS BONDS

THURSDAY, JUNE 28, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met at 10:30 a.m., in the Ways and Means Committee room, 1102 New House Office Building, Hon. Thomas E. Morgan (chairman) presiding.

Chairman MORGAN. The meeting will come to order.

The committee meets this morning for a continuation of the hearings on purchase of United Nations bonds in support of the U.N. bond legislation. The witness is the Honorable George W. Ball, Acting Secretary of State.

Mr. Secretary, you have a prepared statement? You may proceed, sir.

STATEMENT OF HON. GEORGE W. BALL, UNDER SECRETARY OF STATE

Mr. BALL. Thank you, Mr. Chairman, I do have a statement.

I appear today in support of legislation authorizing the appropriation of up to $100 million for use as a loan to assist in financing the United Nations peace and security operations.

The President has succinctly summarized the problem before us in his message to the Congress on January 30, 1962, when he said:

> The United Nations is faced with a financial crisis due largely to extraordinary expenditures which it incurred in fulfilling the pledges in its charter to secure peace, progress, and human rights. I regard it as vital to the interests of our country and to the maintenance of peace that the capacity of the United Nations to act for peace not be inhibited by a lack of financial resources.

Up to now, the United Nations has tried to meet the cost of its extraordinary peacekeeping activities—in the Middle East and in the Congo—by special assessments levied on all members. These special assessments have been running at a rate of about $140 million a year, or approximately double the size of the regular assessments for the ordinary budget.

The United States and many other countries have paid their special assessments—indeed, the United States has made substantial voluntary contributions—but some nations are delinquent. Some claim that they are financially unable to carry the heavy added burden; others are out of sympathy with the operation; and still others deny their legal obligation to pay their share of the costs.

In spite of the accumulation of unpaid assessments, the United Nations has been able to meet its expenditures but only by drawing down its working capital, by internal borrowing operations, and by

deferring payment on some of the peacekeeping expenses it has incurred. Today, with an estimated deficit of about $137 million, the United Nations has exhausted its ability to finance itself by these methods.

To put its affairs on a sounder basis, the United Nations has adopted an interim financial plan. This plan includes, as its principal elements, a systematic program for collecting arrearages and a bond issue of $200 million payable in 25 years at 2 percent interest. It is envisaged that the United States would provide up to one-half of this financing needed to continue peacekeeping operations that have well served the national interest of this country.

I shall speak further about this financial plan in a moment, but first I propose that we look briefly at the usefulness of the United Nations to the United States.

The United Nations is an imperfect organization in an imperfect world. It has its obvious limitations, its manifest problems. Nevertheless, it remains an essential instrument of U.S. foreign policy—just as it is an instrument of the foreign policy of every other member state.

The United Nations is not, of course, the only foreign policy instrument available to us, nor is it usable at all in many situations that arise in our relations with other nations. Yet it has served in the past, and it must continue to serve in the future, as a major mechanism through which we seek to maintain the peace and advance the cause of freedom.

As the one major global institution the United Nations, directly and through its specialized agencies, engages in many different kinds of activities. Not all of these activities are of the same importance—but unfortunately this fact is not always recognized. All too often, in discussing the United Nations, we neglect to separate the essential from the merely useful. This has, I think, contributed to much of the misunderstanding and confusion that have characterized recent discussions of this vital subject.

What are the principal functions the United Nations performs today? Quite clearly, they are not those that mainly preoccupied the delegates at San Francisco in 1945, when the charter was being drafted. The assumption—or at least the hope—which inspired the drafters of that document was that the great powers, allied in World War II, would be able to live in relative harmony and could cooperate in policing the postwar world. They could settle whatever differences arose among them within the forum of the Security Council.

As we know all too well, the effort to fashion one world with one treaty hardly lasted through the first General Assembly. The Soviet Union disclosed quite quickly that its purposes were not those of the United Nations Charter. Over the next 4 years, the Iron Curtain dropped down to form a cage around one-third of the world's population—living on the great land mass that stretches from the Brandenburg Gate to the Yellow Sea.

The United Nations was thus frustrated in its original objective of serving as a forum for reconciling differences among the great powers. This has not, however, destroyed its usefulness—indeed, its indispensability.

Instead, the United Nations has found its postwar destiny in quite different but no less effective endeavors.

I should like this morning to emphasize two of the most important roles that the United Nations has played—two roles that have rendered it an essential instrument of American foreign policy.

The first of these roles has been to prevent the confrontation of the great powers under circumstances that could lead to a nuclear conflict. If the United Nations has been unable to fulfill its original purpose of bringing the great powers together, it has at least succeeded, in significant instances, in keeping them apart.

By bringing about the settlement of conflicts through consultation and debate, and by interposing itself as an agency to keep the peace in areas where chaos might otherwise invite great power intervention, it has served a vital purpose in avoiding situations that might otherwise have produced a major war.

The U.N. was scarcely organized before it was involved in the difficult and dangerous business of peacekeeping—in Iran, Greece, Indonesia, and Kashmir. Since then it has played a part in stopping aggression, threatened aggression, or civil war, in Palestine, Korea, at Suez, and in the Congo. In all of these conflicts the great powers had interests. In the absence of the U.N. they would in all likelihood have intervened to defend those interests. Intervention by both sides could have led to a dangerous confrontation.

The most recent—and perhaps most spectacular—of the trouble spots in which the U.N. has acted to prevent great power confrontation is, of course, the Congo. Here the U.N.—with full U.S. support—interposed itself in the nick of time. The Soviet Union was already moving in, and we could never have stood by while it set up shop in the heart of Africa.

The intervention of the U.N. prevented the chaos that could well have turned the Congo into another Korea. Today, it is doing its best to bring about the conditions under which an integrated Congo Republic can work its way toward stability and peace.

I would suggest, therefore, that in thinking about the Congo and about other areas where the United Nations is brought in to keep the peace, we should ask ourselves this question: From the point of view of our national security, would it have been better to send in the American Marines, or to act with others to send in the United Nations in the name of the world community?

Obviously, the U.N. cannot keep the peace without expense. Today, it has more than 20,000 men in the field—more than 22,000, I think—patroling the truce lines in the Middle East and keeping the lid on the Congo. This is manifestly the work of an executive agency of considerable capacity and skill, capable of performing pragmatic tasks—such as mobilizing, transporting, commanding, and supplying substantial forces in the field when an emergency arises.

The U.N. has played a second role of vital importance by serving as a forum in which the industrial societies and the less developed nations can be brought together. This is an accomplishment of great significance, particularly when considered in the light of the revolution that has occurred since the end of World War II. In this brief period one-third of the world has made the eventful passage from colonial status to some form of national independence. Almost 50 new states have come into being; a dozen more are actively in the making.

This transformation, involving as it has the breakup of the great European empires, meant the collapse of a long-standing system of

world order. It meant the sudden rupture of old ties, the sudden emergence of new states, and the sudden liberation of a billion people from colonial dependence. The world has never known a comparable political convulsion.

Yet this revolution—this rapid transformation from dependence to independent nationhood of a billion people—has for the most part been achieved in a peaceful and orderly manner and in a fantastically short time—and largely because of the existence of the United Nations.

Adrift from their previous associations, these new countries found in the United Nations an organization that gave them status on the world scene and a political system in which they could have a full sense of participation with older, advanced countries. They found there, too, a family of technical organizations whose international staffs could help conceive and carry out the development plans which these people now expect their governments to pursue.

Even had it done nothing else, the U.N. has fully justified its existence by its central role in the complex business of assisting almost 50 new states to make the perilous voyage from dependence to sovereignty—a transition accompanied by speeches rather than by shooting. This is, I think, one of the striking achievements of our time.

Sometimes we are irritated by the performance of certain of these newer nations in the United Nations and its General Assembly—and this irritation tends to be transferred to the U.N. itself. In assessing their attitudes and actions, however, we should realize that in the eyes of the new nations the U.N. has a very special significance.

The immediate and natural ambition of every new nation is to establish its national identity. Membership in the United Nations has served this purpose; it has become the badge of independence, the credential of sovereignty, the symbol of nationhood and the passport to the 20th century.

When the delegation of a new nation is seated in the U.N., it has arrived; it can look the world in the eye and speak its piece. And even if that piece may on occasion be discordant to our ears, the fact that it can be spoken has helped to stabilize the postwar period.

Yet the U.N. is more than a place for letting off steam; it is also a school of political responsibility. While some of its members may represent closed societies, it is itself an open society. The General Assembly is staged for all the world to see, and performing upon that stage sometimes—though not always—helps turn demagogues into statesmen.

How else can one explain the fact that at the last General Assembly the most anticolonial members of the United Nations decisively rejected a Soviet resolution calling for independence of all remaining dependent areas by 1962? They sponsored instead moderate and sensible resolutions for which we and most of our European friends could vote without reservation.

Because it can paradoxically perform the task of bringing some nations together and keeping other nations apart, the United Nations is indeed a unique instrument of policy.

But if the United Nations is an instrument of U.S. policy it is only one of many instruments available to us. It is one of the tasks of the Secretary of State and the State Department, when confronted with a particular problem, to select and utilize that instrument most appropriate for the purpose.

Clarity in understanding this task helps resolve the contradiction some people seem to find in American foreign policy, a contradiction between our reliance on the institutions of the Atlantic Community and our participation in the United Nations.

No such contradiction exists in fact. The founders of the United Nations recognized the necessity for regional institutions and explicitly provided for them in the charter. Indeed the charter calls upon members to seek settlement of disputes within the framework of regional agencies or arrangements before bringing them to the U.N.

In practice we use the various institutions to which we belong for quite different purposes. The North Atlantic Treaty Organization is, of course, the backbone of our military defense of the free world against the Communist bloc. Through our own massive force and through NATO we maintain the armed strength that is the principal deterrent to Communist aggression. But just as the U.N.'s capabilities are limited, so are NATO's. Quite clearly NATO could not have intervened in the Congo to restore order when Belgium withdrew. Only a world organization could have done so without arousing anti-colonialist reactions.

It is true that the United Nations cannot, by itself, maintain the peace between the major powers. It is equally true that NATO was not qualified to supervise the peaceful change from colonialism to independence. Their roles are different and distinct. Each is essential and, therefore, we support each for different reasons.

The same observation can be made with regard to the OECD (Organization for Economic Cooperation and Development) which came into being last September. The Organization of American States, as another example, gives institutional form to the American system. And the Alliance for Progress provides for a massive cooperative effort between the United States and Latin America.

Each constitutes a different instrument to serve the diverse purposes of our foreign policy.

But I am here this morning because the continued use of the United Nations as an instrument of policy is in danger. It is threatened by a financial crisis. The time has passed when short-term palliatives will permit it to meet its outstanding obligations.

What is necessary is the opportunity to put its financial house in order. This is possible through an interim program, involving long-term borrowing, together with expected authority to enforce collection of delinquent assessments.

The U.N. budget now has three major accounts. What has been termed the "regular" budget, under which all members are assessed according to an agreed formula, which meets the normal costs of operating the Organization, such as the expenses of the Secretariat, costs of annual meetings, and expenses of regional commissions. It includes some of the lesser peacekeeping expenditures, such as the truce supervision activities in Palestine and Kashmir.

This account for the current fiscal year totals $74 million before credits. The payment record has been good. For 1961 and prior years only $5.6 million remains unpaid.

To meet the much larger peacekeeping expenses of the United Nations Emergency Force and the Congo, the United Nations, for reasons of accounting convenience, established two special accounts—the special account for the Emergency Force in the Middle East,

starting in 1956, and the ad hoc account for the Congo operations starting in 1960.

Assessments in both accounts have to date totaled over $330 million. The problem, however, is that arrearages in both accounts for 1961 and prior years total about $77 million, since many nations either claim to be unable or are unwilling to pay their shares. In the aggregate, for both regular and special assessments, the U.N. now has arrearages due from many members of about $82 million in addition to current year obligations.

Article 19 of the charter provides that a member of the United Nations which is in arrears in the payment of its financial contributions to the Organization "shall have no vote" in the General Assembly "if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding 2 full years."

Certain members, however, have questioned whether the assessments for peacekeeping operations in the Middle East and the Congo constitute "expenses of the Organization" within the meaning of the charter and, consequently, whether they are binding on all members. They contend that the sanction provided in article 19, namely, loss of vote in the General Assembly, cannot be invoked for failure to pay these assessments.

The General Assembly requested an advisory opinion from the International Court of Justice to determine whether the Middle East and Congo assessments are "expenses of the Organization" within the meaning of the charter and thus binding on all members. The United States believes they are, and we have so argued before the Court.

If the Court so rules, and the General Assembly gives effect to this advisory opinion, the United Nations should be in a position to enforce collection of all delinquent accounts, by application of the mandatory provision of article 19 which I described a moment ago.

Even the full collection of arrearages will not resolve all of the United Nations financing problems. The problem of the financing of ad hoc peacekeeping operations in the future will still remain. Therefore, the U.N. General Assembly has approved the $200 million borrowing program as an essential step in bringing order into its finances. Repayments of principal and interest on their borrowings would be budgeted by the United Nations as part of the "regular" budget. They would be reflected in the annual assessments of the members.

It may be recalled that there was some dispute in the Senate hearings over precisely how the proceeds of this borrowing would be spent. I wish to be perfectly candid with you so that there will be no misunderstanding.

Technically, the proceeds may be used by the U.N. Secretary General to meet any past or future U.N. obligations. In practice they will be used for two purposes. A part will be used to help pay the most urgent of the existing indebtedness of the United Nations. The balance will be used to defray the costs of peacekeeping operations after July 1, 1962.

We cannot be wholly certain of the proportion in which the proceeds will be allocated between these two purposes because that depends on how successful the United Nations is in collecting arrearages, and on the magnitude of continuing United Nations peace-

keeping expenditures. Regardless of the precise way in which the money is allocated, the United Nations needs the entire $200 million. As has been stated, the costs of maintaining UNEF and ONUC now amount to roughly $140 million a year.

The administration has requested authority to enable the United States to provide up to $100 million of this financing. The administration initially proposed that this be achieved through the purchase of U.N. bonds and submitted a bill for this purpose. The Senate passed, by a vote of 70 to 22, a substitute measure authorizing an appropriation to the President of $100 million for the purpose of making loans to the U.N.

The Senate bill (S. 2768) also provides that the loan is not to be used to relieve U.N. members of their obligations to pay arrearages and shall not exceed by more than $25 million the amount of loans made or agreed to be made by other nations. To date, 39 nations have pledged a total of $65.7 million of bonds and another 22 countries have announced an intention to buy undetermined amounts.

Furthermore, the Senate bill indicates that the United States is to deduct each year from its U.N. assessments the amount the U.N. owes this country for repayment of principal and interest on the loan. Finally, the bill states that this loan is not to be considered a precedent for future large-scale borrowing.

The administration has endorsed the Senate bill and commends it to the consideration of this committee. We find that it substantially achieves the objectives embodied in the administration's original proposal introduced into the House of Representatives by Chairman Morgan as H.R. 9982.

The proposal before this committee has been studied by financial experts, including the President of the International Bank for Reconstruction and Development, Mr. Eugene R. Black. Mr. Black stated in a letter to Senator John Sparkman that he had told the Secretary General:

> * * * I thought the idea was a sound one, that it would have my full support and that in a personal capacity I would be happy to do whatever I could to assist in the implementation of the proposal and in the sale of the bonds.

The proposal has been found to be practicable and financially sound. The indebtedness would be serviced out of the regularly assessed budget. No one has questioned the binding character of those regular assessments. The annual level of debt service would be reasonable.

Fourteen years ago the U.N. needed funds to construct its headquarters. The Congress at that time authorized a loan to the U.N. of the entire $65 million required, repayable over 34 years without any interest. Today the U.N. needs $200 million for a much more important purpose—keeping the peace and preventing the big powers from confronting each other in power vacuums in such troubled spots as the Congo and the Middle East. The U.N. is offering 25-year bonds at 2 percent interest. Other countries have already agreed to take 33 percent of the issue. We are asking the Congress to authorize a U.S. loan for not more than 50 percent of the U.N.'s needs.

Because it does things we want to see done, the United Nations serves the national interest of the United States. By approving the proposal before you, the Congress can help assure the continued

availability of the U.N. as an effective instrument for advancing American interests throughout the world.

Thank you, Mr. Chairman.

Chairman MORGAN. Thank you, Mr. Secretary.

Mr. Secretary, in the joint committee supplement of February 6 which was brought up to date on June 25, we have the 11 nations listed who have already made purchases totaling $25 million. The other 29 are committeed to purchase a total of $40 million, making a total of $65 million. I see here that some of the great nations are not listed. Have there been any negotiations carried on between the United States and France as to why France is not purchasing U.N. bonds?

Mr. BALL. Well, the present French Government is out of sympathy with the operations of the United Nations in the Congo. I think it is as simple as that.

Chairman MORGAN. Did France make a contribution to the U.N. Forces in the Gaza strip?

Mr. BALL. Yes.

Chairman MORGAN. And they paid——

Mr. BALL. They paid theirs. Actually, as I understand it, their arrearages relate only to the Congo operation.

Chairman MORGAN. Did Belgium pay its special assessment for the Gaza strip?

Mr. BALL. Not to the Congo.

Chairman MORGAN. The Gaza strip.

Mr. BALL. I believe so—let me check it. Yes; I am told they are up to date on the Gaza strip.

Chairman MORGAN. Mr. Secretary, I see among the nations that have made pledges that Yugoslavia is included.

Mr. BALL. They have announced a pledge of $200,000, I believe.

Chairman MORGAN. Is there any other so-called Communist-dominated nation that has shown any indication of making a pledge to purchase U.N. bonds?

Mr. BALL. I think the Iron Curtain countries and the other Communist countries, with the exception of Yugoslavia, all have either refused to make a purchase or have indicated they wouldn't or have not indicated anything at all.

Chairman MORGAN. Mr. Secretary, on pages 12 and 13 of the joint committee print of February 6, again it says that the United Nations Emergency Force on the borders of Israel is costing approximately $20 million a year. The Congo operation is costing about $10 million a month. It also says in the middle of page 13 that the budget for the United Nations Emergency Force has become somewhat stabilized. Is there a danger that budgets of this kind administered by international civil servants are likely to become too much stabilized?

Mr. BALL. I think that we have an interest, as have all the other powers, in keeping a very watchful eye on this situation. I think no one wants to see the United Nations commit forces to an area for any longer period of time than they are essential. The Secretary General and the permanent staff are in the position of really being the servants of the institutions of the United Nations.

If the major members feel that the operation in a particular area can be cut down or that it is no longer necessary, the Secretary

General and the staff will be responsive to those feelings. I don't regard this as a serious matter of concern, Mr. Chairman, because our experience in the past has been that the Secretary General gives appropriate weight to the wishes of the major members.

Chairman MORGAN. Mr. Secretary, the operation in the Gaza Strip is now approximately 5 years old. What assurance do we have that operations in this Israel-Arab area can not be curtailed and some money saved?

Mr. BALL. I think the greatest evidence of that is that the tensions still persist and there is no indication whatever that they are diminishing very much. As long as that situation exists it seems to us that we are very well advised to support an operation which prevents this tension from flaming into some kind of direct conflict.

Chairman MORGAN. Mr. Secretary, you feel then that there is enough tension in that area to justify the U.N. in maintaining 5,000 soldiers there?

Mr. BALL. That would be our judgment, until such time as the tension relaxes or conditions change. The moment that occurs, then I think we should use our influence to see to it that the U.N. reduces the force or eliminates it.

Chairman MORGAN. Thank you, Mr. Secretary.

Mr. Chiperfield.

Mr. CHIPERFIELD. Thank you, Mr. Chairman.

Mr. Secretary, after hearing the expert testimony yesterday I became quite confused as to how the money could be used under this bond issue. I was very happy, therefore, to hear you say this morning that it could be used to pay the indebtedness of the United Nations and also for the peacemaking activities. But you said it had not been determined the proportion that would be used, that you might pay off urgent debts of the United Nations. I think that statement differs from what the President told us we were going to do with these funds. Do you agree with that?

Mr. BALL. I am not sufficiently familiar with the——

Mr. CHIPERFIELD. He said the United Nations financial plan is to provide special funds to relieve the present cash deficit by paying off current bills and debts and then by setting up a reserve to help finance United Nations peacekeeping operations in future emergencies. He said "by paying off current bills and debts." He didn't say an urgent part of them.

The United Nations owes $137 million now. They also owe $93 million on this peacemaking activity so the total indebtedness is $30 million more than the $200 million bond issue.

So you are forced to the conclusion not to pay off all the indebtedness even though the President didn't say so. Isn't that true?

Mr. BALL. I think it is partly a question of the timing of the utilization of the funds. Some obligations are more pressing than others. What the $200 million would amount to is a contribution to the total resources of the United Nations. The expectation is that it would be administered in sueh a way as to enable the United Nations to continue its efforts for a period which we have estimated as running from somewhere between a year and 18 months.

During this period a longer range financial plan would be developed. I think that we fully recognize the fact that this is not a permanent solution to the financial problems of the United Nations.

Mr. CHIPERFIELD. May I say this: According to the figures that you use on the first page of your statement about carrying on these particular activities, it would cost in the neighborhood of $140 million for the next year, so you will need $70 million to carry on those peacekeeping activities for the remainder of the year. That is in addition to the indebtedness.

You will have to find that someplace.

Mr. BALL. Yes.

Mr. CHIPERFIELD. It is just a stop-gap measure. We would like to know what you have in mind. Are we going to be at the end of 6 months where we are today?

Mr. BALL. There are several reasons for this. In the first place the development of a long-range financial plan is something which will have to be undertaken not merely by the United States but by the membership of the United Nations. There has been a considerable discussion of various long-range financial plans. One of the elements which has been lacking is a decision with regard to the juridical nature of the special expenses for the peacekeeping operations. We would expect that decision to be handed down very shortly by the International Court of Justice.

We would expect action to be taken on it by the U.N. so that that question would be entirely cleared up. That is a component in any kind of permanent financial plan, as you will appreciate.

Mr. CHIPERFIELD. I can in all fairness say if that decision is made, it should have some influence in helping with the collections and as additional collections are made the figures would be reduced by that amount. Of course I agree to that. But here some 62 nations out of 104 have refused, for one reason or another, to pay their assessment. I doubt very much that the World Court decision would change their opinion. The 2-year penalty can be extended more than 2 years because if they pay their regular assessment and they refuse to pay this special assessment it could be extended over a longer time before they lose their vote in the Assembly; isn't that true?

Mr. BALL. The arithmetic of it is, as we have computed it, if they just paid their regular assessment, with the size of the peacekeeping expenses running at something like 2 to 1 over the regular assessment, there would come a period not too far in the future, perhaps within the third year—could you estimate that?

Mr. CLEVELAND. For the Soviets that year would be 1964.

Mr. BALL. We figure if, for example, the Soviet Union were to persist in paying only the regular assessment, that under the calculations that we have made in 1964 they would have been over the edge of the 2 years, that they would therefore be subject to the sanction which is provided.

(The following information has been submitted for inclusion in the record at this point:)

Union of Soviet Socialist Republics—Status of payments as related to art. 19

[In U.S. dollars]

	Calendar year 1962 (actual)				Calendar year 1963 (estimated)				Calendar year 1964 (estimated)			
	Regular budget	UNEF	UNOC	Total	Regular budget	UNEF	UNOC	Total	Regular budget	UNEF	UNOC	Total
Controlling amount under art. 19:												
Assessments:												
1960 actual	7,940,460	2,721,932	6,596,425	17,258,817								
1961 actual	9,356,287	2,562,085	13,491,828	25,410,200	9,356,287	2,562,085	13,491,828	25,410,200				
1962 actual					11,096,380	1,459,575	11,976,000	24,531,955	11,096,380	1,459,575	11,976,000	24,531,955
1963 estimate [1]									12,623,320			12,623,320
Total assessments	17,296,747	5,284,017	20,088,253	42,669,017	20,452,667	4,021,660	25,467,828	49,942,155	23,719,700	1,459,575	11,976,000	37,155,275
Arrearages:												
1961 and prior	1,568,843	12,774,084	20,088,253	34,431,180	[2]	12,774,084	20,088,253	32,862,337	[2]	12,774,084	20,088,253	32,862,337
1962 (8 months; 1st 6 months UNEF)						[3] 1,459,575	[4] 11,976,000	13,435,575		1,459,575	11,976,000	13,435,575
1962 (2d 6 months)						[5]	[5]					
1963												
Total arrearages	1,568,843	12,774,084	20,088,253	34,431,180	[2]	14,233,659	32,064,253	46,297,912	[2]	14,233,659	32,064,253	46,297,912
Short of art. 19 amount				8,237,837				[3] 3,644,243				[3] 9,142,637
Over art. 19 amount												

[1] 1963 budget estimates on basis of 1962 assessment of $74,100,000 plus $10,200,000 to amortize United Nations bonds.
[2] Assumes that U.S.S.R. will pay its regular budget assessment.
[3] UNEF assessment for Jan. 1 to June 30, 1962.
[4] UNOC assessment for Nov. 1, 1961 to June 30, 1962.
[5] No separate assessments for UNEF and UNOC after July 1, 1962; assumes costs to be financed from proceeds of $200,000,000 bond issue, repayment for which begins in 1963.

Mr. CHIPERFIELD. I hope you can give us some idea of how this permanent problem is going to be resolved.

I thank you very much, Mr. Secretary.

Mr. BALL. Thank you.

Chairman MORGAN. Mr. Zablocki.

Mr. ZABLOCKI. It is good to see you, Mr. Secretary. Since it is contemplated that the Congress will be in session until the latter part of August, probably until Labor Day, and in view of the fact that Ambassador Stevenson advised this committee that the advisory opinion of the International Court of Justice will be forthcoming in a few weeks, can you give us any reasons why the Congress should not withhold action on the U.N. bond issue until after the Court's opinion is studied?

Mr. BALL. I would say two things, Mr. Zablocki. First of all, that there is a very urgent need for funds on the part of the United Nations to maintain its current operations. Its cash position is very low indeed.

Secondly, that the action taken by the United States would have force on the other nations. The other nations have announced an intention to subscribe a third of the $200. million. I think if the Congress would act promptly we would have some assurance of other nations acting with commensurate speed.

The third point that I think that we have got to face squarely is that while we believe that the International Court of Justice is going to hold in accordance with the position that we have taken, we believe this because we think that our legal position is eminently correct and we would be very much surprised by a different opinion by the Court of Justice.

Nevertheless, if the International Court of Justice were to hold against us, we could still not, in my judgment, without great risk to the interests of the United States, fail to find financing to continue these operations. This is a matter where I think we have to be extremely hardheaded in this sense, that we have to look at it from what is the national interest of this country. It is our view that the national interest is greatly served by the continued availability of the United Nations to continue these operations.

It is our opinion that the United Nations—that our interest would be very seriously impaired if this—if these operations would have to be discontinued. We are up against a hard financial crisis. So while we have great confidence that the International Court of Justice is going to make it easier to bring about the collection of these assessments, I don't think we can make the action that we take with regard to this bond issue depend on what the International Court of Justice does.

The bond issue remains valid no matter what the decision of the International Court of Justice is.

Mr. ZABLOCKI. It is generally agreed that this legislation would have an easier time in Congress if the opinion of the Court will be favorable to our position. You maintain, however, that because of the current financial distress of the United Nations, it would be preferable for the Congress to act expeditiously.

Mr. BALL. We feel that very strongly, Mr. Zablocki.

Mr. ZABLOCKI. On page 13 of your statement you state that the United States extended a $65 million loan to the United Nations for the construction of the U.N. headquarters. How much has been repaid on the loan?

Mr. BALL. I think all of it has been repaid. I am told there is no delinquency, that all the amortization and interest payments have been made on time. It is $65 million. It is spread over a period of 34 years, of which 14 years have transpired. There are 20 years to go. The principal outstanding is about $40 million.

Mr. ZABLOCKI. In other words, the $65 million is divided by 34 years?

Mr. BALL. That is right. I don't know if the amortization and interest payments are evenly spaced or not. I am told the present outstanding indebtedness with regard to this—let's see, I have the repayment schedule here.

In July 1962—this doesn't show the—we will put the exact figures in. I think it is about $40 million yet outstanding.

Mr. ZABLOCKI. The experience with the U.S. loan seems to establish that the U.N. has a record of prompt repayment of its obligations. I would like the record to show this.

Mr. MURPHY. Will the gentleman yield?

Mr. BALL. Yes, sir; there has been no default.

Mr. MURPHY. Mr. Under Secretary, repayments are being paid out of the regular assessment of member states; is that correct?

Mr. BALL. That is correct.

(The information is as follows:)

INFORMATION ON REPAYMENT OF THE UNITED NATIONS HEADQUARTERS LOAN

The amount which was repaid on the $65 million U.N. headquarters loan as of June 28, 1962, was $20 million. The remaining U.N. indebtedness was $45 million. The terms of repayment and repayments made are shown below:

United Nations Headquarters—Loan agreement between the United States of America and the United Nations [1]

TERMS OF REPAYMENT OF LOAN

Date	Amount	Date	Amount
July 1, 1951	$1,000,000	July 1, 1967	$2,500,000
July 1, 1952	1,000,000	July 1, 1968	2,500,000
July 1, 1953	1,500,000	July 1, 1969	2,500,000
July 1, 1954	1,500,000	July 1, 1970	2,500,000
July 1, 1955	2,000,000	July 1, 1971	2,500,000
July 1, 1956	2,000,000	July 1, 1972	2,500,000
July 1, 1957	2,000,000	July 1, 1973	2,500,000
July 1, 1958	2,000,000	July 1, 1974	2,500,000
July 1, 1959	2,000,000	July 1, 1975	2,500,000
July 1, 1960	2,500,000	July 1, 1976	1,500,000
July 1, 1961	2,500,000	July 1, 1977	1,500,000
July 1, 1962	2,500,000	July 1, 1978	1,500,000
July 1, 1963	2,500,000	July 1, 1979	1,500,000
July 1, 1964	2,500,000	July 1, 1980	1,500,000
July 1, 1965	2,500,000	July 1, 1981	1,500,000
July 1, 1966	2,500,000	July 1, 1982	1,000,000

REPAYMENTS AS OF JULY 31, 1961 [2]

Number	Amount	Date of payment	U.S. percentage share	Number	Amount	Date of payment	U.S. percentage share
1	$1,000,000	June 28, 1951	38.92	7	$2,000,000	July 1, 1957	33.33
2	1,000,000	June 27, 1952	36.90	8	2,000,000	July 1, 1958	32.51
3	1,500,000	June 29, 1953	35.12	9	2,000,000	July 1, 1959	32.51
4	1,500,000	July 1, 1954	33.33	10	2,500,000	July 1, 1960	32.51
5	2,000,000	July 1, 1955	33.33	11	2,500,000	July 1, 1961	32.51
6	2,000,000	July 1, 1956	33.33				

[1] The U.S. loan to the United Nations for the United Nations headquarters building in New York City was made in 29 separate advances between 1948 and 1953, totaling $65,000,000 U.S. dollars. Authorization for the loan was contained in Public Law 903, 80th Cong., Aug. 11, 1948.

[2] The $2,500,000 repayment due on July 1, 1962, has also been paid and on time.

Chairman MORGAN. Mrs. Kelly.

Mr. BALL. Excuse me, Mr. Murphy. Just as I may say it is contemplated that this loan would be repaid out of the regular assessments—the amortization and interest payments each year. The Senate bill contemplates we would deduct the amount of the amortization payment and interest due each year from our regular assessment.

Chairman MORGAN. Mrs. Kelly.

Mrs. KELLY. Thank you, Mr. Chairman.

Mr. Secretary, I believe you stated this plan of financing is the one that you recommended most highly; is that correct?

Mr. BALL. That is right.

Mrs. KELLY. You also have said it is in the best interests of the United States; is that correct?

Mr. BALL. I certainly say that.

Mrs. KELLY. May I deduct from that that this plan is a U.S. plan?

Mr. BALL. It is strongly supported by the United States and the United States participated in the development of the plan.

Mrs. KELLY. We initiated this particular plan; is that correct?

Mr. BALL. I am told that we participated in it, but to say it is a U.S. plan as such would be somewhat overstating the situation.

Mrs. KELLY. Is there another plan which would be more desirable by other nations?

Mr. BALL. No. There were other possibilities of financing considered, but this plan was deemed by all the nations, I think, that participated in the development of it as being the best plan that could be developed under the circumstances.

Mrs. KELLY. Mr. Secretary, there are some problems bothering me at this time about this matter, more than any other problem since I have been a Member of Congress for 11 years. We have many important bills before us in Congress affecting our foreign policy; the trade bill, foreign assistance act, and now this bond issue. All of these are to secure peace in the world—freedom—and all of them are based on mutual responsibility and cooperation with our allies.

It seems to me, Mr. Chairman, that our allies of the free world are a little derelict in their responsibility at this time. I don't know what I can do as a Member of Congress to endeavor to change this. I have brought many of these problems to the attention of the previous administration and to you, Mr. Secretary. I am particularly annoyed by the trade behind the Iron Curtain—trade with the U.S.S.R. and the captive nations.

I think our allies import too much material, particularly Russian oil. This whole situation I think is annoying to Members of Congress. What can I do? What can we do?

As a nation we can't tell our allies how to act, so I am told. What can we do to make these people understand from now on there is mutual responsibility in everything we do?

Mr. BALL. Let's for the moment separate the two questions—one of the financial and material contribution to the keeping of the peace, and the defense of the free world. We are in a position where there are great forces at work in the world, great changes, where the nations of the world that were affected by the war most severely are now becoming relatively prosperous, many of them.

I don't think that their sense of responsibility has been developed commensurate with their developing prosperity. This is a matter

which is of real concern to us. It is a matter where we are continually active in bringing this to the attention of the nations.

We are making some progress. We have made progress in seeing Germany assume a much greater burden of helping the underdeveloped countries in the last 2 or 3 years. We have made progress in bringing about some strengthening of the force levels in NATO. This is still something we are working actively on.

The matter of contributing to the United Nations is something where I am reasonably confident we are going to see progress also. It isn't as fast as we would like. I think there are legitimate reasons why we should feel quite irked and impatient from time to time on this.

I fully share the view of the committee on this. I would hope that if we keep this matter constantly brought to the attention of these nations and urge them to take a larger share, that they will in time. But meantime we can't say because they are not fully meeting their obligations that we can abandon our efforts to see that the peace is maintained, to see that the free world is defended.

Our interests are too vital to be neglected or for us to let our exertions be reduced. This is a hard situation, but I think that is what it is in reality.

Mrs. KELLY. In other words, then, I must have greater faith in the administration to pursue the endeavor to persuade these nations to live up to their mutual responsibility.

Mr. BALL. We are doing the best we can and will continue to do so.

Mrs. KELLY. Without any stronger action by amendments on the floor?

May I ask one more question? Take for example the problem of Canada's pledge. May we hope that they will be in a position to carry this out? May I also stress to you that I certainly think that a German contribution of more than $10 million should be requested.

Mr. BALL. Germany is not a member of the United Nations.

Mrs. KELLY. I realize that. Because she isn't the free world is bearing the responsibility of protecting her interest. Germany is in an excellent economic position. Is it possible to have Germany increase purchases of the bonds?

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. Mr. Secretary, I have three questions I would like to ask you. The first is, the General Assembly on the vote on the bond issue was 58 for, 38 against, and 33 abstaining. It means only a bare majority voting for it.

Does it mean the bond issue is not a popular issue with many of the members of the U.N.?

Mr. BALL. Let met have a look if I may at the voting record.

As I understand it, the vote according to our records on the bond issue was 58 for, affirmative votes, 13 against, which consisted of the Communist bloc, plus France and Belgium, and 24 abstaining. The actual majority there is 58 to 13.

Mr. BROOMFIELD. Your figure is what? Twenty-four abstaining; I had 33. Regardless of the fact, what is the reason they didn't make known their feelings on the particular issue?

Mr. BALL. You are speaking of the abstainers?

Mr. BROOMFIELD. Yes; that is right.

Mr. BALL. I think that it related primarily—excuse me for a moment. I will consult again—I am told by my colleagues, including Ambassa-

dor Plimpton, who is at the U.N., that there are two reasons for this: One, some of the nations, particularly the smaller nations, were not able to get their instructions in time and therefore didn't participate, rather abstained. And secondly, there is a tendency on the part of many of the smaller nations to try to avoid getting into a situation where there is a direct disagreement between the United States and the Soviet Union.

Mr. BROOMFIELD. I would like to point out in one publication that we have in the committee print, it states that 33 states abstained or were absent. I think the record should be straightened out.

(The information is as follows:)

Vote on the United Nations General Assembly Resolution 1739(XVI), which authorized the Secretary General of the United Nations to issue bonds in the amount of $200 million:

In favor	58
Against	13
Abstentions	24
Absent	9
Total	104

The breakdown of the vote, by member state, is contained on pages 1 and 2 of the joint committee print on "Information on the Operations and Financing of the United Nations," dated February 6, 1962.

Mr. BROOMFIELD. Another question: The U.N. Congo operation is supported in part by a resolution of the General Assembly of September 20, 1960. As you recall the Security Council couldn't agree on it, so the General Assembly took it up, and adopted a resolution on September 20. I would like to ask you this question: Following that precedent, could the Castro regime call upon the U.N. should it be threatened by internal problems?

Mr. BALL. It could call upon the U.N., but the response of the U.N. I can't believe would be a favorable one. Our own position in the U.N. is such that—and with the fact that we have demonstrated over the years that our policies are in accordance with the spirit of the charter—that we would be quite optimistic, indeed we would be quite confident, that they wouldn't be able to get a favorable vote.

Mr. BROOMFIELD. You would agree the matter could be brought up and decided by the General Assembly in view of the precedent established in the Congo?

Mr. BALL. Brought up and rejected by the General Assembly.

Mr. BROOMFIELD. This is something you are surmising. We couldn't know for sure what 100 nations would do.

Mr. BALL. This is, of course, an essence of a body of this kind which is universal in nature. I think, however, if one looks at the voting experience over the past years, that this is not a matter which should be of real concern to us.

Mr. BROOMFIELD. One final question, Mr. Secretary. In the committee print of February 6, section 18, it states: "The U.N. resolution states the bonds shall also be offered to nonprofit institutions and associations."

Can you enlarge on what that actually means?

Mr. BALL. Yes. This was in effect authority given by the General Assembly to the Secretary General subject to his determination. I am told that as of this point he has not made such a decision.

Mr. BROOMFIELD. Can you give us some idea what these nonprofit institutions and associations might be?

Mr. BALL. I would suppose that we could look over the spectrum in the United States of many philanthropic organizations from the great foundations, great charitable foundations to organizations which are committed to the support of the United Nations. Other organizations that are dedicated to the same purposes of the United Nations Charter. I suppose it could be quite a long list in this country.

Mr. BROOMFIELD. Thank you, Mr. Secretary.

Mr. FARBSTEIN (presiding). Mr. Murphy.

Mr. MURPHY. Mr. Chairman.

Mr. Secretary, you stated that there is a $137 million deficit at the present time.

Mr. BALL. Yes.

Mr. MURPHY. Does that include the regular budget and also the special assessments?

Mr. BALL. Yes; that is the total.

Mr. MURPHY. Then you state on page 12 that the cost of maintaining the peacekeeping forces in the Middle East and the Congo would approximately cost around $140 million.

Mr. BALL. That is right—$140 million per year at current rates of expenditures.

Mr. MURPHY. I raised a question yesterday with Ambassador Stevenson in reference to Ruanda-Urundi. He stated that the U.N. was taking this problem up this morning.

Do you know exactly what action was taken by the U.N.?

Mr. BALL. Yes; they adopted a resolution yesterday morning at the U.N. which provided for the independence of what will probably be two republics, provided for the maintenance of the Belgian forces for a month, or depending upon the will of the countries themselves.

There is some expectation that the countries may wish to keep the Belgian forces in for a longer period of time until they have been able to train their own police and gendarmerie, and so on.

This was a resolution which, as I recall, was supported—which the United States itself supported.

Mr. MURPHY. In the event that the Belgians withdraw, who will maintain the peace?

Mr. BALL. It would be hoped that the withdrawal would be so phased that in the meantime there could be native forces trained that would be adequate for that purpose.

There may be some possibility of a United Nations presence of some sort for providing training and technical assistance.

Mr. MURPHY. Has the U.N. made an estimate as to the cost in case the United Nations finds it necessary to go in?

Mr. BALL. The resolution itself, which was passed yesterday morning as I recall, authorizes $2 million for this.

Mr. MURPHY. That is an added expense to your $140 million.

Mr. BALL. Yes.

Mr. MURPHY. In the operation.

Mr. BALL. Yes.

Mr. MURPHY. Thank you.

Mr. O'HARA (presiding). Mr. Barry.

Mr. BARRY. Thank you, Mr. Chairman.

Mr. Secretary, it is nice to see you. I would like to ask to what extent is there pressure within the United Nations that economic aid be dispensed through the U.N. rather than on a bilateral basis.

Mr. BALL. Well, there have been various discussions of this question within the U.N. There have been proposals such as the SUNFED proposal that have been discussed over the years.

I should say that some nations might prefer it that way but that there is no very serious possibility of any movement in that direction that would result in any resolution or action by the United Nations.

Mr. BARRY. Do you think if Germany were a part of the United Nations, as a member, that there might be more of a move in that direction?

Mr. BALL. I don't really see why it would affect the situation.

Mr. BARRY. I was thinking of Germany as being probably the nation next to our own capable of dispensing economic aid.

Mr. BALL. They are mounting increasingly larger programs of bilateral aid themselves. They are also participating in the fund which is created under the European Economic Community for assistance. They are also participating in the International Bank.

There have been substantial purchases of obligations of the Bank to provide funds for this purpose. I suppose Germany within a relatively short time will be making a contribution to the underdeveloped nations, which will be very fine indeed.

Mr. BARRY. Do you think there will be any movement within the United Nations for Germany to become a member in the near future?

Mr. BALL. I would like to consult my colleagues on that.

The present situation is this, that they are members of most of the specialized agencies of the United Nations at the moment. The question of their becoming a member of the United Nations itself of course raises all the problems that are involved in the division of Germany, the fact that there is the absence of a peace treaty, the continuing hope for a reunified Germany. I think the political questions would be very formidable.

Mr. BARRY. Occasionally we hear talk that the United Nations is seeking another home. Do you care to comment on that?

Mr. BALL. I wouldn't regard that as very serious or likely.

Mr. BARRY. Do you have knowledge of any great weakness in the United Nations that you would like to see this committee correct by way of strengthening legislation?

Mr. BALL. Of course, the fundamental weakness of the United Nations is that there is a division of the world between the two great centers of power on both sides of the Iron Curtain.

As long as that persists the development of the United Nations toward a stronger world community is very difficult.

I don't think we would have any suggestions that we could make this morning that—as to the kind of action that this committee might take to improve the situation.

Mr. BARRY. Considering the two bodies, the Security Council and the Assembly, which of the two would you say has the overriding power of the United Nations?

Mr. BALL. Originally, of course, it had been expected that the great power would be reposed in the Security Council. But this again was on the assumption that there would be a substantial agreement among the great powers which composed it, which are the permanent members of the Security Council.

Since this hasn't occurred the action of the Security Council is subject to veto. This means it has not been able to perform as originally contemplated.

As a result of the resolution which was adopted in 1950, the Uniting For Peace resolution, there has been a substantial shift of power to the General Assembly, since it is not subject to veto and since it represents the world community as such.

Mr. BARRY. You are saying that the Assembly has become the governing board of the United Nations far more than the Security Council; is that correct?

Mr. BALL. Broadly speaking, the General Assembly does not have the power of a decision but the power of recommendation. In fact, it has been able to develop its power because of the weakness, the inherent weakness in the Security Council.

Mr. BARRY. My final question: There is a great deal of talk in the Nation today about whether or not a nation of abundance such as we are can stand by and see a nation of scarcity suffer from lack of food, meaning of course Red China.

What is your opinion as to the advisability of the utilization of the United Nations as an agency whereby food could be given to China?

Mr. BALL. I would doubt very much if Red China would accept food from the United Nations because Red China is not a member of the United Nations, and over the years there has been all this bitter question as to whether Red China should be.

I can say that as far as the United States is concerned, for example, we have never had a request for food for China.

Mr. BARRY. How would you feel if such a request were made?

Mr. BALL. I would think this would have to be considered with the very greatest care, taking into account the security interest of the United States, which it seems to us would have to be paramount in a situation of this kind.

One encounters a problem of having on the one hand all the moral instincts, the instincts of generosity which can't be neglected because we have to strive toward a moral world, at the same time we have to be practical about where our long-range national interest lies, and I think this is something that we would have to consider very carefully, if such a request were ever made. But it has not been made.

Mr. BARRY. Thank you, Mr. Chairman.

Chairman MORGAN. Mr. O'Hara.

Mr. O'HARA. Mr. Secretary, I can assure you, sir, that the coming and going of the members of this committee is no discourtesy to you. As you may know, the House is in session and we had a quorum call.

I followed your statement with interest and a large measure of approving enthusiasm. I thought, Mr. Secretary, you made a very strong case.

I have no questions, sir, for one reason only—being absent, answering a quorum call, my questions might be repetitious.

Chairman MORGAN. Mrs. Bolton.

Mrs. BOLTON. Thank you, Mr. Chairman.

Mr. Secretary.

Mr. BALL. Good morning, Mrs. Bolton.

Mrs. BOLTON. Who made the decision, where was it made, or was it a generous impulsive leap in the dark for the United States to say that she would pay $100 million?

Mr. BALL. This was a decision which was made by the President, taking into account the fact that we could not expect the bloc countries to participate in this, and looking at the relative wealth of the

remaining countries, this was a decision which I think was a fairly fair estimate.

Mrs. BOLTON. I can understand that.

On page 2 of your statement, second paragraph, you say "It is envisaged that the United States will provide," and so forth. I would like to ask a little more enlightenment—I got none yesterday—in the whole matter of the money, when it once is in, on what basis can any of us have peace of mind that there will not be further military pressure brought on the Congo and Katanga?

Mr. BALL. I would say that it is our great hope and desire that the unification, the integration of Katanga into the United Congo can be achieved through agreement. As you know, there has been a long series of negotiations and discussions going on. I would hope that this is the method which can be employed.

I know of no further military operations that are contemplated. There is a force in the Congo. It has to maintain itself—a United Nations force. There is always a possibility of some kind of military action because when a force is there, if it is attacked, it must defend itself, it must maintain its communications and so on.

Mrs. BOLTON. Most of that force is in Katanga, isn't it?

Mr. BALL. That is right; it is. I would certainly hope that this is a problem which can be resolved by agreement, because I think that if Mr. Tshombe can agree to play a major role in a United Congo, and if modifications can be made in the loi fondamentale which will make it a less unitary organic document than it is, that there is a real chance of this.

Mrs. BOLTON. May I ask you also—we keep hearing that the Congo could not possibly exist, wouldn't be viable without Katanga—have you no other information on that? Surely the Congo has various products it could trade.

Mr. BALL. Potentially it has resources to be developed. It is an extremely undeveloped country. What Katanga has, of course, is very great mineral wealth. Katanga—I think the total revenues of Katanga run 30 or 35 percent of the total revenues of the United Congo. It is a very big element.

Mrs. BOLTON. Is that any reason for preventing by force the freedom of Katanga, if she so desires it? Is it fair to say always that the Congo has no viability when you know it has?

Mr. BALL. As far as the United States is concerned, Mrs. Bolton, if Katanga could be set up on a peaceful basis as a separate state and the rest of the Congo would be prepared to accept the setting up of Katanga as a separate state and we could see some peace and stability result from this process, as far as we are concerned, this would meet the full requirements of American policy.

The practical fact is that we see no way of there being a Katanga separated from the Congo without plunging the Congo into civil war.

Mrs. BOLTON. Then do you see only the one way? This is brought to me constantly by people out of both the Congo and the Katanga, that the only way is a military enforcement of that? And they say if that is attempted there will be the most unbelievable blood bath in that whole area.

Mr. BALL. What we are striving to prevent is military action to bring about this. We are quite confident that, if this matter cannot

be resolved through peaceful means, if United Nations troops would leave the Congo, there would be a civil war that would plunge the Congo, including the Katanga, into the most sanguinary situation over a period of time. A chaos would result which would attract the intervention of the big powers, that one or the other of the contending parties would be calling on the Soviet Union for help, that they would be sending help in, that they would use that as a basis for establishing a base in the heart of Africa, and we couldn't sit by and see it happen.

Mrs. BOLTON. We can understand the reason behind that. But I hope we are making exceedingly sure that the people of Katanga know what it is all about, and are ready to play their part in it, before we go in with troops, because we have this money. Their fear is when this money becomes available to the U.N. they will not hesitate.

Mr. BALL. I would hope, I think we have a real responsibility to see to it through the U.N. that this matter is resolved in a peaceful way in the interest of the Katanga people as well as the interest of the other people of the Congo.

We hold no brief for one group as against another. What we want is peace and stability.

Mrs. BOLTON. I am sure of that.

May I have another question?

Chairman MORGAN. Mrs. Bolton.

Mrs. BOLTON. Do we propose to wait, and why don't we wait until after the Court hands down a decision? Will you make that clear?

Mr. BALL. I spoke to that a few moments ago.

Mrs. BOLTON. I am sorry.

Mr. BALL. There were really three reasons why: First of all, because the United Nations has a very real and urgent need for the funds. Second, because of the fact that if we were to move now the chances of getting contributions from other countries, many of whom follow our lead, would be greatly enhanced. And, third, because even if the Court were to hand down an adverse decision we couldn't avoid the real problem here, which is, that this financing has got to be provided in some way. In our judgment this is the best way from the U.S. interest to see it provided.

Mrs. BOLTON. Thank you. I have continued my upholding of the idea of the United Nations right along. I can't imagine us without it. I am not speaking against it in any way.

Mr. BALL. I know you have always supported it.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. No questions.

Chairman MORGAN. Dr. Judd.

Mr. JUDD. Thank you, Mr. Chairman.

Mr. Secretary, will the advisory opinion cover only expenditures for the operations in the Middle East and Congo, or will it cover whatever special expenditures may be hereafter voted, for whatever purpose, by the General Assembly? I am not clear from your statement on page 11.

Mr. BALL. May I ask Mr. Chayes, who is our legal adviser, who argued the case in the Court.

STATEMENT OF ABRAM CHAYES, LEGAL ADVISER TO THE DEPARTMENT OF STATE

Mr. CHAYES. The resolution put to the Court in asking for an advisory opinion asks only for the Court's advice on the effect of the financing resolutions for the Congo and UNEF forces.

Technically the result of the decision will only apply to those expenditures. On the other hand, as you know, Dr. Judd, decisions have a certain force on account of their reasoning and so on, so that arguments as to the scope of the decision will probably be available after it comes out. You can't actually tell what they will be until you see the decision itself.

Mr. JUDD. That requires me to go ahead with the question that I asked yesterday and was not fully satisfied by the response. Perhaps the question wasn't fully understood.

It is a question in the minds of many people. They are perfectly willing to go along in financing these two operations. But with one vote in the General Assembly out of 104, it is conceivable, although, as I said yesterday, I don't think it is likely if we are skillful, that they could vote operations for almost anything under the sun. And anything that the General Assembly votes, under a favorable ruling, it will become binding upon all the members, including ourselves, to support with funds.

One can conceive of situations where those operations or expenditures voted might be such that we could not in our own national interest help finance them; they might be against ourselves.

What are we going to do in such a situation? Let's get it out in the open.

Mr. BALL. I think it is an important question. Let me say first, as you know, if a question is an important question it requires a two-thirds vote. Appropriations or resolutions calling for special expenditures or special expeditions or special intervention——

Mr. JUDD. This was the case in both the UNEF and the Congo?

Mr. BALL. I am told that the UNEF, the Middle East, was a General Assembly resolution by a two-thirds vote; that the other was action primarily by the Security Council.

Of course, in the Security Council, we have a veto, and under the charter budgetary resolutions require a two-thirds vote automatically.

So what we are faced with is not a problem of a simple majority. What we are faced with is a situation where if action were to be taken which would be in our judgment adverse to our interests or which we disapproved of, all we would have to do is mobilize the blocking third, which is a much easier task.

I think if one looks at the voting experience of the United States that this is something which shouldn't cause us too much concern.

Mr. JUDD. Is it clear that any such assessments for extraordinary operations would have to be by a two-thirds majority?

Mr. BALL. Yes. Let me read you the charter language on this, article 18:

> Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include—

and then there is a list of them, and the last one is—

> budgetary questions.

So those are regarded as important questions.

Mr. JUDD. I am glad to have that in the record. I thought this was the situation but I wanted it spelled out.

The Senate bill, S. 2768, except in the title which is carried over from the bill originally proposed by the administration, never refers to bonds. It just says, "authorizes a loan to the United Nations."

Is it certain—we ought to have this on the record in one way or another—that the loan under that bill would be in the form of purchase by the United States of the proposed U.N. bonds?

Mr. BALL. I think the intention of the Senate was to provide greater scope than would be provided by the resolution of the bill that was offered by the administration.

The practical fact is that the only form of borrowing which the General Assembly has authorized at the moment is the issuance of these bonds. The result is that if we were to try to make a loan to the United Nations other than through this bond issue, there would have to be a resolution of the General Assembly authorizing that borrowing.

I wouldn't contemplate that this will occur. I would suppose that what we would do would be to use these funds to buy, purchase bonds.

I do think one of the other features which has been really brought to our attention by the Senate modification has been the question of the timing of putting the money in. I mean, originally we had contemplated using the entire $100 million to buy $100 million of bonds. I think in view of the discussion in the Senate and in view of the form of the Senate resolution, that we would contemplate some different phasing.

Mr. JUDD. Of course, one of the reasons a lot of very sincere people who are perfectly willing to provide $100 million as a loan, much as the original headquarters loan of $65 million was made, are hesitant about the bonds is because they regard the issuing of bonds as, to some extent, a prerogative of government. They ask: "Are we by purchasing bonds in fact converting the United Nations into a world government without our people having understood it and without its having been fully debated?"

They don't want to get into a situation through the purchase of bonds of the U.N. that would enable it to come back and say: "Well, you have already accepted it as a government which levies taxes or assessments, issues bonds," and so forth.

Mr. BALL. I would suppose if the United Nations resolution of the General Assembly had used the language "promissory note," people wouldn't have that concern. The fact that they are called bonds doesn't have any special significance. It is simply a borrowing by the United Nations. The issuance of a bond—a bond is merely another form of a promissory note. I wouldn't regard that as indicating anything at all as far as the status of the United Nations is concerned.

Mr. JUDD. You are prepared to say categorically that it would be your opinion and your legal counsel would agree, that the making of this money available in the form of U.N. bonds would not be regarded as a precedent or an implication, that the United States would be accepting the United Nations as already a sort of world government?

Mr. BALL. I would say that quite categorically.

86138—62——6

Mr. JUDD. Thank you. I want to ask a question about money owed to the United States by the United Nations. I see on page 8 that the United Nations now owes us $31 million, and owes other governments $40 million. Has anything been paid by the United Nations on that debt to the United States? It is up at the top of the page.

Mr. BALL. I see it here. I will have to consult, if I may.

I am told that this is the figure as of March 31. I don't know that there have been any payments since then.

Mr. JUDD. There haven't been payments made heretofore?

Mr. BALL. There have been in the past substantial repayments of debt which has been owed to the United States at different times.

Mr. JUDD. When we were out for the rollcall, I understand you discussed the repayments on the headquarters loan, which are on schedule.

Mr. BALL. Yes.

Mr. JUDD. That is good. But this $31 million debt—I don't know for sure yet what it is for—I wonder if the U.N. has paid us anything and has it paid anything on the $40 million it owes to other governments? Perhaps my question isn't clear. Is that figure the remainder due on a debt after something has been paid? Or has nothing been paid on that debt?

Mr. BALL. That is the figure that is left after $12,621,046 has been repaid to us.

Mr. JUDD. Is it on the headquarters loan, or on this——

Mr. BALL. No; this is on this particular account.

Mr. JUDD. Can the President waive any part of this sum owed to the United States?

Mr. BALL. Owed—you mean the President——

Mr. JUDD. Can the President waive part or all of the repayment so the U.N. doesn't need to pay?

Mr. BALL. I know of no authority that he has to do that. Excuse me, I may be getting in trouble with my lawyers here.

My legal counsel advises me that he believes there is authority in the United Nations Participation Act to make contributions, and that presumably a contribution could be in the form of a waiver of indebtedness.

Mr. JUDD. From what appropriation does the President get such money?

Mr. BALL. These are appropriated funds. In the past I think something has been contributed out of the contingency fund under the mutual security legislation.

Mr. JUDD. We don't seem to have a list of such contributions. If you will look on page 20 of the same document, in the first section it says "U.S. waiver of initial airlift, $10,317,622."

If the President can just waive repayment, whether you call it by waiver or by contributions, how do we know that he can't waive this other $31 million debt, or waive all the money that they will owe us if we make the proposed loan?

Mr. BALL. As I understand the situation with regard to that $10 million that was waived on the airlift, this was reimbursed to the Defense Department out of the contingency fund under the mutual security legislation.

The question as to whether the President can waive any additional indebtedness would depend on the appropriations under the AID legislation, and the contingency funds are under that.

Mr. JUDD. When he made the so-called waiver, the contribution doubtless was in the form of service by MATS. Where did he get the money to reimburse MATS? Is that permissible under the Department of Defense appropriation——

Mr. BALL. Defense charged the Mutual Security Administration, or whatever was the agency at that time, for the expense of, payment for the expenses of MATS being used for that purpose. MATS can work for some other agency, another agency of the Government.

Mr. JUDD. Yes; it works for us, on hire.

Mr. BALL. It is repaid out of the appropriate appropriation. This money came from the contingency fund.

Mr. JUDD. I wish, Mr. Secretary, you would elaborate your remarks in the record, with your legal counsel, to make clear what authority the President has or doesn't have to waive sums owed to the United States by the United Nations.

Mr. BALL. We will be happy to provide that.

(The information is as follows:)

The President's authority to waive sums owed to the United States by the United Nations is contained in section 7 of the United Nations Participation Act of 1945, as amended (22 U.S.C. sec. 287d–1). In relevant part it states:

"Sec. 7. (a) Notwithstanding the provisions of any other law, the President, upon the request by the United Nations for cooperative action, and to the extent that he finds that it is consistent with the national interest to comply with such request, may authorize, in support of such activities of the United Nations as are specifically directed to the peaceful settlement of disputes * * *

* * * * * * *

"(2) the furnishing of facilities, services, or other assistance and the loan of the agreed fair share of the United States of any supplies and equipment to the United Nations by the National Military Establishment, under such terms and conditions as the President shall determine;

"(3) the obligation, insofar as necessary to carry out the purposes of clauses (1) and (2) of this subsection, of any funds appropriated to the National Military Establishment or any department therein, the procurement of such personnel, supplies, equipment, facilities, services, or other assistance as may be made available in accordance with the request of the United Nations, and the replacement of such items, when necessary, where they are furnished from stocks.

"(b) Whenever personnel or assistance is made available pursuant to the authority contained in subsection (a) (1) and (2) of this section, the President shall require reimbursement from the United Nations for the expense thereby incurred by the United States: *Provided*, That in exceptional circumstances, or when the President finds it to be in the national interest, he may waive, in whole or in part, the requirement of such reimbursement: *Provided further*, That when any such reimbursement is made, it shall be credited, at the option of the appropriate department of the National Military Establishment, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation, fund, or account currently available for the purposes for which expenditures were made.

"(c) In addition to the authorization of appropriations to the Department of State contained in section 8 of this Act, there is hereby authorized to be appropriated to the National Military Establishment, or any department therein, such sums as may be necessary to reimburse such Establishment or department in the event that reimbursement from the United Nations is waived in whole or in part pursuant to authority contained in subsection (b) of this section * * *"

From the information supplied the committee, it will be noted that the amount waived for the Congo military operation ($10,317,622) was for the initial airlift. The airlift was provided under the authority of the United Nations Participation Act. Its cost was initially met by the Department of Defense. Subsequently, the Department of Defense was reimbursed for its outlay by funds authorized for fiscal year 1961 contingencies in the Mutual Security Act. Reimbursement

by the United Nations for this debt was waived by the President in accordance with section 7(b) of the United Nations Participation Act.

The United States has no present intention of waiving reimbursement from the United Nations for sums presently due the United States for the Middle East and Congo operations. These amounts totaled $32.2 million on March 31, 1962, of which $0.7 was for UNEF and $31.5 was for the Congo.

Mr. JUDD. If I have 1 more minute, I want to make a comment on what Mrs. Bolton said, and reinforce the view that we hear in some quarters, that the reason there is a pause in the Congo today, and the U.N. is not proceeding to demolish Tshombe and defeat Katanga's effort to become independent, is because the U.N. doesn't have the money.

They believe that as soon as this money is made available and the U.N. is able to resume operations, there are plans to go ahead, not to keep the peace, but to resume the war.

Mr. BALL. I can assure you that is not the case.

Mr. JUDD. Thank you very much. I wanted that categorically.

Chairman MORGAN. Mr. Adair.

Mr. ADAIR. Mr. Chairman.

Mr. Secretary, I have discovered quite a lack of information with respect to the composition of the Court. I wonder if you or your counsel would prepare a little information and insert it in the record at this point. I am concerned about it.

I would like to know about the personnel, the countries from which they come, something about their terms of service, that sort of thing. Just a little discourse upon this to give us some basic information.

Mr. BALL. We will be glad to do that.

(The information is as follows:)

The International Court of Justice consists of 15 members, no 2 of whom may be nationals of the same state. The present composition of the Court is as follows:

Name and country	*Date term of office expires*
Mr. B. Winiarski, President (Poland)	Feb. 5, 1967
Mr. R. J. Alfaro, Vice President (Panama)	Feb. 5, 1964
Judges:	
J. Basdevant (France)	Do.
A. H. Badawi (United Arab Republic)	Feb. 5, 1967
L. M. Moreno Quintana (Argentina)	Feb. 5, 1964
R. Córdova (Mexico)	Do.
V. K. Wellington Koo (China)	Feb. 5, 1967
J. Spiropoulos (Greece)	Do.
Sir Percey Spender (Australia)	Do.
Sir Gerald Fitzmaurice (United Kingdom)	Feb. 5, 1964
V. M. Koretsky (Union of Soviet Socialist Republics)	Feb. 5, 1970
K. Tanaka (Japan)	Do.
J. L. Bustamante y Rivero (Peru)	Do.
Ph. C. Jessup (United States of America)	Do.
G. Morelli (Italy)	Do.

The members of the Court are elected by joint action of the Security Council and the General Assembly. They serve 9-year terms, and may be reelected. The statute of the Court provides that members are to exercise their judgment impartially.

The Court considers cases submitted to it by states which accept its jurisdiction, and it renders advisory opinions on legal questions submitted to it by the General Assembly or the Security Council, or by other organs of the United Nations and the specialized agencies when authorized by the General Assembly.

Mr. ADAIR. Suppose the Court makes the expected decision. How is that decision going to be enforced?

Mr. BALL. The form of the Court's decision would be an advisory opinion given to the General Assembly. The General Assembly would then have to act by resolution on the basis of the Court's opinion. In other words, it is not self-executing.

This resolution then would make possible the application of article 19 to Congo and UNEF areas. Perhaps in the interest of greater lucidity I might ask Mr. Chayes to comment on this.

Mr. CHAYES. I think what you have said basically is true. Although since article 19 has never been applied, nobody really knows what the procedure is to apply it.

As the Acting Secretary said, it will take some action of the General Assembly after the Court opinion comes down, whether in the form of a resolution, or otherwise, but some action of the General Assembly to begin the process of executing the Court opinion.

Furthermore, as you know, article 19 provides for exculpation of states which are economically unable to pay their assessments because of conditions beyond their control, and the financial rules of the United Nations provide that the Committee on Contributions shall be consulted on that issue. So there is a procedural problem of how to get the advice of the Committee on Contributions.

Our position is and will be in the United Nations that, once the General Assembly acts on the Court's opinion, the further operation of article 19 is automatic but for this operation of the exculpatory provision.

We are going to have to see what the exact procedural steps by which we enforce that automaticity is in the framework of the General Assembly situation as it exists at the time.

Mr. ADAIR. Suppose one of the great powers simply says, "Regardless of what the Court does, we are going to disregard it." What would be the next step?

Mr. CHAYES. If the General Assembly took action along the lines I have just been discussing, and when that action came to an end that power's vote would simply not be counted in the General Assembly. It would lose its vote. That is the section of article 19, if it were over the 2-year limit.

Mr. ADAIR. Moving on to another point, Mr. Secretary. We have certain basic requirements for the sale of securities within this country laid down, as I understand it, by the SEC.

Do you think that these bonds meet the minimum requirements for the sale of public securities—the minimum requirements as prescribed by the Securities and Exchange Commission?

Mr. BALL. We have a legal opinion to that effect, Mr. Adair. Mr. Chayes can address himself to it. We are satisfied that they do meet the requirements.

Mr. ADAIR. A legal opinion from whom?

Mr. CHAYES. From the legal adviser. We have consulted with the SEC on this matter. It is clear that as long as these bonds are not offered to nongovernmental purchasers there is no registration requirement at all.

Under certain circumstances, if they were to be offered to nongovernmental purchasers it might be necessary to register them. We would then consult with the SEC about registration.

Mr. ADAIR. Do they meet the requirements regardless of whether or not they are registered?

Mr. CHAYES. As you know, the SEC requirements are only requirements of full disclosure of the terms and conditions of the bonds, or the securities, and the resources for repayment. There are no substantive requirements by the SEC in registration except for the disclosures of information.

I am sure if registration were required, the disclosure would be more than adequate.

Mr. BALL. The other form of regulation, of course, which applies to securities which go beyond the requirement of full disclosure are the State blue-sky laws, but they would not be applicable in a sale to a government.

Mr. ADAIR. I would like to invite your attention to page 17 of this booklet here, dated June 25, 1962. There I find a column, "Reductions under Resolution 1732 (XVI)." I have a series of questions about those.

Why were these reductions made? And if they are made, who is taking up the slack occasioned by these reductions? And reading down the list of nations there, I see that Albania, for example, is afforded a $25,600 reduction out of $32,000. Cuba is afforded a substantial reduction, very substantial.

Why were these reductions made? Who authorized them? Who takes up the slack?

Mr. BALL. I would like to ask Ambassador Plimpton to answer that, if it is agreeable with the chairman.

STATEMENT OF HON. FRANCIS T. PLIMPTON, U.S. DEPUTY REPRESENTATIVE TO THE UNITED NATIONS

Mr. PLIMPTON. As will be seen on page 18, there is a total of reductions of $11,400,000. Those reductions come from voluntary additional contributions by the United States.

Mr. ADAIR. In effect, the United States is taking up that slack?

Mr. PLIMPTON. That is correct.

The reduction was under a formula, the formula being that 80 percent of the assessments of those countries whose ordinary percentage is 0.04 or less was to be reduced. Albania comes within that category.

Mr. ADAIR. And Cuba?

Mr. PLIMPTON. Yes.

Mr. ADAIR. Reading down the list, Mr. Ambassador, isn't it true that we are absorbing some of the assessments against Communist bloc states?

Mr. PLIMPTON. The effect of the formula, Congressman, is that the U.S. voluntary contribution does have the effect of reducing by 80 percent all of the little countries whose ordinary assessment is 0.04 or less. It applies across the board. Whether the country is in the Communist bloc or whether it is one—so-called neutral country or friendly country. It is just the application of a formula.

Mr. ADAIR. To be specific, it does apply, among others, to Albania?

Mr. PLIMPTON. Yes.

Mr. ADAIR. It does apply to Cuba. I haven't gone down the full list.

Mr. PLIMPTON. Cyprus, El Salvador, Haiti, Honduras—every country whose ordinary percentage of assessment is 0.04 or less.

Mr. ADAIR. And this is an additional charge upon the United States then?

Mr. PLIMPTON. These were voluntary contributions, sir, which the United States made because there seemed to be no other way of financing in this particular case the Congo operation.

Mr. ADAIR. My final question, if I may: In that same booklet refer to page 6, the table there. The 11 countries which thus far are listed as having contributed something over $25 million, is that an actual inhand contribution or is that represented in part by the absorption of other charges?

Mr. PLIMPTON. These are all actual cash payments.

Mr. ADAIR. And these pledges in the next list, are they to be actual cash payments or are they to be credits upon other items?

Mr. PLIMPTON. In every case actual cash payments.

Mr. ADAIR. Thank you, Mr. Chairman.

Chairman MORGAN. Mr. Mailliard.

Mr. MAILLIARD. I have no questions.

Chairman MORGAN. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

I am glad to have been able to listen to most of the Secretary's testimony. I will run the risk of repetition in asking a few questions.

Taking up the point that Dr. Judd was making with respect to the obligation already incurred as the result of the operations in the Middle East and the Congo, Mr. Cleveland, when he was testifying on the Foreign Assistance Act gave us a total of the appropriations over the 2-year period ending this June 30 of operations—military operations of the U.N. This totaled approximately $114 million, roughly half of which, as I understand it, came from the AID program and half from the State Department appropriation.

Is that correct? The breakdown he provided indicates an almost even division from those two sources. I asked Mr. Stevenson yesterday whether he felt the contingency fund of the AID program could or should be utilized. He indicated a disinterest—perhaps a feeling that it should not be used; but as a practical matter has not some of the $114 million which we have supplied come from that source? Is that so?

Mr. BALL. May I ask Mr. Cleveland if he would respond to that. I am sorry I am not sufficiently expert in the details of this.

STATEMENT OF HON. HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

Mr. CLEVELAND. The breakdown of that, Mr. Frelinghuysen, is in table No. 11 of the latest committee print on page 20, which shows the sources, as far as U.S. appropriations are concerned, from which each of the different kinds of contributions to the U.N. operation in the Congo have been drawn.

By and large, as you say, they have been drawn from two sources—one, appropriations under the contributions to international organizations part of the State Department appropriation for the assessed portion, and under chapter 3 of AID legislation, which is contributions to international organizations on a volunteer basis, the same chapter from which Palestine refugees and malaria eradication and some of those other special programs are financed.

In funding our contribution to the Congo operation, since it seemed clear that we were going to have to go beyond the 32-percent limit, the decision was, in which Congress repeatedly concurred by appropriating these funds, to finance up to the assessed portion by treating it as part of the State Department appropriation, and for the voluntary portion above that to treat it as a part of the AID appropriation.

The analysis of how that comes out for each of the periods of the Congo operation is presented on page 20.

Mr. FRELINGHUYSEN. The reason I ask the question, Mr. Secretary, is because I am not sure I understand the table on page 8. As I understand it about $12 million has been repaid to the United States from the U.N. on the amounts which we have provided for their military operation.

There is still owing roughly $31 million. Does the balance, something like $70 million, represent our share for which there will be no reimbursement?

Mr. CLEVELAND. Those are really two wholly different things. The analysis on pages 8 and 9—page 8—are the things we have done as part of the operation and the bills that we have rendered to them, which they owe us for, and which they have been paying up from time to time for a total of a little over $12 million.

The other thing we were discussing a minute ago is our contribution to the central pot from which those repayments are made and payments to other countries for services——

Mr. FRELINGHUYSEN. How much have we supplied in all for the military operation in both areas—$114 million plus some $40 odd million?

Mr. CLEVELAND. $114 million in which is included the amounts which they have paid back to us for Department of Defense services.

Mr. FRELINGHUYSEN. There is $31 million they have not paid back. Is that part of the $114 million?

Mr. CLEVELAND. That simply hasn't been paid yet.

Mr. FRELINGHUYSEN. Why does $12 million that has been repaid relate to the $114 million, if the $31 million that has not been repaid does not?

Mr. CLEVELAND. It is the two sides of the account. One side of the account is the Congo operation going along incurring expenses, including bills payable to us. The other side of the account is collections from all the governments of funds to pay all of the bills that the Congo incurred.

Mr. FRELINGHUYSEN. We are surely talking about one problem. I thought you said there were two separate things we were talking about. There is one problem—the expense involved in these military operations.

(The following information has been submitted for inclusion in the record at this point:)

The following charts provide information on U.S. contributions to United Nations military operations through June 30, 1962:

Source of U.S. contributions to U.N. military operations in the Congo, through June 30, 1962

	Fiscal year 1961		Fiscal year 1962		Total
	Mutual Security Act contingency fund	State Department	Act for International Development, ch. 3 (international organizations and programs)	State Department	
Congo military budget for July to December 1960:					
U.S. assessed contribution	$15,745,211				$15,745,211
U.S. voluntary cash contribution	3,900,000				3,900,000
U.S. waiver of initial airlift	10,317,622				10,317,622
Total, July to December 1960	29,962,833				29,962,833
Congo military budget for January to October 1961:					
U.S. assessed contribution		$32,204,061			32,204,061
U.S. voluntary cash contribution	6,450,000		$8,855,596		15,305,596
Total, January to October 1961					47,509,657
Congo military budget for November 1961 to June 1962:					
U.S. assessed contributions [1]				$25,616,000	25,616,000
U.S. voluntary cash contribution			11,400,800		11,400,800
Total, November 1961 to June 1962					37,016,800
Total	36,412,833	32,204,061	20,256,396	25,616,000	114,489,290
Grand total	$68,616,894		$45,872,396		

[1] Appropriation request pending.

U.S. contributions to the Congo military operation through June 30, 1962

	U.S. contributions		Total U.N. budgets
	Amount	Percent	
Military:			
Congo military budget for July to December 1960			$60,000,000
U.S. assessed contribution (fiscal year 1961 MSA)	$15,745,211		
U.S. voluntary cash contribution (fiscal year 1961 MSA)	3,900,000		
U.S. waiver of initial airlift (fiscal year 1961 MSA)	10,317,622		
Total	29,962,833	49.94	
Congo military budget for January to October 1961			100,000,000
U.S. assessed contribution (fiscal year 1961 State supplemental)	32,204,061		
U.S. voluntary contribution (cash) ($6,450,000 fiscal year 1961 MSA; $8,855,596 fiscal year 1962 AID)	15,305,596		
Total	47,509,657	47.51	
Congo military budget for November 1961 to June 1962			80,000,000
U.S. assessed contribution (fiscal year 1962 State supplemental) [1]	25,616,000		
U.S. voluntary contribution (cash) (fiscal year 1962 AID)	11,400,800		
Total	37,016,800	46.27	
Total, Congo military [2]	114,489,290	47.70	240,000,000

[1] Appropriation request pending.
[2] From July 1, 1962, the U.N. proposes to fund Congo military costs from the proceeds of its $200,000,000 bond issue.

U.S. contributions to United Nations Emergency Force through June 30, 1962

	U.S. contributions		Total U.N. budgets
	Amount	Percent	
UNEF budget, November 1956 to December 1958			$55,000,000
U.S. assessed contributions:			
Fiscal year 1957 State	$3,333,000		
Fiscal year 1958 State	1,563,063		
Fiscal year 1958 State	8,127,500		
Total	13,023,563		
U.S. voluntary contributions:			
Fiscal year 1957 MSA	3,170,850		
Fiscal year 1958 MSA	9,750,000		
U.S. waiver for initial airlift, fiscal year 1957, Defense	1,191,581		
Total	14,112,431		
Total contributions	27,135,994	49.34	
UNEF budget, 1959			19,000,000
Assessed, fiscal year 1959 State	4,943,146		
Voluntary, fiscal year 1960 MSA	3,500,000		
Total	8,443,146	44.44	
UNEF budget, 1960			20,000,000
Assessed, fiscal year 1960 State	6,497,064		
Voluntary, fiscal year 1961 MSA	3,200,000		
Total	9,697,064	48.48	
UNEF budget, 1961			19,000,000
Assessed, fiscal year 1962 State	6,115,519		
Voluntary, fiscal year 1962 MSA	1,800,000		
Total	7,915,519	41.66	
UNEF budget, 1962			9,750,000
Assessed, fiscal year 1963 State [1]	3,121,950		
Voluntary, fiscal year 1963 AID [1]	1,320,000		
Total	4,441,950	44.56	
Grand total	57,633,673	46.95	122,750,000

[1] Appropriation request pending.

Department of Defense supplies and services furnished to the United Nations for peacekeeping operations as of Mar. 31, 1962, for which the Department of Defense is to be reimbursed

	UNEF	UNOC	Total
Bills paid by United Nations [1]	$6,796,212	$5,824,834	$12,621,046
Unliquidated obligations (estimated) [2]	[3] 685,579	[4] 31,492,352	32,177,931
Total, Department of Defense expenditures for which United Nations reimbursement was not waived	7,481,791	37,317,186	44,798,977
Department of Defense expenditures for which United Nations reimbursement was waived	1,191,581	[5] 10,317,622	11,509,203
Grand total, Department of Defense expenditures	8,673,372	47,634,808	56,308,180

[1] Source: Department of Defense.
[2] Source: United Nations (latest analysis of U.N. financial position is as of Mar. 31, 1962).
[3] See the following:

The United States has billed the U.N. but not been paid as of Mar. 31, 1962, for UNEF	$637,579
Estimated amount due but unbilled was	48,000
Total unliquidated obligations (provisional estimates)	685,579

[4] See the following:

The United States has billed the U.N. but not been paid as of Mar. 31, 1962, for UNOC	$20,529,782
Estimated amount due but unbilled was	10,962,570
Total unliquidated obligations (provisional estimates)	31,492,352

[5] Department of Defense was repaid $10,317,622 from fiscal year 1961 MSA contingency funds. However, the amount has by mutual agreement been included in both U.S. and U.N. statements of "voluntary contributions." It is reflected as a part of the 49.94-percent U.S. contribution to the U.N. Congo budget for calendar year 1960.

Mr. CLEVELAND. There are the two sides of the account.

Mr. FRELINGHUYSEN. To get on to the next point: To what other governments, referring to page 8, does the United Nations owe money?

Mr. CLEVELAND. It is primarily the countries that have put up the troops.

Mr. FRELINGHUYSEN. Would you supply these for the record?

Mr. CLEVELAND. We can supply a full analysis for the record.

(The analysis requested, which the U.N. has requested not be made public, was supplied to the committee for its use by Department of State letter dated June 23, 1962.)

Mr. FRELINGHUYSEN. What is meant by "other payees" in that same table on page 8 of the June 25 document?

Mr. CLEVELAND. That is payees other than governments.

Mr. FRELINGHUYSEN. What payees other than governments are making contributions?

Mr. CLEVELAND. Where the United Nations has procured equipment and supplies, mostly food and other supplies for the troops in the field, much of which it procures directly in Europe or around Africa.

Mr. FRELINGHUYSEN. What currencies generally speaking will these countries or other payees be paid in?

Mr. CLEVELAND. It depends in each case. Again we can provide an analysis in each case. By and large about half of the total expenditure arises in dollars.

Mr. FRELINGHUYSEN. In connection with this proposal to purchase bonds for the U.N., has the State Department explored the feasibility of using funds other than dollars to make purchases of bonds?

Mr. BALL. The situation, Mr. Frelinghuysen, as I understand it, is that the Secretary General under the resolution could accept for the bonds something other than dollars. The practical problem is that what he needs to run his affairs for the most part are hard currencies. The kind of currencies which might be available to us out of, say, Public Law 480 funds or something of that sort are not currencies which would be useful to the Secretary General.

Let's assume a situation where the Congo is involved. The local currency is a Congolese franc. If we were to provide Indian rupees they wouldn't be very useful because there is no convertibility.

Mr. FRELINGHUYSEN. There is a considerable amount of rupees owing, is there not? Could not bonds be bought if payment were made in rupees?

Mr. BALL. I think the problem—you mean that he owes money to the Indian Government?

Mr. FRELINGHUYSEN. Yes; isn't that true?

Mr. BALL. Yes; but I think many of the expenses of the Indian Government would be expenses that they have acquired in hard currencies or currencies other than rupees. In other words, to repay them in rupees would not solve their problem because they couldn't accept it.

Mr. FRELINGHUYSEN. If we must differentiate beween the kind of currencies in which these bonds are going to be paid, are we saying that the $100 million, if we should provide it, is going to be more valuable than the payments of other countries?

Mr. BALL. The other countries are providing the money in dollars or in convertible currencies as well. So it makes no difference.

If we were talking about providing money in Swiss francs or in German marks it would be the same thing. The problem is hard currencies against soft currencies.

Mr. FRELINGHUYSEN. To change the subject again, you say that one of the main roles which the United Nations has played and presumably should continue to play is the interposition between the great powers, as you call it, that prevents the confrontation between great powers.

Do you anticipate that the U.N. is going to continue this role? Mr. Stevenson said yesterday he didn't think, unless money was in hand for a major operation, that the United Nations should engage in such an operation. I got the feeling that he didn't think they should engage in such an operation anyway.

Do you feel, of necessity or for other reasons, that this role is going to be sharply curtailed?

Mr. BALL. I think it is very hard to foresee the situations that could arise around the world where some interposition of that kind would be necessary.

Mr. FRELINGHUYSEN. Judging by the past, we surely can anticipate that the necessity is going to continue for twice as much, over a period of years, in special assessments as for regular dues. That trend, if it should continue, would mean there would be future emergencies, wouldn't it?

Mr. BALL. We are going through a period of very great change. We are beginning to see the end of the period where the world was divided between the great colonial powers and the other countries which were dependent on them in one form or another. We are beginning to see a situation arise in which the world is going to be divided into independent states, without this element of colonialism or dependency. While we are going through this transition there is a possibility of situations arising in making this difficult transformation from one state to another, where there may be conditions of chaos or conditions of such disorder as to require some kind of United Nations presence or United Nations interposition.

What form it may take would have to be tailored to the particular situation.

Mr. FRELINGHUYSEN. You are arguing that this is a transitional period where emergencies are more likely than not to develop. What worries me, is that you say short-term palliatives are not enough. I don't see how you can say that these bonds are anything but a short-term palliative. This hasn't solved the long-range problem of how to handle emergencies, except by these assessments. How will the advisory opinion be of any great value to us in developing a systematic way of collecting on these special assessments?

What Mr. Stevenson said appalls me, that we have apparently not been able to find, despite looking at all possible ways to raise funds, anything better than a bond issue. We keep saying that this method of financing is no precedent, but we use this method twice. And so far we haven't found any alternative that is any better.

There is little likelihood that we will come up with anything but still more bond issues.

Mr. BALL. I think I would like to clarify some of the very good questions you have raised, Mr. Frelinghuysen. First of all this is, as I tried to point out, an opportunity. What it provides is the possi-

bility of a breathing spell, during which long-term financing can be worked out. I think we want to be very clear this is not a permanent solution.

We are not trying to represent it to the committee as a permanent solution. What are the possibilities of financing for the United Nations over a period of time? They are basically about three. There is the possibility of direct assessment, which is what we have been doing. There is the possibility of some kind of independent revenue source such as a taxing power. This is the second.

The third is a position built of borrowing. There is plenty of variance within each of those three. But there is no mystical magic revenue source of funds that goes beyond those three.

They can sell some stamps or something of that kind, but these really amount to a kind of tax on existing operations. They might, for example, among the many things that have been considered, they might for example be permitted to impose some kind of a tax on the mineral rights under the sea that lie in international waters. There is a great deal of possibility of exploring these things in the future. These all raise very big questions, a very serious question of whether the powers, including the United States, would want to give an independent revenue source to the United Nations.

I am satisfied that if the opportunity is provided in the form of a year or 18 months to work this out with the consultation of this committee and Congress, and believe me this is very much our invention, to sit down with the representatives of the Congress, sit down with our own financial experts, come up with plans, develop them with the other members of the United Nations and with the permanent staff of the U.N. in New York, and try to solve this very difficult problem.

I don't think it is easy.

Mr. FRELINGHUYSEN. Thank you, Mr. Secretary.

Chairman MORGAN. Mr. Whalley.

Mr. WHALLEY. Thank you, Mr. Chairman.

Mr. Secretary, this question may have been answered. But the $200 million bond issue for 25 years at 2 percent interest would mean repayments of $10 or $12 million a year.

You are paying some on the U.N. headquarters. The regular assessment is $70 million a year, out of which is supposedly the payment for the bond issue.

Would you have enough surplus out of the $70 million regular assessment to pay not only the $2 million for the headquarters, but the $10 or $12 million on the bonds?

Mr. BALL. The $74 million, I am told, includes the headquarters. What we are talking about is the $10 million—what is contemplated is that under the terms of the resolution, in 1963, the regular assessment would be increased to cover these additional charges. So that it would be a part of the regular assessment, but the regular assessment would be larger.

Mr. WHALLEY. The assessment you figure would have to be raised to pay the——

Mr. BALL. Pay the debt service.

Mr. WHALLEY. Would there be objection, if they won't pay the assessment on the $200 million extra assessments now, would they agree to a regular assessment to pay the bonds?

Mr. BALL. I think the present resolution contemplates that.

Mr. WHALLEY. Has the resolution already been passed saying they will agree to the additional regular assessment to pay——

Mr. BALL. That is the resolution which authorizes the bond issue. That contains the language of it as follows, a paragraph in this resolution—

decides to include annually in the regular budget of the United Nations, beginning with the budget for the year 1963, an amount sufficient to pay the interest charges on such bonds and the installments of principal due on the bonds.

This has already been authorized, the increase in the budget by that necessary amount.

Mr. WHALLEY. The next question is: If the United States furnishes the $100 million on the bond sales at 2 percent, what would it cost the United States over the 25-year period in the difference of interest between the 4 percent average it would have to pay for the money and the 2 percent it would receive?

Mr. BALL. We have some figures on that. I will ask if I may, Mr. Cleveland, if he would respond to that.

Mr. CLEVELAND. Taking all the income and outgo into account, we figure the U.N. net outlay for the whole U.N. bond arrangement would be $54,100,000. I would be glad to insert a calculation by which this is reached or to go over it now step by step.

Mr. WHALLEY. The time is getting late. Maybe you could work up something. It would cost us about $4 million a year for the money. It might cost us $30, $40, $50 million over the 25-year period. Perhaps you can get the information and give it to the committee.

Chairman MORGAN. The Secretary has volunteered to put this table in the record. Would that be satisfactory?

(The information is as follows:)

Cost which would be incurred by the United States under the terms of S. 2768:

	In millions
Outlay:	
Initial U.S. purchase price	$100.0
Repayments to U.N.:	
Of $200 million principal, at 32.02 assessment	64.0
Of $55 million interest, at 32.02 assessment	17.6
Total U.S. cash outlay	181.6
Receipts:	
Repayment of principal	100.0
Payment of interest, at 2 percent	27.5
Total U.S. receipts	127.5
Net U.S. outlay for U.N. bonds	54.1

Senator John Sparkman, who presided for the Senate committee at the U.N. bond hearings, requested the views of Treasury Secretary Dillon in order to get a definitive answer to the question of the proper handling of an alleged "interest difference loss," which certain Members of the Senate believed should be added to the above net cash outlay. The letters referred to between Senator Sparkman and Treasury Secretary Dillon, which indicate that "the calculations made [in the above table] are correct," are quoted below:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
March 19, 1962.

Hon. DOUGLAS DILLON,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: The following is taken from the report of the Committee on Foreign Relations on S. 2768 which would authorize the President to purchase United Nations bonds.

"As noted above, there was a difference of opinion in the committee on how to calculate the net cost to the United States of the purchase of $100 million of bonds. Some believed that there should be counted as an element of cost $54.7 million, which would represent 3.9-percent interest payments to the U.S. public on annual balances of U.S. borrowing for bond purchases. Others felt that since the President intends to use taxes rather than Treasury borrowing to raise the money to buy bonds, it would be improper to include any interest charge in the calculation of net cost. If interest is counted, the net cost of buying U.N. bonds will be about $108 million and if interest is not counted the net cost will be about $54 million."

It would be appreciated if I could have from you, in time for use in a debate in the Senate on this subject which will begin perhaps sometime this week, an analysis of and your comment on this financial question.

Sincerely yours,

JOHN SPARKMAN.

THE SECRETARY OF THE TREASURY,
Washington, March 22, 1962.

DEAR SENATOR SPARKMAN: Reference is made to your letter of March 19 quoting a statement from the report of the Committee on Foreign Relations on S. 2768, concerning the cost incurred by the United States under that bill which would authorize the President to purchase United Nations bonds.

Upon the basis of the assumptions on which the statement in the committee report is predicated, the calculations made are correct. However, it is not customary to attempt to allocate interest costs to expenditure programs of the Government.

All of the revenue collections and public debt receipts are deposited into the general fund of the Treasury and all expenditures are made from that fund. S. 2768, as reported by the committee, specifically provides that the $100 million appropriation shall be made "out of any money in the Treasury not otherwise appropriated." We do not attempt to tag specific dollar receipts either from revenue or from borrowing as applicable to meet specific dollar expenditures.

In my opinion, the President's proposal is the most satisfactory way now available to approach the present financial problem facing the United Nations. Any of the alternative proposals being discussed, or return to the previous pay-as-you-go method of financing U.N. operations, would involve a greater net cash outlay to the United States than the bond purchase method.

Sincerely yours,

DOUGLAS DILLON.

Mr. WHALLEY. That would be fine.

Thank you, Mr. Chairman.

Chairman MORGAN. Thank you, Mr. Secretary.

The committee stands adjourned until 10:30 tomorrow morning.

(Whereupon, at 12:45 p.m. the committee adjourned, to reconvene at 10:30 a.m., Friday, June 29, 1962.)

PURCHASE OF UNITED NATIONS BONDS

FRIDAY, JUNE 29, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, in the Ways and Means Committee room, New House Office Building, at 10:35 a.m., Hon. Thomas E. Morgan (chairman of the committee) presiding.

Chairman MORGAN. The committee will come to order.

The committee meets this morning for a continuation of hearings on S. 2768. The witness this morning is Hon. Francis T. Plimpton, U.S. deputy representative to the United Nations.

Mr. Ambassador, we understand you have a short statement. You may proceed, sir.

STATEMENT OF HON. FRANCIS T. PLIMPTON, U.S. DEPUTY REPRESENTATIVE TO THE UNITED NATIONS

Mr. PLIMPTON. Thank you, Mr. Chairman.

I thought if the committee were willing I would like to talk informally about Afro-Asians. "Afro-Asians" is a perfectly good geographical term but it really doesn't mean much of anything else. Afro-Asian in the U.N. includes such friendly countries as Japan, Liberia, and Turkey. It includes countries which are as different in their governments as the Kingdom of Saudi Arabia, which is a monarchy, and the Philippines or Israel, both of which are democracies.

If one talks about Africans one is talking about 12 or so former colonies of France whose traditions and loyalties are in the French direction.

One also has to talk about former colonies of Great Britain, whose traditions and outlook is toward the British Isles.

In other words, there is no similarity between one Afro-Asian and another Afro-Asian. There are some 52 of them, but they are anything but a bloc. They are anything but a voting unit. They vote all over the place, just as Western Europe does or other parts of the world.

They meet, to be sure, quite often to try to reach agreement on whom their candidates are going to be for the offices in the United Nations. Sometimes they agree, other times they don't. At the moment they are pushing two candidates—three, as a matter of fact—for the presidency of the General Assembly next year.

I think the best way to analyze the effect of the fact that there are 52 Afro-Asians in the U.N. is to analyze just what they have done during the last General Assembly, which just adjourned yesterday.

The committee will remember that the 16th General Assembly met in the shadow of Hammarskjold's tragic death. That presented a problem which one thought last September was going to be insoluble.

In the first place, the Soviet Union and its allies pushed very hard for a troika for three Secretaries General, each one of whom would have a veto over the actions of the Secretariat.

That proposal got absolutely no support from any Afro-Asian at all. They recognized just as the United States did that any such three-cornered monster would be utterly unworkable and would mean that the United Nations would be paralyzed whenever it wanted to do something that the Soviet Union didn't like.

The Afro-Asians and the United States agreed 100 percent on the inadvisability of a troika at the top level.

The next thing the Soviets tried to do was establish a troika at the next level down, to admit there could be one Secretary General but there had to be three deputies and the Secretary General had to consult and couldn't move unless they all approved. The three, of course, would be one Communist, one Western, and one so-called neutral. The Afro-Asians gave no support to that.

As the committee knows, this finally ended up with the selection unanimously of U Thant as the Acting Secretary General, a man of obvious integrity, of obvious impartiality, of obvious ability, who already through quiet decisiveness has shown he will be a Secretary General who will live up, we think, to the high traditions of that office. He has done things which the United States does not wholly approve. One wouldn't expect him to do otherwise. Clearly the choice of U Thant was a triumph for responsible and constructive elements in the international community and for the future of the U.N.

Furthermore, he took office without any commitments to anybody as to what his program is going to be. His election, as I say, was supported entirely by the Afro-Asians.

The next most important thing that happened in a way in the 16th General Assembly was the question of Communist China. As the committee knows, the U.S. delegation this year for the first time actually deliberately brought this question up for full discussion before the U.N. Heretofore it has always been put off by the so-called moratorium device.

The first important thing that came up was the decision by the General Assembly as to whether the supplanting of Nationalist China by Communist China would be an "important question" within the meaning of the U.N. Charter, which would mean that a two-thirds vote would be required.

We won that one handsomely. Among the Afro-Asians, 27 voted for, 18 voted against, and 8 abstained.

This is a crucial matter for the United States. It is a matter on which Afro-Asian opinion is divided. There is a great deal of sentiment among some of the Afro-Asian states that the U.N. ought to include everybody. But when it comes to this question of principle—is it an "important question" or isn't it—they voted on the same side we did, 27 to 18.

On the actual Soviet proposal to expel Nationalist China and substitute Communist China, 18 Afro-Asians voted for, 20 voted against, and 15 abstained. There you have an evidence of the fact that there is no such thing as a monolithic Afro-Asian bloc even on a question on which many of them disagree with us.

One of the next things that came up was the question of Korea and North Korea, which again is a matter on which one would think that the Afro-Asians might have sensitivities. But on the vote as to whether to seat the North Korean delegation—straight cold war East-West confrontation so to speak—22 voted against seating, 5 for, and 26 abstained.

I now come to the nuclear test ban resolutions. This is something that those who have been labeled neutrals tend to feel quite strongly about. One proposal was a resolution that there should be an uncontrolled, uninspected moratorium on nuclear testing. There 44 voted for the proposal, 2 against, and 7 abstained.

Interestingly enough, the Soviet Union and we were equally, if I can put it that way, defeated on that resolution, because they also opposed it.

However, when it came to the United States-United Kingdom resolution calling for the negotiation of a controlled nuclear test ban with adequate inspection and adequate controls, 35 Afro-Asians voted for it, none against, and 12 abstained.

I don't happen to have with me the vote on the resolution calling on the Soviet Union not to set off its 50-megaton bomb, but my recollection is that every Afro-Asian voted for the resolution, and there were virtually none against it.

(Note: The actual Afro-Asian vote was 48 for, none against, and 1 abstaining.)

I now come to Tibet, again an issue where the Afro-Asians might be expected to split because it was a cold war issue. Yet the vote calling on Communist China to cease its aggression on Tibet got 15 Afro-Asian votes and only 3 against. There were 30 abstentions.

On the question of Hungary, again a cold war issue, where the resolution called on the Soviet Union to take its troops out of Hungary and called on the Hungarian Government to give an amnesty to the patriots of 1956, there were 14 Afro-Asian votes for, 4 against, and 29 abstentions.

The Soviet Union put in an extreme resolution calling for the end of colonialism; the end of all colonies in the year 1962. Obviously an extreme position aiming for Afro-Asian favor. On that one, 7 Afro-Asians voted for the resolution, 10 against, and 36 abstained.

The Soviet Union—rather, two of its satellites—put in a resolution calling for sanctions against Portugal on Angola: 14 Afro-Asians voted for, 7 against, and 31 abstained.

On the bond issue itself, which was bitterly fought by the Soviet Union, 34 Afro-Asians voted for it, none against, and 19 abstained.

I would like to mention with some emphasis the case of Cuba, which Governor Stevenson did refer to briefly. Cuba brought a complaint against the United States claiming we had new plans of aggression against Cuba. There were 10 days of vituperation against the United States by the representatives of the Soviet bloc and Cuba. They called

us imperialists, colonialists, neocolonialists, every adjective in the book.

That is an issue where the Afro-Asian prejudice against colonialism and against interference in other countries' affairs might have been expected to be receptive to this collection of vituperative orations. What happened? The Soviet bloc couldn't even get anyone to introduce a resolution against the United States out of 104 members.

They finally got Czechoslovakia and Rumania to introduce a resolution in the Political Committee which called on the United States to "stop interference" in Cuba's internal affairs. That resolution got 11 votes, the 10 Soviet bloc plus Cuba, and not another single vote out of 104 votes in the General Assembly.

Mr. HAYS. How many abstentions did you get?

Mr. PLIMPTON. I don't remember. I would have to guess. I would guess about 25 or 30 abstentions; something like that.

(NOTE.—The exact number of abstentions was 39.)

Mr. PLIMPTON. I don't cite these figures, members of the committee, in order to prove that the Afro-Asians never vote different from the United States. I simply want to point out to you that these are the facts.

One can't draw too many conclusions from them, but one can draw this conclusion: that during the last General Assembly there really was not a single issue, if one excepts the uncontrolled moratorium, on which the majority of the Afro-Asians voted against the U.S. interest. In every single case they voted for what we consider to be our interest.

Furthermore, it is a dangerous thing to try to analyze trends in the United Nations. But for what it is worth we do have the impression that as the newer countries get more experience, more feel of how the United Nations operates, more understanding of U.S. positions, that the trend is somewhat toward moderation, reasonableness, and willingness to understand the U.S. viewpoint on matters before the U.N.

In short, at least from where I sit, one does not need to fear the specter of Afro-Asian domination of the United Nations to the disinterest of the United States.

The question has been raised, and I would recall it to the committee, "Isn't there some danger that the Afro-Asians will combine with the Soviet bloc and adopt measures which are harmful to the interests of the United States?" All that I can say is this: Such a measure, if important, would have to be adopted by a two-thirds vote of the United Nations. I think I have demonstrated that the record of the immediate past clearly discloses that it would be virtually impossible for such a thing to happen.

The future—my crystal ball is no better than anybody else's—it does seem to me over the measurable future, given the makeup of the United Nations, given the two-thirds vote in it, on all important questions, given the voting record of the Afro-Asians, and given, if you please, the trend which we do think exists toward moderation, there is really no need to be concerned about any such possibility.

That is all, Mr. Chairman. Thank you for the opportunity to speak.

Chairman MORGAN. Thank you, Mr. Ambassador.

Mr. Ambassador, the United Nations reimburses the governments for the extraordinary costs of furnishing troops, including supplies

and equipment that must be replaced. This is in the committee print on page 13. The table on page 8, June 25, apparently indicates that the United Nations owes the countries which have sent troops for rations, equipment, pay, and allowances.

My question, Mr. Ambassador, is does a nation making troops available to the United Nations transfer enough of the troop costs to the United Nations so that it derives a financial advantage by sending troop units to the Congo.

Mr. PLIMPTON. My understanding is that is not so. The United Nations itself audits and renegotiates the bills that are sent in by other governments for their expenses in connection with the Congo operation.

Chairman MORGAN. This is all done under the Secretary General's office?

Mr. PLIMPTON. Yes, sir. The general theory, of course, is that no government should make any profit out of the work that it does at the request of the United Nations.

Chairman MORGAN. As far as you know, there hasn't been any nation show any profit from sending troops to the Congo?

Mr. PLIMPTON. No; certainly not.

Chairman MORGAN. Does the United Nations pay for feeding the troops while on United Nations duty?

Mr. PLIMPTON. The philosophy is that the country in question should be reimbursed only for the extra cost over and above its normal troop expenditures, the extra costs incurred in having the troops in the Congo. The troop salaries, the wages of the troops, are paid by the country itself and not charged to the United Nations.

Chairman MORGAN. Does the United Nations pay for the trucks and jeeps?

Mr. PLIMPTON. I believe so; yes.

Chairman MORGAN. They pay for the trucks and jeeps?

Mr. PLIMPTON. Yes.

Chairman MORGAN. Mr. Ambassador, assuming that clothing, rifles, and other equipment that the troops are bringing with them to the Congo might be regarded as used rather than new, does the United Nations provide all units with new clothing, rifles, and other equipment when they leave so when they come in with used items they go out with brandnew items?

Mr. PLIMPTON. That is not so, sir.

Chairman MOGRAN. Mr. Ambassador, how many troops are now in the Congo?

Mr. PLIMPTON. Approximately 17,000.

Chairman MORGAN. How many nations are involved in those 17,000?

Mr. PLIMPTON. There are 18 countries, Mr. Chairman. The list is given in the joint print of June 25, table 13, at page 21.

Chairman MORGAN. What nation has the greatest number of troops?

Mr. PLIMPTON. India has the largest number of troops; 6,000 approximately.

Chairman MORGAN. What nation has the greatest number of troops in the Gaza strip?

Mr. PLIMPTON. Canada. That is shown as appendix 14 of the print of February 6, page 57.

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Chairman MORGAN. Mr. Ambassador, has there been any——

Mr. PLIMPTON. I beg your pardon, sir. My eyesight is poor. I was looking at the wrong column. At the present India has the largest number, 1,251. I was looking at the beginning of the operation. Then Canada had the largest number. India has 1,251 out of 5,159.

Chairman MORGAN. Mr. Ambassador, has there been any indication that the 5,000 troops in the Gaza area can be reduced and some money saved in this U.N. operation?

Mr. PLIMPTON. Needless to say, there is every disposition I think on the part of the United Nations to reduce expenses whenever it is possible. My impression is that the present status of relations between Israel and the Arab States is such that probably it would not be possible to reduce those troops very much.

Chairman MORGAN. This operation is now approximately 5 years old. Are we going to require the presence of 5,000 U.N. troops there for an indefinite period?

Mr. PLIMPTON. One can always hope, Mr. Chairman. As I say, the present state of Israel-Arab relations is not very propitious. I would think that it would not be possible to reduce those troops substantially within the near future.

Chairman MORGAN. Mr. Ambassador, we have less trouble in that area of the world than we used to and I was just wondering if after a 5-year period, we might save some money in this area. The operation has been there a long time, and it might be possible to reorganize it on a more economical basis.

Mr. PLIMPTON. I am sorry to have to remind the committee there was a flareup on Lake Tiberias between Israel and Syria just a month ago.

It is true that many of the troops are down at the Gaza strip, which is between Israel and the Arab Republic. When there is tension on one border of Israel, it tightens up things on all borders.

Right now I would be fairly sure that one shouldn't regard as a possibility that they will be cut down very soon.

The committee will note from page 57 of the first print of February 6, 1962, that the number has been reduced from the initial number. It started out by being about 6,000. It is now down to a little over 5,000. There has been some reduction from the very beginning.

Chairman MORGAN. Mr. Ambassador, the committee print says this operation costs $20 million a year. It would help the U.N. budget if we could cut this down.

Mr. PLIMPTON. There has been serious consideration of various means of cutting down. I can remember discussions as to the possibility of using helicopters to inspect the borders so that you cut down on the number of troops.

My recollection is that the feeling among those who know most about it, certainly more than I do because I have never been in the Gaza strip, is that due to the number of little crossings back and forth you really do need to keep a fairly close eye on what is going on.

Chairman MORGAN. Thank you, Mr. Ambassador.

Mr. Chiperfield.

Mr. CHIPERFIELD. Thank you, Mr. Chairman.

Mr. Chairman, the Ambassador has given us a very fine dissertation on the voting record of the Afro-Asian nations in the United Nations.

I came over here to be enlightened on S. 2768, a bill authorizing the United Nations bond.

I haven't any questions, Mr. Chairman. Thank you very much.

Chairman MORGAN. Mrs. Kelly.

Mrs. KELLY. Thank you, Mr. Chairman.

Mr. Ambassador, the U.N. organization is established to maintain peace. We have a foreign aid bill which represents our efforts in securing peace and helping the nations in the world to maintain their freedom. Do you think that we should continue aid to those nations who do not bear their full responsibility of payment to the United Nations?

Mr. PLIMPTON. Mrs. Kelly, this is a difficult area, of course. I would think there are really two different problems involved. One, if we were to condition our aid to countries on their keeping up their payments to the United Nations, I would think that we would be putting ourselves a little bit in the position of policing for the U.N., which I would think perhaps we might not want to find ourselves in the position of doing.

Second, it would seem to me that any hard-and-fast rule along those lines would put us in a position of inflexibility, which I wouldn't think we would want to be in.

In some cases, at least, the fact that the nation hasn't paid up its arrears may well be due to financial difficulties.

I should remind the committee perhaps that there are no defaults on the U.N.'s regular budget.

Mrs. KELLY. Would you repeat that? I did not hear your reply.

Mr. PLIMPTON. That there are virtually no defaults on the U.N. regular budget in the sense that everybody has paid up within the 2-year limit, so to speak.

When it comes to the arrearages on the Congo and the Gaza strip, as the committee knows, there are some legal questions as to that, that some countries have raised. Others, of course, have just refused to pay.

Mrs. KELLY. Mr. Ambassador, how many troops of other nations are in the Far East, in Laos, and in Vietnam?

Mr. PLIMPTON. There are North Vietnam troops in Laos.

Mrs. KELLY. Pardon me?

Mr. PLIMPTON. I said there were some North Vietnam troops in Laos.

Mrs. KELLY. I was not talking about North Vietnam troops. I want the number of our so-called allies.

Mr. PLIMPTON. The British have sent some troops, but I do not know the number.

Mrs. KELLY. Who else?

Chairman MORGAN. I don't think the U.N. has any operation in Laos or South Vietnam.

Mrs. KELLY. I refer to our allies. I wish to pursue the question I originally asked for, Mr. Chairman. I am questioning on the number of troops of the U.N.

Mr. PLIMPTON. We will supply the information, Mrs. Kelly.

Mrs. KELLY. Thank you.

(The information is as follows:)

Allied military units deployed to Thailand, in addition to U.S. units, consist of a Sabrejet squadron and ground personnel from Australia; a transport aircraft unit and a special air service unit from New Zealand; and a Royal Air Force jet fighter squadron with ground personnel from the United Kingdom. The total number of military personnel in these units is approximately 600. In addition, the United Kingdom maintains a garrison at its base in Singapore and also maintains units in the Federation of Malaya under defense arrangements with that country.

Chairman MORGAN. Dr. Judd.

Mr. JUDD. Thank you, Mr. Chairman.

Mr. Plimpton, I wish we could get a little more definite answer than heretofore on the question I raised yesterday as to what extent our Government can or is likely to waive debts that the U.N. has toward us, as it waived the $10 million or so cost of our transporting troops into the Congo.

"Waived" is perhaps not the right word, although the record uses the word "waiver." What it amounts to, as I get it, is that the President paid MATS out of the contingency fund for that cost instead of the U.N. paying MATS, because the U.N. didn't have enough money in its coffers.

To what extent is that likely to be or could that become a regular practice? If we make a loan of $100 million to the U.N. can the President waive repayments on it as he has waived obligations of the U.N. to repay us for services that we rendered in these operations? Somebody ought to make that absolutely clear.

STATEMENT OF ABRAM CHAYES, LEGAL ADVISER TO THE DEPARTMENT OF STATE

Mr. CHAYES. I think the answer to that is that I don't think the President could waive the payment on a bonded indebtedness owed to the United States, because I don't think that would fall under the general provision in the United Nations Participation Act authorizing contributions of various kinds to the U.N.

I would also add, although perhaps Ambassador Plimpton is more qualified to answer this than I, that I simply cannot imagine the President waiving this debt even if he had authority to do so. There is certainly no intention at any time to do this.

(The following has been supplied for inclusion in the record at this point:)

The President's authority to waive sums owed to the United States by the United Nations is contained in section 7 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287d–1). In relevant part it states:

"SEC. 7. (a) Notwithstanding the provisions of any other law, the President, upon the request by the United Nations for cooperative action, and to the extent that he finds that it is consistent with the national interest to comply with such request, may authorize, in support of such activities of the United Nations as are specifically directed to the peaceful settlement of disputes * * *

* * * * * * *

"(2) the furnishing of facilities, services, or other assistance and the loan of the agreed fair share of the United States of any supplies and equipment to the United Nations by the National Military Establishment, under such terms and conditions as the President shall determine;

"(3) the obligation, insofar as necessary to carry out the purposes of clauses (1) and (2) of this subsection, of any funds appropriated to the

National Military Establishment or any department therein, the procurement of such personnel, supplies, equipment, facilities, services, or other assistance as may be made available in accordance with the request of the United Nations, and the replacement of such items, when necessary, where they are furnished from stocks.

"(b) Whenever personnel or assistance is made available pursuant to the authority contained in subsection (a) (1) and (2) of this section, the President shall require reimbursement from the United Nations for the expense thereby incurred by the United States: *Provided*, That in exceptional circumstances, or when the President finds it to be in the national interest, he may waive, in whole or in part, the requirement of such reimbursement: *Provided further*, That when any such reimbursement is made, it shall be credited, at the option of the appropriate department of the National Military Establishment, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation, fund, or account currently available for the purposes for which expenditures were made.

"(c) In addition to the authorization of appropriations to the Department of State contained in section 8 of this Act, there is hereby authorized to be appropriated to the National Military Establishment, or any department therein, such sums as may be necessary to reimburse such Establishment or department in the event that reimbursement from the United Nations is waived in whole or in part pursuant to authority contained in subsection (b) of this section * * *"

From the information supplied the committee, it will be noted that the amount waived for the Congo military operation ($10,317,622) was for the initial airlift. The airlift was provided under the authority of the United Nations Participation Act. Its cost was initially met by the Department of Defense. Subsequently, the Department of Defense was reimbursed for its outlay by funds authorized for fiscal year 1961 contingencies in the Mutual Security Act. Reimbursement by the United Nations for this debt was waived by the President in accordance with section 7(b) of the United Nations Participation Act.

The United States has no present intention of waiving reimbursement from the United Nations for sums presently due the United States for the Middle East and Congo operations. These amounts totaled $32.2 million on March 31, 1962, of which $0.7 was for UNEF and $31.5 was for the Congo.

Mr. JUDD. Again, it is said "Why should we make this contribution and call it a loan? We are never going to get it paid back."

Mr. CHAYES. I think again, to answer that, there is no reason to suppose we are not going to be paid back. The headquarters loan is being paid off regularly. Provisions for repayment of this loan have been made in the regular budget of the U.N. by the resolution authorizing the bond issue. And both my office and the International Law Committee of the Association of the Bar of the City of New York have looked into it as has Mr. Black of the IBRD, and all agree that there is reasonable assurance of repayment of the United States.

So that I don't think you can say that these bonds will not be paid in due course by the U.N., assuming of course that the U.N. continues in existence. But short of that, I think it will certainly be paid.

Mr. JUDD. That leads to another question. I was looking through some reports and I find that this financial crisis for the U.N. was visible as early as 1957. It says on page 14: "In the case of UNEF, this opposition became apparent as early as 1957. Whereas the first $10 million of expenses for UNEF were assessed on the basis of the regular scale of assessments, there developed an immediate resistance to financing further expenses on this basis, and appeals were made to the major powers to make voluntary contributions."

That is apparently when we began to make contributions out of the contingency fund.

If you look through the schedule here, you see it fell further into debt each year, except one, and then of course the Congo came along and shot the total up.

I realize your administration was not in power at that time. But do you know why there apparently was not too much of an effort made to bring up and deal earlier with this obvious financial uncertainty or lack of sound foundation under the U.N.?

Mr. PLIMPTON. I think, Congressman, that, if I might put it this way, the situation rocked along until it began to get really serious with the Congo.

In the case of the Gaza strip, some of the smaller nations just didn't want to vote for the expenditures which they would have to pay in their ordinary percentage of them.

The countries, including the United States, which felt it was important to have this Gaza strip operation continued, as you indicated, did make voluntary contributions.

At first, the voluntary contribution was just taken off of the top of the assessments, which had the effect of cutting down the assessment of everybody in proportion to the ordinary assessment percentages. That didn't satisfy the smaller, less financially able countries, and they began pressing for more relief. That led to the adoption of the scheme of having—of cutting down their assessments to a smaller percentage of the whole. The very smallest countries were given, so to speak, 80 percent relief.

There were some 75 countries that got the benefit of 80 percent relief. And the difference was made up by our voluntary contribution.

The sums involved—I of course can only guess as to what the considerations were several years ago, but the situation wasn't too serious financially until the Congo appeared on the scene, whereupon, as the committee knows, it got very serious indeed.

Mr. JUDD. These figures show that in 1956 there was a deficit of $9 million; 1957, $21 million; 1958, $29 million; 1959, $28 million. The Gaza strip was quieting down a little bit and no other new explosion. In 1960, $87 million, and 1961, $107 million, which reflected, as you say, the explosion in the Congo.

What you are saying, and I can understand why, is that we were just hoping things would go along and quiet down and we wouldn't have to face up to it, until the Congo compelled us to?

Mr. PLIMPTON. I think that is a correct analysis.

Mr. JUDD. This raises my last question which is more of a philosophical question, or a broad policy question. It arises from the fact that the U.N. itself is an ambiguous sort of organization. That is perhaps not the word. It is neither fish nor fowl, in ordinary lay language. It is not a government with authority to raise armies and carry on the normal functions of a government. On the other hand, it isn't just a forum because it does have some authority to use force.

In which direction do you think the U.N. is trending, and perhaps, second, in which direction do you think it should trend? Should it move back toward the original concept of a forum where ideas or charges of whatever nature could be brought before the world's attention? The U.N. could investigate. It could expose. It could approve or it could condemn. It could mobilize public opinion in favor of or against. And these are no mean weapons, of course.

But it did not have forces of its own which it could use as a sovereign government can use its armed forces. Do you think the U.N. should move more in the direction of a forum without force, or move toward becoming a real government with force, in which case, of course the voting mechanism would simply have to be altered to reflect more accurately the power realities in the world—a world government, so to speak?

In which direction do you think it is trending, and in which direction do you think it ought to trend, to be most effective, not just in terms of what you or I might like, but in order to give maximum security and peace with minimum costs and risks in the world in which we live?

Mr. PLIMPTON. In the way it has been trending I think it is clear over the last few years the United Nations has become to a certain extent an effective operating instrument. The Gaza strip is one example. The Congo is another.

I think it is a little difficult, Congressman, to answer philosophical questions of this character, because I think these things depend on the facts and depend on what we are talking about.

I would myself think that the need for an operation like the Congo would not appear in the future. That was, I think, a unique situation.

Mr. JUDD. From which we have learned something?

Mr. PLIMPTON. From which we have learned.

I think the unsettled conditions of the world where such an operation might turn out to be necessary are fairly few. Perhaps somewhere in southeast Asia, perhaps in Africa, Ruanda-Urundi, and, we would hope not, it would be a very minor thing if it did.

My own guess would be that it would not be necessary or even appropriate in the future for an operation such as we are in the middle of now to be repeated.

If one looks down the corridors of time as to what sort of world one would like to see developed over the measurable future, I myself don't see anything approaching world government on the horizon.

I think the United Nations—after all, you know it is a grammatical error to talk about "the United Nations." You can say "the United States," because we are a unit and country. But the United Nations are "104 governments."

I think in the case of the U.N. the whole is greater than the sum of the parts. But it isn't much greater, and I don't see that it is likely to become much greater in the near future.

Chairman MORGAN. The gentleman's time has expired.

Mr. Hays.

Mr. HAYS. Mr. Ambassador, you cited some of these votes in the U.N. about the Afro-Asian nations. I concede you made a point that they didn't vote as a bloc. I don't think you made very much of a point that they voted very much with us.

On the Hungarian thing, which seems very clear cut, you had 42 of them who were either abstaining or against us out of 52.

Mr. PLIMPTON. That is correct.

Mr. HAYS. Out of those 53 nations, are there any of them that we are not giving foreign aid to?

Mr. PLIMPTON. I don't know, sir. There must be some that we don't.

Mr. HAYS. You say "There must be some," but you don't know of any, do you?

Mr. PLIMPTON. I don't think we are giving any to Japan. I may be wrong.

(The following information has been supplied for inclusion in the record at this point:)

The information on the Afro-Asian countries who were receiving U.S. foreign aid in 1961, as correlated with their vote on the "Question of Hungary" in the United Nations, is as follows:

For	Against	Abstentions	Absentees
Countries receiving foreign aid: 1/			
China (M & E)	Ceylon (E)	Afghanistan (M & E)	Chad (E)
Dahomey (E)	Guinea (E)	Burma (E)	Congo B (E)
Fed. of Malaya (E)	Indonesia (E)	Cambodia (M & E)	Gabon (E)
Iran (M & E)	Iraq (M & E)	Cameroun (E)	Saudi Arabia (E)
Japan (M & E)	Mali (E)	Cen. African Rep. (E)	Tanganyika (E)
Laos (M & E)		Congo L (E)	
Pakistan (M & E)		Ethiopia (M & E)	
Philippines (M & E)		India (E)	
Thailand (M & E)		Israel (E)	
Turkey (M & E)		Ivory Coast (E)	
		Jordan (M & E)	
		Lebanon (M & E)	
		Liberia (M & E)	
		Libya (M & E)	
		Madagascar (E)	
		Mauritania (E)	
		Morocco (E)	
		Nepal (E)	
		Niger (E)	
		Nigeria (E)	
		Senegal (E)	
		Sierra Leone (E)	
		Somalia (E)	
		Sudan (E)	
		Syria (E)	
		Togo (E)	
		Tunisia (E)	
		United Arab Rep. (E)	
		Upper Volta (E)	
		Yemen (E)	
Subtotal 10	5	30	5
Countries not receiving foreign aid:			
South Africa		Ghana	
Subtotal 1	0	1	0
Totals 11	5	31	5

1/ The letter "M" following the country denotes military aid and the letter "E" following the country denotes economic aid.

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Mr. HAYS. We may not be at the moment, but they have been beneficiaries of pretty massive injections of it. I don't recall the total now, but it runs into the billions. So we have found 1 out of 52 or 53.

I assume I am right in this question: You people up at the U.N. are going to recommend that we let Ruanda-Urundi or Burundi—whatever they are going to call the other one when it becomes independent—we are going to vote to let them in the U.N., aren't we?

Mr. PLIMPTON. Yes.

Mr. HAYS. You are going to recommend that? Will they ask you for a recommendation?

Mr. PLIMPTON. They have not, so far as I know. I believe that if, as, and when they apply for membership, we would vote in favor of their admission.

Mr. HAYS. Presumably we will send some troops there to keep order?

Mr. PLIMPTON. I hope not.

Mr. HAYS. Or some mercenaries.

Mr. PLIMPTON. I hope not.

Mr. HAYS. But you really think so, don't you? You are a realist.

Mr. PLIMPTON. I try to be.

Mr. HAYS. Then what do you think?

Mr. PLIMPTON. Well, my impression is that there is a good chance that no troops will be necessary in Burundi. There is, of course, some chance that there will be trouble between the two tribes up there.

Mr. HAYS. You disappoint me. When you started out, I thought you were going to say you would let them fight it out for a change, without us hiring some mercenaries or getting into it ourselves.

Mr. PLIMPTON. No U.N. troops are scheduled to go there.

Mr. HAYS. Presumably they will be wanting some foreign aid, too, won't they?

Mr. PLIMPTON. I don't know. I imagine so.

Mr. HAYS. I understand they are not viable. I understand they are absolutely not viable. There is no wealth of anything to amount to there. There is no opportunity for them to be viable. We are going to put them on the aid and give them a vote up at the U.N.?

Mr. PLIMPTON. I think the Belgians will be the source of the aid, sir. I know the Belgians have said they will help. The extent of which they are going to do it, I am not familiar with. It is their responsibility primarily.

Mr. HAYS. You better not wager any money that we won't have an aid program there, and if we do you better be prepared to lose it.

The thing I am getting at, Mr. Ambassador, is we are creating more and more votes up at the U.N. of nations which maybe have a million population and less—against our 180 million—which don't pay their dues, which we have to pay for troops going into, and where do we finally come out?

You come up with this bond thing. Next year you will be back with another one, and the year after that with another one.

As I pointed out to Mr. Stevenson, and nobody denied it, in effect your advisory opinion from the Court isn't worth the paper it is written on, because the Soviets are going to say "We don't accept this decision."

Then you will have to go into the General Assembly and get them, in effect, to throw the Soviet Union out, and you know they are not going to vote to do that, and so do I.

If we are going to do this, why don't we do it where we have some control? I realize the world is in a mess. If we are going to straighten it up, let's straighten it up. Let's not do it through third parties where we are paying the bill and can't even tell them what to do.

Don't you think that would be a better way to do it?

Mr. PLIMPTON. Well, I don't know if I can quite go along with all those statements, Mr. Congressman.

First, as to the Soviet vote, it is of course true that the acceptance of the advisory opinion will require a two-thirds vote in the General Assembly. We are going to do our utmost to get that two-thirds vote. If we get it, and the Soviet Union does not pay up those Congo and Gaza strip arrears, they will be subject to loss of their vote in 1964.

We believe that no vote is necessary to make them lose their vote, because the charter says that a country whose arrears are equal to the amount due from it for the preceding 2 full years shall lose its vote in the General Assembly.

Mr. HAYS. That is automatic if you get the two-thirds vote that you are talking about. You are going to do your utmost to get that. Well, you are not going to get it. You know it and I know it.

Mr. PLIMPTON. I don't agree with you——

Mr. HAYS. We did our utmost around here to get a majority vote on the farm bill and couldn't get it, and that is far more important, that they are going to stand up and say in effect to the Soviet Union "We are voting you out of here," that they are going to do it when 37 abstained on as clear cut a matter as Hungary?

You don't mean to sit there and tell me that they will vote for us on a far more important thing for them than this would be?

Mr. PLIMPTON. I do, Congressman. I think you are underestimating the integrity of the members of the U.N. Hungary, sure. That seems a little remote to them. They regard it as a cold war issue which they are not terribly concerned with. It happened a long time ago. They think of it as a little bit stale.

When it comes to the financial integrity of the U.N., I think they will vote for it. I think they will say that if the Court says these things are obligatory, that the U.N. should treat them as obligatory. You may be right. I don't know. I think I am right. I am no prophet.

Mr. HAYS. I will say that I will be a prophet on this. Of course, I will have to wait quite a long time to be vindicated, but I will be vindicated because time will see that I am right and you are wrong.

All I can say is, if this is the kind of advice the Executive is getting from the U.N. we are in pretty serious trouble, because I don't think you are facing up to it realistically.

Mr. PLIMPTON. I am trying to. There is a difference between loss of vote and kicking them out of the U.N. But that is——

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. Mr. Chairman.

I would like to direct my questions to the Ambassador on the committee print for June 25. The question pertains to table 6, pages 12 and 13, table 9 on pages 17 and 18.

On table 6, page 12, for example, Albania is in arrears on its Congo account to the extent of $27,298. This is through May 31, 1962. Table

9 shows Albania has a balance due on its Congo account of $6,366 as of May 31, 1962.

Of course, there are similar differences that appear for other countries.

The question was asked, "How much does Albania owe on its Congo account?" What would be the correct answer?

Mr. PLIMPTON. Mr. Congressman, the table on page 12, table No. 6, deals with 1961 and prior years. It goes all the way back. It is a cumulative total. Whereas the table on page 17, table 9, is just for the period November 1, 1961 to June 30, 1962.

One is a cumulative table covering everything up to December 31, 1961, as of May 31, 1962—that is the table on page 12, table 6; whereas table 9 is just the assessment for the 8 months from November 1, 1961, to June 30, 1962.

Mr. BROOMFIELD. What was the amount that you mentioned that the United States has contributed to pick up this deficit in the Congo operation? What was the total amount on their voluntary contribution?

Mr. PLIMPTON. That is found on page 20, Mr. Congressman, table 11 of the June 25 print. The total contributions by the United States as there indicated over the entire period are approximately $114 million. This is the total contribution made up first of our assessed share, and second of our voluntary contributions.

Mr. BROOMFIELD. Mr. Ambassador, would you comment on your own personal feeling as to whether or not you feel it will be necessary in future years to come back with another bond issue, or are you convinced the $100 million is the end of it as far as the Congress is concerned?

Mr. PLIMPTON. Obviously, Congressman, this is a difficult question and a difficult area to speculate about. The bond issue, even if all of the arrears were collected, which is a consummation devoutly to be wished for but not to be expected in the immediate future, would carry these two operations, the Gaza strip and the Congo, through 1963.

The question, of course, is what happens if they have to be carried on beyond 1963, even if this extraordinary miracle of all the arrearages were to take place.

There has been an awful lot of thinking done about this. There isn't as yet any clear answer. A good deal depends on the exact terms of the Court's opinion. It depends, of course, on the collection of the arrearages. It depends on the climate that develops over the next few months. We do not intend to come back for another long-term loan.

Mr. BROOMFIELD. Mr. Ambassador, what disturbs me, and I am not saying this in any partisan way, but it seems to me that it might be a good idea for the United States to consider a little tougher policy toward these countries that seem to be quite complacent about paying their due share. It seems to me we let them slide by and then we change the procedure and pretty soon we are asked, the United States, that is, to pick up the bill to keep the U.N. going.

I feel very strongly about the United Nations. The way the U.N. is taking in new countries that it ought to realize these countries have a certain responsibility to maintain their membership in the U.N.

What disturbs me is the fact that we do have a sizable amount that is unpaid on these arrearages. If the U.N. is going to function with the intent that Dr. Judd pointed out so ably this morning, then we ought to have a tougher policy toward those countries which fail to pay their just obligations. This is my own personal opinion.

I want to commend you for your statement this morning. At least as far as I am personally concerned, you have been one of our better witnesses. After the first witness, Mr. Stevenson, completed his testimony, I felt we were in serious trouble in giving this bill consideration in the Congress.

Mr. PLIMPTON. I couldn't agree more about the obligation of the members of the United Nations to pay their debts. Certainly, all of us who are in this field agree 100 percent.

I think one does have to make a little distinction between the regular budget, where the countries are paying what they owe. Some of them are a little slow. They are paying. There isn't anybody who isn't paying or about to pay. When it comes to these peacekeeping operations, there has been an attitude of uncertainty, because nobody knew whether they were legally obligated to do it or not.

Once the Court opinion is handed down, then the issue becomes clear. They will have, we hope, the legal obligation to do it. We think that the climate will change and that they will start paying up for those operations.

Certainly you can be assured that the U.S. delegation feels very strongly that the United States should not always be paying for things that others ought to be paying for.

Mr. BROOMFIELD. I appreciate your statement.

Thank you, Mr. Chairman.

Chairman MORGAN. Mr. Selden.

Mr. SELDEN. Thank you, Mr. Chairman.

Mr. Ambassador, it seems a great deal of the case for the purchase of U.N. bonds in question is based on the assumption that the World Court is going to rule that special assessments are obligatory. What will happen if they should rule otherwise?

Mr. PLIMPTON. In the first place, we don't think it will. If it should, we will be very much surprised. The money, as far as the loan is concerned, would still be necessary, perhaps even more necessary.

In passing, I might say as others have said that an adverse opinion on the binding character of these assessments would not affect the validity of the loan, nor would it affect in any way the obligation of the U.N. to repay the loan.

The financial predicament of the United Nations would, of course, be worse, because there would be no effective way of forcing through loss of vote the payment of the arrearages on the Congo and on the Gaza strip.

I don't like to contemplate the financial position of the U.N. It would be precarious. Obviously, either some more money would have to come from somewhere or these operations would have to stop completely.

Mr. SELDEN. It should be very obvious that this would not be the last bond issue necessary in the event the World Court ruled otherwise.

In any event, if the World Court doesn't stick any closer to the law than our own Supreme Court, then I wouldn't base my whole case on the assumption that the Court's opinion will be as we think it should.

You have gone rather thoroughly into the past votes in the U.N. of some of the new African nations. I wonder if you could give me your opinion on whether or not the United Nations has been weakened or strengthened by the admission of nations that apparently are not ready for self-government, such as the Congo?

Mr. PLIMPTON. Well, as far as the admission of the Congo that, of course, technically only means one more member, one more vote. The fact that the Government of the Congo is having a lot of difficulty internally actually hasn't made very much difference so far as its membership in the U.N. is concerned. Its delegates are intelligent fellows. Their votes have been the same as the United States on almost everything.

Technically, the Congo, Léopoldville coming in, has been helpful——

Mr. SELDEN. I said, "such nations as the Congo," that were not ready for self-government. I gave the Congo only as an example.

Mr. PLIMPTON. I think one has to split the question up a little bit. So far as the effect on the membership of the United Nations is concerned, almost all of the delegates of these new nations are by and large intelligent, reasonably moderate. They talk too long, some of them.

One has the impression, as perhaps prevails in other organizations, that they are talking for home consumption.

Mr. SELDEN. I wasn't referring to the delegates themselves. I was referring to the problems that these new nations create as members of the U.N. Do you think the U.N. has been weakened or strengthened as a result of their admission?

Mr. PLIMPTON. I don't know, in a sense, that either thing has happened. The 10 or 15 new African nations that have come in, all of them except the Congo, are in pretty good shape as far as self-government is concerned. They are getting along all right.

They have contributed to the U.N. a fresh viewpoint, if one wants to put it that way. They are interested in colonialism more than other things. In a way that has hurt the U.N. and in a way it has helped it.

I think the contribution of the U.N. in this process of decolonialization on the whole has been a plus. The fact that these new nations do have a forum in which to talk, the fact that they are part of a world organization tends to give them a sense of responsibility.

I think it has been good for them, their coming into the U.N. As to whether it is good for the U.N., I am inclined to think that it has made it more difficult for the U.S. delegation with a whole lot of new countries to talk to, to explain things to, to try to explain and to persuade as to the merits of our policies. It means more work for us. That is OK. We don't mind.

Mr. SELDEN. In other words, you feel it has caused more work for our delegation but actually the admission of these nations has strengthened the U.N.?

Mr. PLIMPTON. In a sense yes, sir, because to the extent that the United Nations does include these nations, I think it is strengthened. I think it would be a pity to leave out of the United Nations five or six countries in Africa because one thought that they had only been

independent for a few months or years, and that they ought to wait a while. I think that would be a mistake. I think it helps them to come in and I think on the whole it is a good thing for the U.N.

Mr. SELDEN. I am glad to have your views although I do not necessarily agree with you.

Chairman MORGAN. Mr. Barry.

Mr. BARRY. Thank you, Mr. Chairman.

Mr. Ambassador, it is a great pleasure to have you with us. We have known of your reputation long before you were Ambassador to the United Nations, and it certainly is a good thing for the U.N. and our delegation that your able abilities have been harnessed.

I want to say that I have never, as a person, worried about the extension of franchise either in this country or on a world basis. There is a great salvation usually when the franchise is extended. It certainly was that way when we extended it to women in this country and when we got rid of the property qualifications for the right to vote. It has not been detrimental to the Nation.

I assume that same principle would be sought on a world basis. As other nations are able to stand up and be counted and organize themselves into a society, it would not hurt the world body of mankind.

With regard to the United Nations, I don't want to spend very much of my limited time on the financial side. The reason for this is that even the $100 million represents only about $1 out of $500 that this Nation has given away or loaned since World War II toward the development of a better world which is presumably the aim of all nations.

I would like to ask you where do you feel the United Nations could better implement or get a greater understanding of the fact that this Nation had to struggle for its independence, that this Nation is the leading nation of the world that stands for freedom, that all these things that we are called, imperialists and so on, by the Communist bloc have tended to destroy our image with the neutral or nonallied nations and to a certain extent with some of our friends.

Is there anything the United Nations could do better than they are doing now to create an image to show that we are the nation first and foremost who struggled for our freedom and thereby are more interested in everyone else's success in this direction?

Mr. PLIMPTON. We certainly emphasize that every single chance we get, Mr. Congressman, in the United Nations. After all, we were the first anticolonialist. The struggle, surge toward independence, first manifested itself in this country.

We don't hesitate to remind, and remind to the extent of constant repetition, all nations of this fact in speeches and in consultations with the delegates, especially of the newer countries.

I myself think that our public image should be very much stronger in this area. I think that there is not very much more that we at the U.S. delegation can do about it except keep hammering away.

Mr. BARRY. I deplore the fact that we call it the Fourth of July celebration instead of Independence Day. We call it the Fourth of July when we ought to be pronouncing to the world that it is Independence Day. We ought to do away with the Fourth of July celebration and call it Independence Day.

What is the United Nations doing on Independence Day? Are you having a tremendous gathering in the U.S. delegation and inviting

every other member to it, and perhaps a big banner calling it "Independence Day"?

Mr. PLIMPTON. I don't think we have enough money to do that, sir. I don't think we are producing a celebration on July 4.

Mr. BARRY. I commend it to your attention. I know you might have to scrape the bottom of the barrel. Since we are being attacked for other than what we are, why wouldn't next Wednesday be a good day to celebrate in this direction by asking your friends over for a visit, if nothing more?

I read in the newspaper yesterday this is the second year that throughout the world our embassies abroad will not be celebrating Independence Day because of lack of funds. I believe that use by President Kennedy of money from the contingency fund for Independence Day celebrations in the embassies would be a justifiable backing up of the billions of dollars we have been pouring out to the rest of the world in order to show all the people of the world that freedom is what we stand for.

It seems to me to remove the symbolism of our Independence Day is a very poor policy indeed. I deplore it. I heartily commend to the attention of the State Department a recommendation to the President that he use part of his contingency fund and wire every embassy throughout the world authorizing Independence Day celebrations on Wednesday. Let the rest of the world realize again that as the first nation to break away from tyranny, we abhor tyranny wherever it exists in the rest of the world.

I wish also to ask you one final question. If we were to give this $100 million, do you not believe that we should no longer be the country to absorb any temporary deficits of the United Nations? Would it not be in order for someone else or myself to propose an amendment to the Mutual Security Act prohibiting the use of the contingency fund of the President for further temporary loans to the United Nations? Let someone else be the banker, if we meet 50 percent of the present obligations accruing out of the bond indebtedness that has been raised.

Mr. PLIMPTON. First, Mr. Congressman, if I may say one thing. We are not giving this money. This money is being lent. We firmly expect it will come back.

Again I think the point of view you have in mind is definitely a constructive and a sensible one. I would think, however, that it would not be too helpful to make inflexible the position of the United States.

I am sure that all of us are convinced that the United States should not be regarded as the ever-flowing source of funds every time there is an emergency.

Mr. BARRY. I think we would be more highly respected, sir, if we let it be known, at the time we do this thing, that we no longer are the banker for the shortage of funds that the U.N. may have in the future, because, as has been so eloquently stated by other members of the committee, the United States is weary of being taken for granted. This would be one generous way of saying no, so far as the future is concerned. This would be the time to do it, would it not?

Mr. PLIMPTON. Again, sir, I really think that it would be questionable wisdom to put U.S. policy in a straitjacket. I think that policy principles we ought to have and do have. But it seems to me that to constrict our discretion without knowing the facts that are going to come up would be a little bit doubtful.

Chairman MORGAN. The gentleman's time has expired.

Mr. O'Hara.

Mr. O'HARA. Thank you, Mr. Chairman.

Mr. Ambassador, if I may be permitted this observation. I never did like rigged juries and boards of arbiters. I would like you to make it crystal clear that it is not the thought of the administration, nor the policy of this Government, to buy with our aid in their development the independence of the representatives from these new nations to the United Nations. Do I make myself clear?

Mr. PLIMPTON. Yes, Mr. Congressman. I go along 100 percent with that. Certainly we do not and should not in my mind try to purchase with aid nor impinge on the independence and on the self-determination of other countries. I quite agree.

Mr. O'HARA. I appreciate, Mr. Ambassador, these hearings will be read not only in our own country but other countries. I wouldn't want anyone to get the idea from some of the questions asked that it is the policy of our Government to give aid, and in return for the giving of that aid to expect countries always to vote at our command. Am I correct in that, sir?

Mr. PLIMPTON. Yes, sir; quite correct.

Mr. O'HARA. Mention has been made of countries voting in bloc. I have talked to many African leaders. I think their thinking is much along our democratic way of thinking. But they do not want to be members of a bloc subject to the dictates of anyone, whether it is our bloc or the other bloc.

Have you any comment to make on that, sir?

Mr. PLIMPTON. I certainly want to make the comment that that is a very accurate observation on your part and I agree with it entirely.

Mr. O'HARA. Let us get to Africa. How many African nations have already pledged their support to the United Nations bond purchase? The names of the countries who have already purchased or pledged their contributions?

Mr. PLIMPTON. Two nations, the Sudan and the Togo, have already bought bonds. Five others——

Mr. O'HARA. Let me stop you a moment there. How long have they had their independence?

Mr. PLIMPTON. I would think the Sudan must be about 5 years. Togo about 2 years.

Mr. O'HARA. Here is a nation that has had its liberty for 2 years. It can't be in too prosperous a condition and it has already purchased bonds, is that right? And the Sudan, with independence slightly longer, has made its purchase.

Mr. PLIMPTON. Yes.

Mr. O'HARA. Now, will you proceed?

Mr. PLIMPTON. Five other nations have publicly announced pledges of a total of $1,885,000. Ethiopia, which of course has been independent for quite a long while; Liberia, whose independence goes back to President Monroe, if I am not mistaken; Nigeria, which is brand-new; Sierra Leone, which is hardly out of the cradle, symbolically speaking; Tunisia, which is maybe 2 or 3 years old. Those five have, as I say, agreed to buy $1,885,000. Nigeria, a million dollars worth.

Mr. O'HARA. Thank you very much, Mr. Ambassador.

You would find in that a significance; would you not?

Mr. PLIMPTON. Yes, sir; a significance that these African countries are aware of their responsibility, aware of the fact that the United Nations means something to them, and they are willing to back it up with money.

Mr. O'HARA. Thank you, sir.

Mr. Ambassador——

Mr. PLIMPTON. I just wanted to call your attention to what my associate points out, that, namely, Liberia has bought 2½ times as many bonds as its theoretical assessment percentage would indicate; Ethiopia, twice; Nigeria, 2½ times; and Tunisia, almost 5 times as many bonds as they would have if they just followed the ordinary assessment percentage.

Mr. O'HARA. Instead of pointing to the fact that Russia has bought no bonds, and the countries alined with Russia have bought no bonds, we get more to the point, do we not, by placing emphasis on the fact that these new emerging nations in Africa have purchased and quite a number of them?

Mr. PLIMPTON. Yes, sir; I think it is a very hopeful sign and one that should be emphasized.

Mr. O'HARA. Mr. Ambassador, as I see it, you have exhausted every other possible means of financing. Unless we raise this money the United Nations is in great danger, probably of being put out of business; am I right in that?

Mr. PLIMPTON. It is certainly in great danger; yes, sir.

Mr. O'HARA. Then the question that I have to resolve in my mind, and I think it is pretty well understood by the American people, when we are voting billions of dollars for military purposes will we hesitate in contributing $100 million to keep intact the only bridge to peace that we have? Am I too much simplifying it?

Mr. PLIMPTON. No, sir.

I would point out we are lending it and not giving it. I think this is like many things in life, Mr. Congressman. You are presented with alternative A. You look at it and there are things you don't like about it and you wish it were a little different. And then you look at alternative B, which is what happens if you don't do alternative A.

When you have had a good hard look at alternative B, I think what one tends to do is choose alternative A.

Mr. O'HARA. Mr. Ambassador, I couldn't go home after this Congress adjourns, asking my constituents to return me to the 88th Congress, and say to them, "I voted for billions of dollars for the military and I didn't vote for $100 million to keep alive the last best hope of peace that we have."

Thank you, Mr. Ambassador. It has been heartening to have you here.

Mr. PLIMPTON. Thank you, sir.

Chairman MORGAN. Mr. Whalley.

Mr. WHALLEY. Mr. Chairman.

Mr. Ambassador, it would be interesting to know how much the United States has contributed over and above its regular assessment since the time that the United Nations was organized. I don't know if you have that figure or not. If you don't have, perhaps you could give it to the committee.

Mr. PLIMPTON. I think we will have to supply that figure. It is all in the documents. But it would be a question of pulling them together and doing a little addition.

(The information is as follows:)

Voluntary contributions by the United States to special programs of the United Nations and the specialized agencies, calendar years 1946–62

[In thousands of dollars]

United Nations Emergency Force	[1] $23,932
United Nations Operation in the Congo, military	[2] 40,924
United Nations Operation in the Congo, economic	98,272
United Nations Children's Fund	[3] 192,231
United Nations Educational, Scientific and Cultural Organization, Special Programs	[4] 3,800
United Nations Expanded Technical Assistance Program	171,450
United Nations High Commissioner for Refugees	7,505
United Nations Hungarian Refugee Program	6,225
United Nations Korean Reconstruction Agency	92,903
United Nations Refugee Fund	5,333
United Nations Relief for Palestine Refugees	16,000
United Nations Relief and Works Agency for Palestine Refugees in the Near East	289,668
United Nations Special Fund	71,015
World Health Organization, special programs for community water supply, malaria eradication, and medical research	20,175
Total, 1946–62, inclusive	1,039,433

[1] Includes airlift of $1,192,000 not charged to the United Nations.
[2] Includes airlift of $10,318,000 not charged to the United Nations.
[3] In addition, in 1961 the United States donated 76,000,000 pounds of dried skim milk.
[4] Includes $1,000,000 for UNESCO educational aid to Africa and $2,800,000 for preservation of Nubian monuments.

Mr. WHALLEY. The second question is, Does the United Nations operate at all in Laos?

Mr. PLIMPTON. My understanding, sir, is that there was a United Nations special representative there as just what I think is called a presence of the United Nations. I don't think he ever fulfilled any active function.

The peacekeeping functions, such as they have there, have been in the hands of an International Control Commission composed of Canada, Poland, and India.

Mr. WHALLEY. Why wouldn't the United Nations handle an affair like Laos? Would it be too big and too expensive, or was the decision made that the United States would handle it alone?

Mr. PLIMPTON. I think that our Government felt that it could better be handled by the United States itself, so to speak, in conjunction with the Geneva agreements.

There is quite a lot of background here. The thing hasn't been in the United Nations I think for quite a good many years. The United Nations has just never voluntarily got into it, and no one has asked it to get in.

As far as the United States is concerned, it was handled in another way.

Mr. WHALLEY. I think the general feeling of this committee is the fact that the rest of the United Nations takes the United States for granted, feeling that they want to have the benefits of the U.N. without paying or accepting the responsibility.

Isn't there some way that better United Nations public relations could be had to sell their members on the idea that it would be better to work with the United Nations at a much smaller cost than by each nation going it alone?

I think everyone realizes the United Nations is very important, we can't let it go down, but seemingly there should be some way that the other nations could be sold the idea that they should accept their responsibility, because the United States too readily pays the money over.

Mr. PLIMPTON. May I again point out that I think one does have to make a distinction between the ordinary operations of the U.N. where there are no substantial—no real difficulty about countries paying their share.

When it comes to these operations, the Gaza strip, the real trouble comes from the Communists. Sixty percent, as I remember, of the defaults—I have the figures here, just a moment. Fifty-eight percent of the arrearages of the U.N., as of May 31, 1958, were from the Communists. That is where the real trouble is. Sixty-eight of the arrearages on the Gaza strip are Communist. Fifty-one percent of the Congo.

In the case of the Gaza strip, almost all of it—well, as I say, 68 percent is Communist.

There are other states that for financial reasons are in trouble, in default.

As indicated on the table on page 10, Nationalist China, for example, is heavily in default, not through any lack, I am sure, of good will or interest, but simply on account of financial problems.

So, when one analyzes the actual arrearages, one sees first that there are virtually none on the regular budget. Out of a total of $6 million, $3 million is our good friend Nationalist China, where there is no lack of support, but good will and every good intention in the world.

When it comes to the Gaza strip, it is the Communist refusal because they just didn't like the policy.

In the case of the Congo, again it is 51 percent Communist, and the—well, a lot of it is France, which just thought that wasn't the kind of thing that ought to be done.

When the advisory opinion comes down, as we hope it will favorably, one would hope very much, for example, that France would say "This is our legal obligation," and would pay up.

One has to analyze it a little bit, Mr. Congressman. You just can't say there are a lot of countries that aren't supporting the U.N. and relying on the United States to do it. It just isn't quite that way. You have to be specific about it.

Mr. HAYS. I might tell you that your own table that you furnished us showed that there are 30 nations in arrears in the regular budget.

Mr. WHALLEY. Thank you, sir.

Mr. HAYS (presiding). Mr. McDowell.

Mr. MCDOWELL. Thank you, Mr. Chairman.

Mr. Ambassador, I am sure that you realize now by the deep searching questions that the members of this committee have had that it is the committee desire to be fully informed on this important problem.

I am not going to say this has resolved into more or less an inquest on the subject of the United Nations, but I do think it reflects per-

haps a great deal of public feeling today, the questions in the mind of that public in this country of some of the adverse decisions of the United Nations as they affect our own foreign policy.

I think it reflects a lack of appreciation of the changing conditions in the world today. If the United Nations fails, it will fail because, I think, of the direct intent and the great desire of the Soviet bloc countries to cause it to fail, because of lack of financial support in the peacekeeping machinery of the United Nations in Palestine and the Congo.

In my opinion, if the United Nations fails the problem of the new nations will still be with us, their desire to keep their independence and freedom, but we would have the formation of perhaps three separate international organizations: the neutral nations, the Soviet bloc nations, and what we could wrestle out of the wreck of the United Nations.

So I don't think we have any prospect for any solution of this problem of financial support by not facing the facts that the United Nations problems are not going to go away because they don't always vote in our favor as they did at one time.

My question is, Is there any policy in the United Nations as to the final reimbursement of the peacekeeping costs of the Palestine and Congo operations, once the international military forces might be withdrawn because they decided the security had been established in these areas, and that they were no longer needed?

The cost may be great, running into hundreds of millions. Is there any policy of reimbursement to the United Nations of any part of this cost?

Mr. PLIMPTON. First, if I may, Congressman, comment on one of your prior remarks. You spoke of adverse decisions by the U.N. against the United States.

Mr. MCDOWELL. As some people view these decisions.

Mr. PLIMPTON. Myself, I can't think of any outside of the——

Mr. MCDOWELL. I think there are some who take the position that any U.N. decision that does not support our position is therefore against us, and should not be tolerated.

Mr. PLIMPTON. There have been very few of those, sir, even on minor matters. I realize—I want to go on to the reimbursement.

I know of no program for the United Nations to try to get back any of the amount that it spent to keep the peace.

The Arab States, for example, I am sure would claim and have claimed that the entire expenses of the Gaza strip should be paid by Great Britain, France, and Israel, because, say the Arab States, they are the ones who invaded Egypt and they should pay it. That view is not shared by those countries.

I would doubt whether, if peace ever does arrive in the Gaza strip, the United Nations would try to retroactively collect from Great Britain, Israel, and France.

Money spent to keep the peace I think is spent. I don't myself see much chance of reimbursement.

Some of the African States have claimed that Belgium ought to pay for the entire peacekeeping operation in the Congo. But Belgium doesn't happen to agree.

I think one has to face the fact that this is money spent to keep the peace and that is gone. Hopefully, peace hasn't.

Mr. McDowell. Has there ever been any consideration given to the sale of the United Nations bonds to private world financial institutions rather than to countries?

Mr. Plimpton. The bond resolution permits the offering of the bonds to nonprofit organizations. But so far, at least, the intention has been to offer these loans, offer these bonds, only to governments.

Mr. McDowell. Is there any basic reasoning behind that decision? Is there reason, for instance, why some of our nonprofit foundations could not buy United Nations bonds?

Mr. Plimpton. This is only just a personal observation, Congressman. It would seem to me it was more in the nature of a governmental responsibility. I certainly see no objection to a foundation, either a foreign or American one, but there is a feeling that most of the foundations that would come forward would be American, which would mean more American participation.

Our own Treasury Department felt this should be done only, so to speak, as a last resort. It is really a governmental responsibility.

Mr. McDowell. In closing, Mr. Chairman, I want to associate myself with the closing remarks of my colleague, Mr. O'Hara, in his statement, and I too would hope, it would be possible, since a serious suggestion has been made in this connection by a former President, I would hope, too, it might be possible for us to find ways and means to reduce our defense budget, although I doubt it.

Even if we could do it in the spirit of reducing this budget annually, through appropriations, it would be better if an infinitesimal part of the savings that could be made there could be used in helping finance the United Nations and the peacekeeping operations.

Thank you.

Mr. Hays (presiding). Mrs. Church.

Mrs. Church. Thank you, Mr. Chairman.

My welcome is stronger perhaps than that of any other member of the committee except Mr. Burleson, who also had the privilege of serving with you at the U.N. I fully appreciate your contribution there.

I would certainly take no issue with either Mr. O'Hara or my good colleague on his right, but I am inclined to think that this problem can be approached not only as a choice between A and B, but rather on the need to see if there could be found a plan C, D, or E, which would better meet the issue.

I hardly think that there is any member of this committee who would be willing to see the United Nations go under; nor do I think that the United Nations actually would "go under," if this bond issue did not pass.

I would like to ask one or two specific questions, if I may. In the first place, when I went up to the United Nations in November and first talked over this problem, I was told that the United Nations would be bankrupt by December 31. I would like to ask on what the United Nations has been living during the last 6 months?

Mr. Plimpton. I think, Mrs. Church, I may say it was a great pleasure for the U.S. delegation to have you and Mr. Burleson as colleagues in New York last fall. It was of great assistance to the delegation. If I may say so, the two congressional Members performed splendidly.

I think one has to understand the nature of the United Nations obligations, especially the obligations in connection with, for example, the Congo.

If the United Nations operation in Léopoldville orders a ton of freight sent by air, we will say, to Stanleyville, they get, I don't know, Sabena to take the ton of freight. They ask the U.S. Air Force to do it, is a better example.

The United Nations will put down as an obligation immediately $10,000. That appears in these figures as an obligation of $10,000. Of course, actually, the U.S. Air Force doesn't get around to figuring out what the cost of that ton of airlift is for several months.

The bill may not get presented to the United Nations maybe for 7, 8, 9, 10 months.

When it gets to the United Nations, the United Nations audits it and says "Look here, we didn't finally send a ton. We only sent so much. You shouldn't charge $10,000." And there is a negotiation over it.

The result is, although it looks on the December 31 balance sheet as though the United Nations owed $10,000, that the U.N. may end up by not paying more than $7,000. And it may pay 10 months after.

Mrs. CHURCH. I would like to ask, Mr. Ambassador, whether it is true that we are still "borrowing from Peter to pay Paul," so to speak, that we are using the privilege given of interchange of funds to pay for some of these operations out of regular designations and appropriations?

Mr. PLIMPTON. I think not. The only borrowing has been from the—there was a short-term borrowing from the special fund which was repaid about 2 weeks later.

Yes; the special borrowings—there were borrowings from the special fund which were repaid from time to time. There was a very brief borrowing from the Children's Fund, which was repaid fairly promptly.

The only outstanding borrowings at the moment, I think, are from the working capital fund, which really isn't a borrowing. That is what the working capital fund is for. You use it up.

So that so far as I know, there is no borrowing at the moment from the funds which shouldn't be borrowed from.

Mrs. CHURCH. I am trying to connect up my question today, with the question which I asked of Ambassador Stevenson, calling attention at that time to the provision, mandatory as it seems to us, in the Senate bill whereby the repayment and interest amount that was due us would be taken out of our future annual assessments.

I asked the Ambassador whether or not the United Nations would be forced to consider that as mandatory. The reason I asked that was because I know of the U.N. provision for great transferability of its funds.

I have been concerned because they already have exercised such latitude in borrowing the moneys turned in as part of our assessment for purposes other than as specified in our own appropriation or authorization acts.

This has perhaps been made easier recently, since we appropriate now lump sums to cover a contribution to the various agencies.

Some of those payments are permitted as voluntary contributions from the contingency fund. I feel concern for those agencies which some of us particularly favor and which are doing such a tremendously successful piece of work in the world. I want to make sure that the operation of the Senate stipulation will not cause further borrowing from these funds.

I am also concerned lest in preparing to repay all of these amounts of the loan, principal and interest, out of the regular operating funds, the U.N. may be forced to cut down the best parts of its world program.

Mr. PLIMPTON. I think first, Madam Congresswoman, it should be pointed out—I think you are referring to the Children's Fund——

Mrs. CHURCH. And FAO, WHO.

Mr. PLIMPTON. Those are separate budgets. They are not involved in the U.N. finances as such at all. Contributions by the United States to the Children's Fund go to the Children's Fund and cannot be used for anything else.

Mrs. CHURCH. We have borrowed from them, as you have indicated, in order to make up in deficits of payment of assessments by other nations. Do you think of that the United Nations would be willing to accept, if not a revision of the charter, at least a change in procedure, whereby it would be forbidden to borrow from those funds?

Mr. PLIMPTON. I think I am correct in saying that there has been no borrowing from any of these special funds except under circumstances such that it was abundantly clear that they would be repaid.

You see, the money comes in to the U.N.—the regular budgeting is assessed as of January 1. Technically, you ought to pay at once. You have a whole year in which to pay it.

For example, the United States was assessed on last January 1 with $23 million-odd. We haven't paid any of it yet. We are not going to pay until some time in July.

The United Nations is perfectly safe in counting on the United States paying—we think safe—that $23 million-odd. There is no reason financially or, I think, morally why they couldn't borrow $5 million from the special fund, knowing that they could pay it back when the United States pays up the $23 million.

Mrs. CHURCH. You would not run a business that way, would you, Mr. Ambassador?

Mr. PLIMPTON. Yes; it is done every day. Every day in the sense that short-term loans—when a company is absolutely sure it needs money and is sure it is going to get some money coming in 3 months from now, they have no hesitation in borrowing, because they know they can pay it right back.

Mrs. CHURCH. If my questions indicate some confusion on my part, it is because there is confusion in the whole question of United Nations financing. As regards the bond issue, as perhaps you gathered from my question the other day, I would personally wish very much, since we are coming so close to the date of the World Court decision, that we might wait until we know what that decision is going to be.

As one of the Members said yesterday on the floor, we are more or less acting on prophecy rather than fact.

It would be better to have a new plan not contingent on what may happen or not but what has happened.

As regards the bond issue, whatever statement is being made that this is not establishing a precedent cannot be regarded as more than wishful thinking.

When an act is performed, no matter what words are put in the report, it does mark the first step on which precedent is established.

I cannot express too strongly my feeling that the time is long overdue in the United Nations when it must set its financial house in order.

I am not sure that this "blood transfusion" is necessarily the best way to meet the present need for drastic financial reappraisal and revision of United Nations finances.

May I express again my great pleasure at seeing you here.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Chairman.

Mr. Ambassador, do I understand correctly that the payment of the bonds, namely, the principal and interest, would be made on the same basis in the regular budget as the loan the United States made of $65 million for the construction of the buildings of the U.N., which is now being paid for from the regular budget, and would the payments be on the same ratio?

Mr. PLIMPTON. Exactly the same treatment; yes, sir.

Mr. MURPHY. One other question. You were speaking of the 52 Afro-Asian nations that are members of the U.N. There now are two powerful blocs on the continent of Africa, the Casablanca group and the UAM, the African Malagasy Union. Generally speaking, how do these two groups vote in reference to the U.S. position at the U.N.?

Mr. PLIMPTON. Speaking very generally, the Casablanca powers tend to be very, very, very neutralist in the sense that they—well, they tend to veer somewhat on the Soviet Union side of neutralist.

The UAM group, on the other hand, although it in a sense is neutralist, tends to veer quite strongly on the U.S. side of neutralism.

Mr. MURPHY. Do they follow the French position?

Mr. PLIMPTON. Very much; yes, sir.

Mr. MURPHY. Thank you, sir.

Chairman MORGAN. Mr. Gallagher.

Mr. GALLAGHER. Mr. Chairman.

Mr. Ambassador, we seem to go round and round on this one particular point. Perhaps it might be well for the record to contain it once more, that the World Court decision, the declaratory judgment that we seek, affects arrearages only. The bonds are necessary for the continuation of the U.N. operation in the future.

Is it not true that these matters are two matters related to each other, yes, but independent of each other?

Mr. PLIMPTON. Completely independent.

Mr. CHAYES. Could I add also just to keep the whole story straight that the World Court opinion, however it comes out, will not affect the validity of the bonds any more than it will affect the need for the money. The bonds will be valid whatever the World Court decides.

Mr. GALLAGHER. I think that is an excellent point to put in the record at this time, because there are some who favor the United Nations who have some reason to feel that we should postpone meeting this problem until such a decision is made.

The World Court is not noted for the expedition with which it hands down its decisions, therefore in any event we are required to meet the problem at this time.

Mr. Ambassador, would the failure of the bond proposal, if Congress did not approve of it, leave the United Nations with any alternative other than bankruptcy and dissolution, or with the United States having to finance by contribution and therefore deprive some of the members of the United Nations of their desire to share in the burden of financing, which can only be done by the bond mechanism? Are there any other C, D, or E alternatives available as suggested by a member of the committee?

Mr. PLIMPTON. I don't see any, Mr. Congressman.

Perhaps as a footnote I suppose one could just call a complete halt to the Congo and the Gaza strip operations? That would just save money from now on. It wouldn't take care of the present obligations.

Mr. GALLAGHER. Would not the calling of a halt of the Congo and Gaza strip operations in effect be serving notice that the United Nations will no longer be in a position to take on this sort of obligations which are really peacekeeping operations?

Mr. PLIMPTON. Yes, sir.

Mr. GALLAGHER. Thereby diminishing the effectiveness of the United Nations.

Mr. PLIMPTON. Yes.

My colleague points out, and it is absolutely true, that that would mean that the Soviet Union has accomplished indirectly what it has been unable to accomplish directly, namely, to call a halt to these peacekeeping operations.

Mr. GALLAGHER. This really has been the bone of contention within the United Nations itself?

Mr. PLIMPTON. Yes.

Mr. GALLAGHER. As to whether we should maintain peacekeeping operations.

Mr. PLIMPTON. Yes. The Communist bloc has opposed the Gaza strip peacekeeping operations and opposed the Congo operation, because it has had the effect of keeping the Soviet Union out of central Africa.

Mr. GALLAGHER. Is it not true that the side of freedom, the side that we champion, has been well served by the United Nations?

Mr. PLIMPTON. I think it definitely has; yes, sir. It has preserved freedom and independence, especially for the new countries.

Mr. GALLAGHER. Is not the refusal of the admission of Red China, the stabilization in the Congo, and the defeat of the troika proposal all victories for the cause of freedom? Are they not extremely adverse to the Communist cause?

Mr. PLIMPTON. They are extremely adverse to the Communist cause and extremely favorable to the cause of freedom for which we stand.

Mr. GALLAGHER. Is this not a time when these very accomplishments have in reality well served our national interest?

Mr. PLIMPTON. Yes, sir.

Mr. GALLAGHER. Thank you.

I have no further questions.

Mr. JUDD. Leave this off the record.

Chairman MORGAN. Off the record.

(Discussion off the record.)

Chairman MORGAN. On the record.

Mr. JUDD. What do you think of a proposal made by a lady in my district, which I have discussed with the executive branch, to have the U.N. issue something like our war savings bonds, but call them peace savings bonds, in various denominations; or even savings stamps to build up until a person had enough to get a $25 peace savings bond. She is active in churchwork, has a wide acquaintance throughout the country, and she is convinced there would be millions of dollars come in from rank-and-file people who would take delight in contributing $25, $50, or $100 for peace bonds to help keep the United Nations going and assure better hopes for their children's survival, and so forth. This must have been discussed in the Government. Has a position been taken on it?

Mr. PLIMPTON. My understanding is that our Treasury Department didn't like the idea of direct sales of bonds by the U.N. to citizens. And so far as the U.N. itself is concerned, there may have been some reluctance to get into the kind of operation that would be involved there.

Mr. JUDD. I realize that. I do not suggest that as a substitute for this, but as a supplement to it.

Chairman MORGAN. Would you yield?

Mr. JUDD. Yes.

Chairman MORGAN. A Member of Congress has requested to appear before the committee and testify along that line.

Mr. JUDD. I don't think it ought to be just cavalierly waved aside. I know governmental agencies don't like to bother with individuals—and I suppose the U.N. is the same. But it has real merit, not only from the standpoint of the money received, but from the standpoint of the greater feeling of participation that would result. In politics, if you get somebody to give a dollar for your campaign, you know he will vote for you and talk for you. He has an investment in you.

I think people would like to feel closer to the U.N. than they do. This would give them a personal stake in its success, and a sense of usefulness in being able to contribute directly toward its work. I think there is more merit in the idea than might seem to be the case at first glance.

Mr. GALLAGHER. I would like to concur with the gentleman. I have a bill introduced to this effect.

Mr. JUDD. You have?

Mr. GALLAGHER. Yes.

Mr. PLIMPTON. I think it is worth serious consideration. I would like to correct one impression which Congressman Hays had. I don't remember the figure that he used. But he said that there were, I think he said there were 60, or something like that, nations in arrears on their regular budget. I think he——

Mr. HEFNER. Thirty.

Mr. JUDD. It is on pages 12 and 13. There are 30 in arrears on their regular budget.

Mr. PLIMPTON. Yes. I want to comment on that. He is quite correct. There are 30 as shown on pages 12 and 13.

However, I do want to point out that as indicated on page 12 that 92 percent of the 1961 budget has been paid, and that the charter gives what is sort of a 2-year period of grace in the payment of the ordinary budget. Like a good many insureds, some of the governments seem to be taking advantage of that period of grace.

As also indicated on page 12, once you get back of 1 year, it is 99 percent paid up.

Chairman MORGAN. Thank you, Mr. Ambassador.

The committee stands adjourned until 10 o'clock Monday morning.

(Whereupon, at 12:40 p.m., the committee adjourned, to reconvene at 10 a.m., Monday, July 2, 1962.)

PURCHASE OF UNITED NATIONS BONDS

MONDAY, JULY 2, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to recess, at 10 a.m. in room G–3, U.S. Capitol, Hon. Thomas E. Morgan (chairman of the committee) presiding.

Chairman MORGAN. The committee will come to order.

The committee meets this morning to continue the hearings on S. 2768. Our witness this morning is the Honorable Harlan Cleveland, Assistant Secretary of State for International Organization Affairs.

With Mr. Cleveland is Mr. Frank Hefner, Director, Office of International Administration and Mr. Wilbur H. Ziehl, Deputy Director of International Administration.

Mr. Secretary, I understand you have no prepared statement.

STATEMENT OF HON. HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

Mr. CLEVELAND. No, Mr. Chairman. I would be glad to address myself to three or four of the main questions that seem to be emerging as recurring questions as I review the record of these hearings so far, if you think that would be helpful.

Chairman MORGAN. You may proceed, Mr. Secretary.

Mr. CLEVELAND. Mr. Chairman, one of the questions that has been asked is whether it is possible and would be a good idea to find some way of charging the funds for the U.N. loan to the contingency part of the AID appropriation when it is eventually appropriated.

As far as legal possibilities are concerned this is probably all right though the President has previously ruled that he didn't want to use the fund for anything as different from previous practices without a full sorting out with Congress.

It was in fact used four times for the Congo operation in order to get that operation off the ground, during the first fiscal year of its existence. In the second fiscal year of the Congo operation, as you will recall, the funds were made available in the AID bill on their own account and in the State Department appropriation for the assessment portion.

Our feeling is that the contingency fund should be used only for true contingencies: that the Congo and the U.N. Emergency Force operations are all too predictable in costs for next year and therefore specific attention should be given to it in this form. Moreover, this

committee has cut the contingency fund in the AID bill to $275 million. The Senate has cut it to $300 million and this cut is so large that a further bite out of contingencies would really make it not too usable for real contingencies over the next few years.

Secondly, the question has been raised as to whether counterpart funds, particularly the proceeds of the sale of surplus agriculture commodities under Public Law 480, could be used instead of dollars for the purchase of U.N. bonds. The main reason for not doing this is that the Secretary General requires more dollars to operate his total budget—regular budget, the U.N. Emergency Force in the Middle East, and the Congo—than we make available in our various contributions. Usually the U.N. spends about $55 in dollars out of every $100 equivalent it spends all over the world because its headquarters is in the United States and because the U.S. airlift is a very big part of the cost of the Congo operation. We put up in the 6-month period ending just last week just over $41 of every $100 put up for U.N. expenses. Therefore, our balance of payments with the United Nations, if you want to put it that way, is favorable to the United States and, as things stand, it would make it very difficult for the Secretary General if we were not to make our full loan in the form of dollars.

Thirdly, the question has been raised, would it be useful for the committee and the House to wait in considering the legislation before it for the opinion of the World Court? It has been suggested that it might be useful to wait since it isn't yet known how the Court will rule on the matter of the obligatory character of these special assessments for peace and security operations of the United Nations in the Congo and in the Middle East.

But we would very much hope that your action would not be further delayed for this or any other reason. This is for two main reasons. One, the United Nations does need this money starting now. Actually, as of yesterday, July 1, no other source of income is available to the United Nations for financing the ongoing peace and security operations in the Congo and the Middle East. The President has placed in the fiscal year 1963 budget no provision for U.S. contributions to the United Nations for these purposes other than the loan.

Mr. MURPHY. That is voluntary?

Mr. CLEVELAND. That is neither a voluntary nor an assessed contribution either. There is nothing in the assessed State Department appropriation or in the AID authorization bill for these purposes except to clean up some past debts for which there is a supplemental item still pending in the appropriations process.

So that these funds are urgently needed for current operations that are manifestly in the U.S. national interest.

For to close down the peacemaking operations in the Middle East and the Congo would create such confusion and such a vacuum of power as to provide an excellent opportunity for renewed Soviet penetration. They fell flat on their face the first two or three times around, but they are always waiting in the wings for another chance. This would give them another chance. Any considerable Soviet penetration in central Africa would probably lead to some direct involvement of our forces. This is precisely the great power confrontation in the central part of Africa which the U.N. operation makes unnecessary, or has made unnecessary over the past 2 years.

The other main reason why we don't think it would be useful to wait for the World Court opinion is that the funds are needed regardless of how the Court decision comes out. If the World Court opinion is favorable, a drive can then be launched on that basis to collect the back dues from the countries that haven't yet paid. But this won't take care of the forward expenses of the U.N. peace and security operations in the Middle East and the Congo. The costs of those operations would not be covered, even if every penny of all past arrearages were collected immediately.

Mr. MURPHY. Pardon me. Does this include the special assessments for the peacekeeping operation besides the regular budget?

Mr. CLEVELAND. Yes, besides the regular budget; yes.

The point is that arrearages are all needed to pay back debts. Even if they were all collected tomorrow, there still wouldn't be funds to pay for the ongoing operations from now on, beginning with this fiscal year.

Mr. MURPHY. The larger amount of deficit is relative to the special assessment for peacekeeping operations; is that right?

Mr. CLEVELAND. That is right.

That is if the World Court opinion is favorable.

If the World Court opinion was not favorable, it is clear you would need this money and possibly more. In the Senate committee hearings even those opposed to the bond issue argued that if the World Court's opinion were unfavorable "a far more substantial bond issue would undoubtedly be required."

That quotation is from the report of the Senate Foreign Relations Committee on the pending legislation.

Mr. BROOMFIELD. Mr. Chairman, may I ask a question at this point?

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. Mr. Secretary, I know you are placing great reliance upon the favorable opinion of the World Court. But isn't it possible that a favorable opinion of the World Court could create even more problems?

Mr. CLEVELAND. It will create some different problems, but they will be one step further along the way in getting a responsible financial arrangement for the United Nations.

Mr. BROOMFIELD. Isn't it true the Soviet Union, France, and many Latin American countries are not paying their assessments right now in the Congo operation?

Mr. CLEVELAND. That is right.

Mr. BROOMFIELD. The point is, even if you get a favorable opinion, that doesn't mean that automatically we are going to get all of these countries who are in arrears on these special funds to pay up.

Mr. CLEVELAND. It does not automatically mean it. It gives the Secretary General a much better basis for a concentrated drive to collect the back dues and remove from the countries involved the major argument that many of them have used, that the legal status of these assessments is in doubt, and, therefore, it is not clear that they ought to pay up.

Inside of each government it enables the people interested in having these payments made to be a little more influential within the government with the minister of finance, who is generally reluctant to make these or any other payments.

Mr. BROOMFIELD. But isn't it true there are a number of nations, including China right today, who cannot pay their regular assessments regardless of increases and special assessments on them?

Mr. CLEVELAND. Well, with a few exceptions the regular assessments have been paid up. As a matter of fact all of the assessments get paid up if you take it over a 2-year period. That is, they sometimes lag but they always pay up on the regular assessment.

On the special assessments as you say a great many countries have not paid and one of the reasons for that is their legal doubt which increases the reluctance of their ministers of finance to pay up.

Chairman MORGAN. Mr. Secretary, China went into the U.N. when it was a combined country.

Has there been any effort made in the U.N. to reduce the amount of payments made by Nationalist China since the country is smaller and since the Government has moved to Taiwan?

Mr. CLEVELAND. The China payment is somewhat smaller now than it was at the beginning but, of course, the Chinese Nationalist Government is not at all anxious to make as an argument for smaller payments the fact that it is now only an island and is not in full control of the mainland. This is because their juridical status as the Government of the Republic of China depends obviously on the maintenance of their claim to the entire territory of China. The Nationalist Government is reluctant to use this argument, even to reduce a payment which from the point of view of the Taiwan economy is obviously much too high.

Chairman MORGAN. Mr. Secretary, you firmly believe that affirmative opinion from the International Court of Justice will give the Secretary General a sound legal basis for pressing collections?

Mr. CLEVELAND. That is correct, Mr. Chairman.

Now, as far as the Soviet bloc is concerned, they may be swayed by the political considerations in trying to wreck the U.N. by continuing to refuse to pay, in which case the sanction provided in their charter of cutting off the votes of those who are 2 years or more in arrears would come into play.

Chairman MORGAN. Mr. Secretary, do you believe that the Soviet bloc countries, including Russia, if there was an affirmative opinion, would lose their vote by 1964 if they didn't pay the special assessments but kept paying their regular assessments? If they paid their regular assessment but stood fast against paying the special assessment, would they by 1964 under article 19 of the charter, lose their vote?

Mr. CLEVELAND. They would lose their vote. They would become subject to article 19 at the beginning of the calendar year 1964 if they continued to boycott the UNEF and Congo accounts. Actually they would have to pay all of their current assessments completely—past, present, and future—and $9 million more if they are to avoid losing their vote in 1964.

Chairman MORGAN. Mr. Secretary, I understand in voting the assessment for the Congo operation on December 20, 1960, the General Assembly stated that this was a binding legal obligation within the meaning of article 17 of the charter.

Now if this action of the General Assembly sufficiently establishes the binding character of the Congo operation in the assessment of 1960, why do you think a favorable opinion of the World Court would carry any more weight during the year 1962?

Mr. CLEVELAND. Well, some of the countries have argued that the regular budget is indeed a binding legal obligation, which they accepted in signing the charter in San Francisco; but that the special operations in the Congo and the Middle East do not have the same character and therefore are not subject to the same binding assessment under article 17. We disagree with this and have so argued before the World Court. Indeed all of the countries who have argued the case before the World Court took roughly the position that we did, with the exception of the Soviet foreign office legal adviser who turned up for the first time in the World Court's history. The Soviet legal adviser argued his case there. He argued it the other way. He also argued that the basic operations were unconstitutional—that is, the Congo—and therefore it was not possible to have a legal assessment to support an illegal operation. That was his argument.

Chairman MORGAN. This was the Soviet argument?

Mr. CLEVELAND. This was the Soviet argument.

It is our feeling this will be cleared up by the World Court and it will simply confirm what we believe has been the legal situation right along, which is that the General Assembly has the authority under article 17 to make assessments which have a binding legal character, which governments have already agreed to in the signing of the charter itself. That bridge was crossed 17 years ago.

Chairman MORGAN. Mr. Secretary, did Ambassador Lodge argue this question out in the Assembly of 1960?

Mr. CLEVELAND. This legal question wasn't up at the time of the 1960 Assembly, but this has been the position of the U.S. Government throughout every administration since the war and on every occasion since it has been raised, U.S. delegates have argued that it is legal.

Chairman MORGAN. Our position is that the expenses of the Congo and Gaza operations are within the meaning of article 17, paragraph 2, of the Charter of the United Nations and that the assessment therefore is legal and binding.

Mr. CLEVELAND. That is correct, Mr. Chairman.

Mr. MURPHY. Mr. Secretary, for purposes of clarity would you explain under what authority the U.N. went into the Middle East in 1957?

Mr. CLEVELAND. Under the authority of a General Assembly resolution which established a U.N. Emergency Force and called on governments to contribute to it and to make available contingents, actions, and so on.

Mr. MURPHY. Would that depend upon the consent of the country the U.N. went into? I mean under the General Assembly resolution, consent must be obtained by the U.N. before entry.

Mr. CLEVELAND. That is right. In that case since they were primarily to go into the Gaza strip—in other words, on the Egyptian side of the Israeli-Egyptian border—and the Gaza strip was being administered by the Egyptians, the Egyptian Government's consent was sought and given.

Mr. MURPHY. Did this apply in the case of the Congo?

Mr. CLEVELAND. In the case of the Congo they went in under the authority of the Security Council resolution—actually three resolutions in a row, again, as a result of a request from the Government of

the Congo. The first Security Council meeting on the subject was a consequence of a formal letter to the United Nations which was sent by the Congolese Government asking for the United Nations to intervene in order to expel the Belgians. The Belgian troops you will remember, had come back in because the situation had become so chaotic that the Congolese army was rioting and a good many people were being killed. The Belgian troops came back in. That was shortly after independence and they had just left. They came back in to protect the Belgian citizens. The Congolese Government asked the U.N. to come in and keep order so the Belgians could leave again and this was the basis on which the U.N. originally came in.

Mr. MURPHY. Was this the resolution of November 24?

Mr. CLEVELAND. This was the resolution of July 14, 1960.

Mr. MURPHY. What was the February 21, 1961, Security resolution?

Mr. CLEVELAND. That was a further step along the way in which the Security Council enlarged the mandate of the U.N. forces in the Congo—that is with the Secretary General—to include the prevention of civil war and for the first time they included the phrase "by the use of force if necessary in the last resort."

Mr. MURPHY. Then in November—November 24, 1961—the Security Council resolution gave them the right to use force in the expulsion of the foreign forces?

Mr. CLEVELAND. It was not the first time that the term "force" was used, but it was the first time it was applied to the expulsion of mercenaries and adventurers, which was the main issue at the time of last November.

Mr. MURPHY. I read from page 281 of the Senate hearings, which states—

> that the Security Council resolution of November 24, 1961, expanded the mandate further to include an authorization to use the requisite measure of force if necessary for the expulsion of foreign military personnel.

Mr. CLEVELAND. This was the mercenaries point. To push the mercenaries out.

We developed, Mr. Chairman, an analysis of all of the different purposes for which the United Nations is in operation in the Congo under U.N. resolutions. It comes out to 19 different purposes, mandated by several different resolutions of the Security Council and the General Assembly. We would be glad to submit that analysis for the record if you think it would be helpful.

Chairman MORGAN. Without objection, it is so ordered. I think it would be very helpful, Mr. Secretary.

(The information is as follows:)

THE PURPOSES WHICH THE UNITED NATIONS OPERATIONS IN THE CONGO SERVE (OR SERVED) UNDER THE SEVERAL UNITED NATIONS RESOLUTIONS

The purposes which the United Nations operations in the Congo serve (or served) under the several United Nations resolutions may be conveniently broken down as follows:

1. Called upon Belgium to withdraw troops, nonmilitary and paramilitary personnel, and mercenaries from the Congo.
2. Provided military aid to the Government of the Congo.
3. Called upon members of the United Nations to refrain from actions which would impede or undermine law and order in the Congo, to respect the territorial integrity of the Congo, to refrain from providing military assistance in the Congo except through the United Nations, and to prevent mercenaries from departing for the Congo.

4. Invited the specialized agencies to render appropriate assistance in the Congo.
5. Called upon Belgium to withdraw from Katanga.
6. Called for assistance to the Government of the Congo in the restoration and maintenance of law and order.
7. Assured that the unity, territorial integrity, and political independence of the Congo would be safeguarded.
8. Appealed to all Congolese to seek a speedy solution by peaceful means of their internal conflicts.
9. Called for urgent voluntary contributions to the United Nations Fund for the Congo.
10. Accepted the credentials of the representatives of the Republic of the Congo.
11. Urged that all appropriate measures be taken to prevent civil war in the Congo.
12. Called for an investigation to ascertain the circumstances of the deaths of Mr. Patrice Lumumba, Mr. Maurice Mpolo, and Mr. Joseph Okito.
13. Urged the convening of Parliament with the necessary protection.
14. Called for retraining and reorganization of Congolese armed units.
15. Called for an end to armed activities against the United Nations.
16. Authorized action, including the use of force if necessary, to arrest and deport foreign military and nonmilitary personnel and mercenaries and to prevent their return.
17. Opposed all secessionist activities, and specifically those of Katanga.
18. Called upon members to help the Congolese Government.
19. Called for the release of parliamentarians who had been jailed.

Mr. BROOMFIELD. Mr. Chairman, I would like to direct a couple of questions to the Secretary.

Under the terms of the bond resolution, bonds could be sold up to December 31, 1962. My question is, Does that mean that should this bill fail to pass in this session of Congress would the United States be unable to buy bonds next year?

Mr. CLEVELAND. That is correct, under the present resolution. The bonds do not actually have to be purchased by the end of this year but they have to be pledged formally before the end of this year and purchased by the end of next year and of course we wouldn't be in a position to make a firm pledge unless Congress had acted.

Mr. BROOMFIELD. As long as we are propounding hypothetical questions I raised the question a few days ago, and I don't think I got a satisfactory answer, to this problem of the involvement in the Congo. That was done by the General Assembly?

Mr. CLEVELAND. By the Security Council action.

Mr. BROOMFIELD. How about the resolution that passed September 20, 1960?

Mr. CLEVELAND. A part of the mandate was then slightly expanded and changed by the General Assembly but the basic authority to go in there and to deal with the problem of civil war there stems from Security Council resolutions.

Mr. MURPHY. July 14.

Mr. CLEVELAND. Beginning on July 14. July 14, July 22, and August 9, 1960.

Mr. BROOMFIELD. What would happen if Cuba had a similar problem where we would be involved, where would we be? Wouldn't this be kind of embarrassing to the United States if we had to support troops in Cuba? In your estimation? Not embarrassing presently to the Congo, I realize that. But suppose this thing was reversed and it was Cuba involved? Wouldn't it be kind of embarrassing for the American people to have to support action within Cuba?

Mr. CLEVELAND. Presumably we wouldn't support the action unless we agreed with it.

Mr. BROOMFIELD. We would still have to pay, would we not?

Mr. CLEVELAND. The action wouldn't take place unless we agreed to it in practice. In the politics of the United Nations it takes a two-thirds vote of the General Assembly—first of all—and it takes a Security Council resolution to conduct any mandatory operation.

Mr. MURPHY. A simple majority?

Mr. CLEVELAND. Seven votes out of eleven, including the votes of the five permanent members. In the Security Council, of course, we have the veto which we have never needed to use because we have always been able to secure enough abstentions to prevent passage of any proposition that we didn't like.

In the case of the General Assembly, even under the uniting-for-peace resolution, the General Assembly's actions are of course only recommendatory to the countries involved.

The thought that it might be possible to get a two-thirds vote in favor of an action in Cuba that we disagreed with is, I think, unthinkable. The last time the Cuba question came to the United Nations, on the crucial vote the Soviet Union and its partners managed to pick up a total of 11 votes, which is the total number of countries in the Soviet bloc, and no others. So it is indeed very hypothetical.

Mr. BROOMFIELD. One final question. Do you think it will be necessary for the United Nations to once again—if this bill should go through—that it will be necessary for further bond issues to support the United Nations or do you firmly believe this is the end of the bond issues?

Mr. CLEVELAND. I believe, in my own opinion, that this has to be the end of the bond issues. This is the first, and in the Senate bill it proposes that it be the last, and the administration strongly agrees with that. This is a stopgap measure for the purpose of getting back into the black so that we can build on a sound basis a combination of financial arrangements for the future. I would be glad to discuss a little bit what the combinations are that are now under consideration, but that is a matter that won't be hot until the 17th General Assembly this fall.

Mr. BROOMFIELD. Thank you, Mr. Chairman.

Chairman MORGAN. Mr. Whalley.

Mr. WHALLEY. Thank you, Mr. Chairman.

Mr. Secretary, certain nations sanctioned the U.N. going into the Congo and the Middle East. Have these nations, who voted to participate there, paid their extra assessment?

Mr. CLEVELAND. No; not all of them. Some of the countries voted for the operation and have failed to pay their assessment, or their full assessment.

Mr. WHALLEY. Do they have any idea of paying? Do you think they have created the debt to embarrass the United Nations and try to bring something to a head and perhaps get rid of the United Nations?

Mr. CLEVELAND. No; I think this is a matter within several governments, between delegates to the United Nations on the one hand and the minister of finance on the other. The minister of finance makes the decision as to what to spend. The minister of foreign affairs

makes the decision as to how to vote in the Assembly. Sometimes it doesn't come out fully coordinated.

Mr. WHALLEY. The Congo is costing $10 million a month. Would you have an estimate of the cost before they went in, or before it was sanctioned in the first place?

Mr. CLEVELAND. In the first place in the emergency of the summer of 1960 there was no financial estimate presented to the Security Council. The Secretary General was just told to do what the emergency seemed to require. After it had been going for a while, an estimate was made of about $10 million a month which they have stuck to quite closely.

Mr. WHALLEY. Of the $200 million bond issue, how much of that has been spent or obligated?

Mr. CLEVELAND. None of it really has been spent.

Mr. WHALLEY. Aren't they in debt $120 or $130 million?

Mr. CLEVELAND. They have debts, internal and external—some other accounts within the U.N. and some debts to suppliers and governments outside—amounting to, as of March 30, about $137 million, so that in that sense the total account readily absorbs the $25 million or so that was so far purchased of U.N. bonds.

Mr. WHALLEY. Where has the money been coming from to pay the $10 million per month Congo cost?

Mr. CLEVELAND. It is mostly held in the form of accounts payable.

Mr. WHALLEY. Is the money being borrowed?

Mr. CLEVELAND. In practice, governments have made payments and are waiting for their reimbursement from the United Nations. That is true of us. We have conducted $31 million more of airlift and other military supply and logistic operations than we have been paid for.

Mr. WHALLEY. If the bond issue goes through, you will have $63 million after paying your bills and that will not last too long.

Mr. CLEVELAND. Well, the presumption is that, assuming a favorable decision from the World Court, a part of the past-due bills will be paid for by collecting the arrearages and only to the extent that is not fully successful will it be necessary to use the bond money to pay off some of these past debts. Our hope obviously is that the maximum portion of the bond money can be used for current expenses and that arrearages will be collected to the maximum extent to pay off the past-due obligations, but that won't be 100 percent, obviously.

Mr. WHALLEY. I don't think too many people are optimistic about the Court decision, or if it is made, that a nation like Russia would pay anyway.

I think I and a lot of other fellows realize the value of the United Nations, and I think that the $200 million has to be paid and are hopeful that something can be done to be sure there isn't a repetition.

Mr. CLEVELAND. I think the most important ingredient in the ultimate solution will precisely be not to make the U.N. dependent on the Soviets. Not to make it a question of whether the Soviets pay or not is the crucial matter in the future of the United Nations, because that delivers the whole thing in their hands.

I hear people say in this country, "Well, why should we pay unless the Soviets are paying?"

Well, the United Nations is operating in our interest, because it is operating in accordance with the charter and the charter is in our

interest in the world as it stands. It is cutting across the national interests of the Soviet Union. The Soviet knows that and they are therefore reluctant to pay. This is the case of the burglar who can hardly be expected to be enthusiastic about paying for the police force. But that does not relieve the town's No. 1 householder from obligations to the civilized community.

Mr. WHALLEY. Do you think the Soviet bloc would like to get rid of the United Nations?

Mr. CLEVELAND. I think that they would very clearly like to make the United Nations a building in which meetings are held with megaphones attached so that they can make loud speeches and that is their idea of what the United Nations ought to be. Our idea of what it ought to be is an operating organization for peace that can move into situations that require the attention of a third party in international politics.

Mr. WHALLEY. Do the nations that get into the United Nations now realize their responsibility—that they might be called upon to pay not only the regular assessments but the extra assessments? Do they willingly come in or does somebody ask them to come in?

Mr. CLEVELAND. They sometimes require a little persuasion to pay up.

Mr. WHALLEY. In other words, somebody asks them to come in?

Mr. CLEVELAND. The application to come into the United Nations?

Mr. WHALLEY. Yes.

Mr. CLEVELAND. Oh, yes. Every country has to propose itself for membership in the club. This has been the case of every country. No country has ever made conditions on its own entry. This is one of the many problems in the Chinese representation issue. The Chinese Communists have listed some conditions. They argue that they won't come in unless we do this, that, and the other thing. It is the first country that has ever tried to make conditions on its own membership.

Mr. WHALLEY. With regard to Vietnam—do you think the United Nations would vote to go in and do the job the United States is trying to do itself? Or do you think they feel there is no use thinking about it because there is not enough money available anyway?

In other words, why doesn't the U.N. participate in southeast Asia?

Mr. CLEVELAND. Because back in 1954 a different kind of international arrangement was agreed to by the main powers concerning the Geneva Conference and the International Control Commission on the ground and the cochairmanship of the United Kingdom and the Soviet Union and all the rest of the machinery. There hasn't really been a place for the United Nations in that scheme of things. The kinds of third-party truce supervision associated with U.N. activities in Kashmir, Korea, and other places.

Mr. WHALLEY. If the United States stopped in southeast Asia—would the United Nations pick it up?

Mr. CLEVELAND. The Russians are also participating on the other side and in effect the southeast Asia situation is held together to the extent that it is by the balance of power locally between the Soviet power and American power. That is the ultimate reality. Actually, there is a United Nations presence in Laos which is sort of on vacation. It is a technical assistance representative. It may be when they get

this Laotian government put together, at least on the technical assistance side, that the U.N. can be helpful. But as far as security is concerned as far as the kind of thing the U.N. is doing in the Middle East, a different way was selected in 1954 and it is a track we are still on.

Mr. CHIPERFIELD. I would like to ask one or two questions.

Mr. Secretary, I would like to call your attention to table 9 in this supplemental report of June 25, 1962, on page 17. I understand that Mr. Adair discussed this table, so I will not go into the background in detail. I call attention to the third column: "Reductions under Resolution 1732," and then on the following page, page 18, the total of that column is $11,400,800 and the footnote is:

Reductions in contributions made possible by voluntary contributions from the United States.

My two questions are: Why couldn't the United States make this voluntary contribution of $11,400,800 to the United Nations without having it apportioned under the 80-percent reduction resolution to various countries? For example, it shows that Cuba's assessment was reduced $140,800; and another example on the second page: Yugoslavia—a reduction of $243,200. That is my first question.

My second question: From what source did the $11,400,800 come?

Mr. CLEVELAND. Mr. Chiperfield, as you know, this is the arrangement that we are trying to get away from. This is the arrangement that was developed in the last few years of the past administration. It was a method of financing the first U.N. Emergency Force and then financing the first slice of the Congo operation.

When we came into office we found this arrangement already having a certain tradition behind it in the United Nations and we agreed to continue it for the first year or so in supporting the United Nations Emergency Force and the Congo operation. We have never liked it. But I think the reason for it is explainable in terms of the politics of the General Assembly.

Most of the small countries in the General Assembly feel that when the charter implied that the big countries were going to take charge of world security, that that meant that the big countries were going to make all the payments for peace and security operations by the United Nations. Indeed there are a number of countries who think the entire Congo operations should be financed by the five permanent members of the Security Council. If they were going to vote in favor of the continuation of these operations in the General Assembly, they needed some assurance it wasn't going to be charged to them on the same basis as the regular budget. That is how they originally got into it back in 1950.

Our feeling is that this is not a good system. We want to get away from it. The bond issue is the first step in the process of getting away from it and our hope is that by next year we will be fully free of this particular credit system.

Mr. CHIPERFIELD. Mr. Secretary, I don't care whether the Eisenhower administration was responsible for it or not. I am glad to find that you and I are in agreement on this matter. I don't like it either. I would like to know where they got the $11.4 million.

Mr. CLEVELAND. From the appropriation under chapter 3 of the AID bill, in the previous Congress.

Mr. CHIPERFIELD. What is that, sir?

Mr. CLEVELAND. The foreign aid appropriation.

Mr. CHIPERFIELD. Yes; but what is the section?

Mr. CLEVELAND. Chapter 3. That is the contributions to international organizations chapter.

Mr. CHIPERFIELD. Thank you very much.

(The following information has been supplied for the record:)

SOURCE OF THE $11,400,800 U.S. VOLUNTARY CONTRIBUTION TO THE U.N. AD HOC ACCOUNT IN SUPPORT OF THE UNITED NATIONS MILITARY OPERATION IN THE CONGO FOR THE PERIOD NOVEMBER 1, 1961, TO JUNE 30, 1962

Section 302 of the Act for International Development of 1961 (Public Law 87-195), approved September 4, 1961, authorized the appropriation of $153.5 million for international organizations and programs. In justifying this item, departmental witnesses testified that $27 million of it was being requested for voluntary U.S. contributions for the United Nations military operation in the Congo.

The Foreign Assistance and Related Agencies Appropriation Act of 1962, under the head "International Organizations and Programs, Economic Assistance, Title I," also contained this request for these funds. As detailed in Senate Appropriations Committee Report No. 991, $27 million of the total $153.5 million was made available as a voluntary contribution for the U.N. military operation in the Congo. Of this $27 million appropriation $11.4 million was used for the U.S. voluntary contribution for the period November 1, 1961, to June 30, 1962.

This $11,400,800 is the amount set forth in table No. 11, on page 20, of the supplement to joint committee print of February 6, 1962, under the period November 1961 to June 1962.

Mr. BROOMFIELD. May I ask one short question for the record?

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. Mr. Secretary, has the executive branch given any thought as to the policies or the recommendation of our Government if the Court's opinion is favorable and a number of nations refuse to pay the UNEF, and Congo assessments? I was hoping you could give us an answer if that question is raised on the floor.

Mr. CLEVELAND. Our policy will be to insist on the sanction that the charter itself provides, which is the sanction of the loss of vote in the General Assembly when the arrears of a country exceed the contributions due from it for the preceding full 2 years.

The procedure for doing this is going to get pretty complicated this fall and we have sorted out pretty well how we think it will go. But the centerpiece of our view on it is that the application of article 19, the "loss of vote" provision, is automatic. It doesn't require anybody to be cut off the list by a vote. A country is cut off the list automatically once a certain procedure has been gone through to see whether they are to be relieved because the arrears are due to conditions beyond their control, as the charter puts it.

My own feeling is that this may well turn out to be one of the most crucial and perhaps the most crucial constitutional crisis in the history of the United Nations because, if the General Assembly were to refuse to apply its own sanction, it seems to me that it would raise serious and wholesale questions about the future of the organization. We feel very strongly and deeply about this particular point, Mr. Broomfield.

Mr. MURPHY. Mr. Chairman.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. Mr. Secretary, in the case of article 19 of the charter in which a country automatically loses a vote if they do not pay, is it not necesary to have a two-thirds vote of the Assembly?

Mr. CLEVELAND. In the procedural hassle that would develop, even if you start, as we think you should start with a ruling by the Chair that the country, country X, under article 19, automatically is disqualified from voting, you would undoubtedly have an appeal through country X and its friends from that ruling and——

Mr. MURPHY. Where would you go, to the Security Council?

Mr. CLEVELAND. No; to the General Assembly itself. The General Assembly makes its own rules, as with any legislature.

Our feeling is under some procedural contingencies you might wind up with a situation where you need a two-thirds vote because budgetary matters—and this might be interpreted to be a budgetary matter—and, in any event, all important questions, require such a vote under article 18 of the charter.

Mr. MURPHY. There is an exception though, is there not, in article 19? In the case where it is proven that a country cannot be——

Mr. CLEVELAND. Yes; but when you come to—well, let me back up on the procedure: The General Assembly would require under its own rules a recommendation from its Committee on Contributions as to whether country X was in arrears due to conditions beyond its control and therefore should be given the benefit of the so-called exculpatory clause of article 19.

Assuming the Committee on Contributions decided that—let us say the Soviet Union—was subject to loss of vote and did not decide the Soviet Union was so poor it couldn't pay, then it would be up to the President of the General Assembly to slice them off the voting list for the next vote. And a very complicated procedural hassle would then ensue I am sure, which as I say would tend to become one of the U.N.'s most spectacular Donnybrooks before we got through.

Mr. MURPHY. Thank you.

Chairman MORGAN. What would be the total amount of money the Executive is asking Congress to make available to the United Nations and the various organizations affiliated during fiscal year 1963? Do you have a figure?

Mr. CLEVELAND. Yes.

Chairman MORGAN. Could you furnish a list of these for the record?

Mr. CLEVELAND. We have a paper which shows a total this year of $258 million for all different kinds of organizations, from all the different kinds of appropriations in the U.S. Government that apply.

Chairman MORGAN. This is World Health and ILO, and all the rest of the international——

Mr. CLEVELAND. That is right. About $200 million of that is the U.N. family of organizations as such. And the rest of it is other organizations. We would be glad to furnish this for the record.

(The matter referred to follows:)

The amounts shown in the following table are the estimates of U.S. contributions to international organizations and programs for the fiscal year 1963. In addition, if the Congress approves the request currently before it for a $100 million loan to the United Nations, those funds would in all likelihood be made available to the United Nations during fiscal year 1963.

U.S. contributions to international organizations and programs estimated for fiscal year 1963

[In thousands of dollars]

	1963		
	Contributions appropriations	AID contributions	Other appropriations
UNITED NATIONS AND SPECIALIZED AGENCIES			
United Nations	23,617	----	----
United Nations Emergency Force in the Middle East	3,122	1,320	----
United Nations Operation in the Congo	----	----	----
United Nations Economic Fund for the Congo	----	34,300	[1] 20,000
United Nations expanded program of technical assistance and Special Fund	----	50,000	----
United Nations Relief and Works Agency Palestine	----	17,200	[1] 7,500
United Nations Children's Fund	----	12,000	----
United Nations High Commissioner for Refugees	----	----	[2] 1,200
United Nations Educational, Scientific, and Cultural Organization	4,704	----	----
United Nations Educational, Scientific, and Cultural Organization—Emergency educational program for Africa	----	----	----
International Civil Aviation Organization	2,280	----	----
World Health Organization	7,657	----	----
Malaria eradication	----	----	----
Community water supply	----	----	----
Medical research	----	500	----
Food and Agriculture Organization	4,669	----	----
International Labor Organization	2,772	----	----
International Telecommunication Union	386	----	----
World Meteorological Organization	131	----	----
Intergovernmental Maritime Consultative Organization	78	----	----
Universal Postal Union	----	----	34
Subtotal	49,416	115,320	28,734
INTER-AMERICAN ORGANIZATIONS			
Inter-American Children's Institute	32	----	----
Inter-American Indian Institute	5	----	----
Inter-American Institute of Agricultural Sciences	233	----	----
Pan American Institute of Geography and History	49	----	----
Pan American Railway Congress Association	5	----	----
Pan American Health Organization	3,392	----	----
Malaria eradication	----	----	[3] 2,000
Community water supply	----	----	[3] 300
Organization of American States	8,256	----	----
Alliance for Progress	----	----	[3] 1,500
Technical cooperation program	----	----	375
Inter-American Tropical Tuna Commission	----	----	4
Postal Union of America and Spain	----	----	----
Inter-American Nuclear Energy Commission	----	----	----
Subtotal	11,972	----	4,179
REGIONAL ORGANIZATIONS			
Caribbean Commission	0	----	----
South Pacific Commission	84	----	----
North Atlantic Treaty Organization	2,046	----	----
Science program	----	1,530	----
Parliamentary conference	27	----	----
Southeast Asia Treaty Organization	314	----	----
Colombo Plan Council for Technical Cooperation	7	----	----
Organization for Economic Cooperation and Development	2,545	----	----
Central Treaty Organization	----	----	110
Afro-Malagasy Union for Economic Cooperation	----	----	----
International Control Commission for Laos	[4] 1,100	----	----
Indus Basin Development	----	30,000	----
Commission for Technical Cooperation in Africa (south of the Sahara)	----	600	----
Asian Productivity Organization	----	200	----
Subtotal	6,123	32,330	110

See footnotes at end of table, p. 133.

U.S. contributions to international organizations and programs estimated for fiscal year 1963—Continued

[In thousands of dollars]

	1963		
	Contributions appropriations	AID contributions	Other appropriations
OTHER INTERNATIONAL ORGANIZATIONS			
Interparliamentary Union	21	----------	----------
International Bureau of the Permanent Court of Arbitration	1	----------	----------
International Bureau for the Protection of Industrial Property	7	----------	----------
International Bureau for the Publication of Customs Tariffs	9	----------	----------
International Bureau of Weights and Measures	60	----------	----------
International Council of Scientific Unions and Associated Unions	52	----------	----------
International Hydrographic Bureau	10	----------	----------
International Sugar Council	20	----------	----------
International Wheat Council	26	----------	----------
International Atomic Energy Agency	1,775	----------	----------
Operational program	----------	1,250	----------
International Cotton Advisory Committee	----------	----------	20
International Rubber Study Group	----------	----------	6
International Seed Testing Association	----------	----------	1
Central Commission for Navigation of the Rhine	----------	----------	14
General Agreement for Tariffs and Trade	----------	----------	221
Coffee Study Group	----------	----------	15
International Lead and Zinc Study Group	----------	----------	7
International Union of Official Travel Organizations	----------	----------	2
Permanent International Association of Navigation Congresses	----------	----------	5
International Bureau of Education	----------	----------	2
International Criminal Police Organization	----------	----------	11
International Commission for the Northwest Atlantic Fisheries	----------	----------	6
International Whaling Commission	----------	----------	1
International North Pacific Fisheries Commission	----------	----------	24
North Pacific Fur Seal Commission	----------	----------	2
International Committee for European Migration	----------	----------	[2] 7,000
Subtotal	1,981	1,250	7,337
Total	69,492	148,900	40,360
Grand total, all appropriations [5]	----------	(258,752)	----------

[1] Public Law 480 contribution in kind.
[2] Financing mechanism dependent on progress of "refugee legislation."
[3] These amounts will be made available from funds appropriated for Alliance for Progress.
[4] Supplemental proposed for later submission.
[5] Assets available to international lending agencies are not included in this table.

Chairman MORGAN. Mr. Secretary, the committee is in receipt of a statement by the Honorable Dean Rusk, Secretary of State, to be presented to the House Foreign Affairs Committee, dealing with the United Nations loan legislation, and without objection we will include it in the record at this point.

(The statement is as follows:)

STATEMENT BY HON. DEAN RUSK, SECRETARY OF STATE, BEFORE THE HOUSE FOREIGN AFFAIRS COMMITTEE, ON THE UNITED NATIONS LOAN LEGISLATION, MONDAY, JULY 2, 1962

As you know, I have been in Europe talking with our allies about the Atlantic Alliance. Europe is a land of great creativeness, great promise, great ferment. In every country I have tried, with our European friends, to stress our basic unity. But we have also been talking realistically about differences—trying to identify the points of actual difference, to learn how to deal with them, and to keep them from infecting the relationship between the Atlantic partnership and the rest of the world.

Before discussing some of these points with you, in executive session, I want to say just a word about the legislation you have been considering in public hearings, the proposal to give the President authority to make loans to the United Nations. The United Nations is the framework in which we seek a work-

able relationship with all nations, including those outside the close partnership of close allies. Our interest in the newly developing areas of Asia, Africa, and Latin America—many of them newly independent, some of them feeling "uncommitted" in the rivalries of the great powers—is in their independence, their freedom, their chance to meet their own aspirations for their own futures. Some of them call themselves neutral. But they are not caught up as innocent bystanders in a great struggle between Washington and Moscow. They are themselves the issue—these peoples and their future.

The great world struggle we keep talking about is between two concepts of the future world order: the picture of world revolution offered by the Communist countries and the more revolutionary and far more attractive picture sketched out in the Charter of the United Nations, especially in its opening sections. On that issue, there can be no neutrality for independent nations.

The issue is between those who want an authoritarian world and those who want a world order in which independent societies with free institutions cooperate with each other by consent. The Communists have announced and are pursuing a doctrine that is simply incompatible with the U.N. Charter. As a matter of "scientific" prediction, they have proclaimed that their kind of world is bound to come into being.

But their doctrine has largely been rejected by the peoples of the world. Forty-four countries have become independent since 1945—two of them only yesterday—and not a single one has joined up with the bloc against the charter. Whenever, in the United Nations, this ultimate question of communism versus the charter is posed, it turns out that there are not any neutrals on this subject. The issue was posed when the Soviets tried to substitute a three-man "troika" for a single Secretary General after the death of Dag Hammarskjold. For this proposition, the Soviets have failed to recruit a single vote outside the Communist bloc itself.

The United Nations is in a financial crisis today because the great majority of its members, including the United States, have combined to make the charter operational, to put the United Nations as an operating organization into situations that threaten, if they are not calmed down, to break out in little wars which spread all too easily and rapidly into big wars.

The United Nations works hardest at keeping the peace in the most intractable situations, those which have defied settlement through bilateral diplomacy or within regional groupings. The U.N.'s operations are therefore bound to seem difficult at best. The problems it tackles sometimes seem in the short run insoluble. The Middle East, Kashmir, and west New Guinea have been active objectives of U.N. concern for more than a dozen years now. The international peace watch in the Gaza strip has been there for 6 years. And in the Congo, where the largest international operation has been mounted, we are not yet out of the woods.

The stubbornness of these most difficult peacemaking tasks is frustrating—for the peoples concerned, for the U.N. membership at large, and perhaps especially for the American people, who have set great store by the U.N. Charter as a symbol of the peaceful world order that is the ultimate objective of all American defense and foreign policies.

A part of this frustration is a feeling that we are doing too much and that the rest of the world community is doing too little to make peace operational. And it is true that some members of the free world are not yet living up to their obligations, and are far behind in their payments for the Middle East and Congo operations. It is true that the Soviets—because they do not yet believe in the charter they signed—do not think these operations serve Soviet national interests or the interests of the world Communist movement. With this judgment I think we can agree.

An international enterprise must first of all be international; it is not for the United States to carry the full load. In your hearings, the committee has naturally examined the delinquencies and arrearages of many U.N. members. But it is worth remembering also that—

Virtually all countries do pay—not always promptly—their share of the U.N.'s regular budget;

Without benefit of our example and our leadership, 12 countries have already purchased nearly $26 million worth of U.N. bonds and 29 more have publicly announced their intention to purchase an additional $41 million. New Zealand has added herself to the actual purchasers, and Afghanistan and South Korea have publicly announced their pledges, since the listing on page 6 of your committee print went to press.

To staff the U.N.'s various peacekeeping missions, 54 different countries have contributed personnel to serve in the world's danger zones. Fifteen of these are nations which didn't even exist as nations before the Second World War.

And in the U.N.'s nation-building role, 75 countries are contributing technicians to work in 125 different countries and territories this very year.

So the United Nations is an international enterprise—it just is not universal as yet. It cannot be universal until all the free countries see the value to them of an international peacemaking capability. As long as the Soviets see their national interests as world disruption rather than world development, as long as they believe (correctly) that U.N. operations cut across their designs for world domination, we can hardly expect the Communists to approach the financing of the United Nations with great enthusiasm. But we certainly should not measure our national interests by theirs. We certainly should not say, because the Soviets are not doing their part to develop a civilized world order, we will also refuse to do our part. It would be a great bonanza, indeed, for the Soviets, if their refusal to pay for world order were to persuade Americans to do likewise. It would be a great and dreadful irony if Soviet attempts to frustrate the U.N. made Americans feel so frustrated with their own efforts to build a world organization that we quit trying.

Starting yesterday, the peacekeeping operations of the United Nations can be carried on only with funds loaned to the United Nations by governments under the arrangements adopted by the General Assembly last winter. More than one-half of the U.N.'s membership has already made the decision we are now debating—to participate in this stopgap financing scheme. But the crucial decision now rests with the U.S. House of Representatives.

The legislation before you will give that community a short breathing space, during which it has to develop and adopt a permanent system of financing, one that spreads the responsibility to all the members but does not place the future of the United Nations in the hands of those who would wreck it rather than build it.

To them, to the Soviet Union and its inarticulate and subordinated friends, we then can say: In company with all peoples who want to be independent, we are helping to build broad institutions for peacekeeping and nation building. We hope you will cooperate in this effort—because the alternatives are too dangerous, too fruitless. Come and join the United Nations, this charter that you signed. You speak of revolution: put your hands to the most revolutionary force you have at your disposal, a simple decision to live at peace with the rest of the world.

Meanwhile, for our part, let us demonstrate with a U.N. loan that we can overcome the frustrations that are always the leader's lot, and write another chapter in the consistent and bipartisan support of the United States for the United Nations.

Chairman MORGAN. We have the Secretary of State waiting in the other room to appear in executive session. We will make arrangements for you to come back and finish up at a later meeting.

The committee will take a 2-minute recess and proceed in executive session.

(Whereupon, at 11:05 a.m., the committee proceeded in executive session.)

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PURCHASE OF UNITED NATIONS BONDS

TUESDAY, JULY 17, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, at 10:40 a.m. in room G–3, U.S. Capitol, Hon. Thomas E. Morgan (chairman of the committee) presiding.

Chairman MORGAN. The committee will come to order.

The committee meets this morning in open session on S. 2768, to promote the foreign policy of the United States by authorizing the purchase of U.N. bonds and the appropriation of funds therefor.

Our witnesses this morning are the Honorable Henry Cabot Lodge, former U.S. Ambassador to the United Nations, and the Honorable John J. McCloy, former adviser to the President on disarmament and former U.S. High Commissioner for Germany.

Gentlemen, it is a real pleasure to welcome you both to the committee. You both have been before the committee on previous occasions. I am sure you know our procedure here. I suggest that you both read your statements and then the members can direct their questions to either one of you.

Mr. Ambassador, you may proceed first.

STATEMENT OF HON. HENRY CABOT LODGE, FORMER U.S. AMBASSADOR TO THE UNITED NATIONS

Mr. LODGE. Mr. Chairman, thank you and the members of the committee for the opportunity to testify on the bill to authorize the President to purchase $100 million worth of United Nations bonds.

I do believe that this appropriation, as part of a vigorous U.S. policy to put the United Nations on a sound financial footing, would serve the national interest and I say so for these reasons:

1. The United Nations faces many dangers, including unremitting Soviet hostility and a tendency of other countries to flout it whenever it suits their convenience. But inadequate funds is the greatest single danger to its continued existence at this time.

The fact that only a few nations are in arrears on their payments to the regular budget does not alter the other fact that failure to provide enough funds for the great peacemaking activities of the United Nations in the Gaza strip and in the Congo would drastically destroy its influence and its value and would make the world an infinitely more dangerous place.

Also, if the United Nations activities were suddenly to cease, the expense to us—as well as the danger—would be such as to make the

proposed appropriation seem small indeed. Financial support is thus a crucial test in 1962.

2. The continued existence of the United Nations is a vital American interest. World stability would be much less without it (which is surely one reason why the Soviet Union continually harasses it)—and the United States is vitally interested in a stable world. Specifically, when the United States came to the defense of Korea in 1950, we were much aided by United Nations support.

During my service as U.S. representative, the United Nations played a vital part in bringing about a cease-fire and withdrawal at the time of the dangerous Suez crisis and the creation of the United Nations forces in the Gaza strip has converted that area from an explosive to a quiet one. When I was there not long ago the Arab and the Israel farmers were farming right up to the line. Before that there had been murder and rape and everything else.

It also confirmed our action in Lebanon in 1958—a decision of great value. And the creation of the United Nations presence in the Congo has so far prevented that country from becoming a bone of contention between the great powers with the great danger of world war which such a confrontation would entail.

3. The United Nations must not be largely supported by the United States. Senator Vandenberg well said that if the United States paid most of the bills and the other member states did not pay their share, it would mean that other members did not consider that their membership was valuable—which in turn would mean the United Nations would eventually be without value for the United States.

This has been one reason in recent years for our American effort to bring about—and a successful one, I may add—a steady diminution in the percentage which the United States pays of United Nations expenses. In the future, the United States should clearly confront United Nations members with the solemn decision as to whether or not they—the members—want the United Nations to continue.

No one must think that we will in the indefinite future pick up the check and make up the deficit. It is well to be patient and generous and 1962 is not the time for the final showdown. But eventually no nation can continue to evade its responsibility to the United Nations. For its own sake the United Nations must not become dependent on any one great power.

4. The proposed bond issue is a good way to handle the United Nations financial crisis because it has already been agreed by the authorizing resolution that the interest and amortization are to be covered by the regular United Nations budget. All nations have paid these regular budget assessments reasonably promptly. The financing of the proposed bond issue out of the regular budget means that our American share of these repayments will be about 32 percent. It seems to me an ingenious and constructive way of handling the matter.

5. With respect to arrears for the Gaza strip and the Congo, the 16th General Assembly requested an advisory opinion from the International Court of Justice to determine whether these assessments were "expenses of the organization" and therefore binding obligations on the members. If a favorable Court decision is received, these assessments—as well as those for the regular budget—unquestionably

must be paid if a nation is not to lose its voting rights in the General Assembly. This decision does not affect the bond issue and the arrangements made in connection therewith.

6. We must be realistic, and not sentimental, about the United Nations. It is certainly not perfect. It is sometimes annoying. When it sanctions the use of force other than in self-defense in order to achieve national ends, it stultifies itself dangerously. Its judgments could conceivably become so reckless and so immature as utterly to destroy confidence in it. But this has not happened yet and, in addition to what I listed in paragraph 2, there is much in the United Nations which is hopeful and which justifies a cautious optimism.

Much of the work of the Security Council, for example, has tended to promote peace and security. The late Secretary General did much to prevent disputes from becoming acute and the present Secretary General has made an auspicious beginning. And the work done in the fields of health, food, technical assistance and economic aid generally are both a healing and a constructive world influence.

While the United Nations renders indispensable services, it obviously cannot be our sole reliance for building a peaceful world and the case grows ever stronger for further steps to bring about a true capacity for timely and effective common action by the free world. The United Nations is the place where the free world confronts the Communists. The United Nations is the place where we have useful contact with nations which are not alined. I think there should be such a place.

The fact remains that it is a uniquely valuable as well as a brilliant and effective instrument of international action. Generally speaking, we Americans have done very well at the United Nations. For the Communists, on the other hand, it is a constant worry. We should stay in it and try to build it up. The pending proposal is the best way to do this at this time.

Chairman MORGAN. Thank you, Mr. Ambassador.

Mr. McCloy.

STATEMENT OF HON. JOHN J. McCLOY, FORMER ADVISER TO THE PRESIDENT ON DISARMAMENT, AND FORMER U.S. HIGH COMMISSIONER FOR GERMANY

Mr. MCCLOY. Mr. Chairman, I appear in support of S. 2768, a bill which authorizes the President, on behalf of the United States under certain conditions, to lend up to $100 million to the United Nations.

Others have testified before me on this bill and have dealt with many of its aspects and purposes. I would not wish to take up your time by a repetition of their arguments in support of the bill, with most of which, if not all, I concur. I would, however, like to state my own view of what I believe are the most impelling reasons for its passage.

First let me say that I have spent a very substantial part of my life assisting in the preparation of this country for war, and in the maintenance of it, in war. I took part in both World Wars and I have seen develop, and, to a degree, helped in the development of, weapons, which if they do not represent the ultimate in terms of destructive power, at least so closely approach the ultimate, that the possibility of

their employment in war presents mankind with what, I believe, is its most important and most urgent problem—that of war and peace.

I have endeavored to do what I could to advance the cause of sensible disarmament among the powers of the world as one of the means by whch the cataclysm of war could be avoided. But disarmament or control of weapons is only one of the avenues by which we can hope to reach a peaceful and relatively stable world.

Another avenue, and one at least as important, is the development of the means by which international disputes and issues can be discussed and settled otherwise than by war and threats of war. War has become a matter of destruction on so vast and horrendous a scale that every possible alternative must be attempted and developed purely from a national security standpoint.

Some say that modern war has become so completely devastating in its effect that it has become irrational as an instrument of policy. They or others say that neither the Soviet Union nor we wish a war. We can accept both these contentions but merely because war has become wholly irrational and neither the Soviets nor we wish it, there is no assurance that we shall escape one. Political leaders, alas, are not always rational either in their conduct or in their decisions. And events sometimes outdistance rationality.

Not long ago I read what I consider to be an excellent history of the period running from just prior to the outbreak of World War I to the Battle of the Marne. It is called "The Guns of August," and it was written by a woman, Mrs. Tuckman. It has become something of a bestseller.

She brings out the fact, which has come to be realized more and more, that the then statesmen or politicians of the world did not wish a war, certainly not the war that developed, but the pace of events and circumstances were so rapid and there was no time for rational decisions to be taken. Events quite beyond the control of the politicians accelerated to such a degree that all were over the brink before they realized it, with no final ledge on which to check their fall.

"Nothing," as Winston Churchill once said of the same period, "could break the fatal chain once it had begun to unroll." Developments moved so swiftly, and nervous passions grew so rapidly, that the only clear-cut and popular decisions which could be made were orders for ever-increasing mobilization which, of course, only made matters worse.

If, in those days of relatively slow communication, the desks of the ministers who had the fearful decisions to make were so cluttered with dispatches, telegrams, and reports that the application of careful thought to them was no longer possible, is it any more likely now, with communication as rapid as it is today, and with the fantastic speeds of modern weapons, that statesmen alone can hope to cope successfully with the pace of events as they would occur in a critical modern crisis?

Defensive systems are being developed with such quick reaction times as to give real meaning to the term "war by accident, miscalculation, or failure of communication." These dangers are not going to decrease as the proliferation of nuclear weapons advances. One of these days Red China is going to come forward with nuclear weapons; France already has them, and with each new nation that becomes

a nuclear power, the control over the decision as to whether there should be nuclear war or not is diluted.

I believe this all points to the pressing need to maintain and strengthen the machinery of our international peacekeeping institutions. We must, of course, maintain our military strength until we can find an intelligent and effective method of disarmament; we must maintain our alliances in full vigor, and we must maintain an effective diplomatic service, but all these have failed to avoid wars in the past and cannot be exclusively relied upon in the future.

We cannot be certain, to be sure, that the addition of vigorous international institutions will prevent wars, but I submit they are a necessary and vital factor in a period of history when the highest premiums are, and must be, placed on the avoidance of war. The situation, simply stated, demands the existence of reserve positions.

This naturally leads us to a consideration of the international machinery we now have for settling international disputes without war and the need for its maintenance. And the only worldwide institution which we have, and the only one in which the great and growing political and power issues of the world can be discussed, and, at least in some degree, dealt with, is the United Nations.

NATO is regional and limited, valuable in itself, but insufficient. We have other means, bilateral and multilateral, with which to attack our international problems, but the United Nations is the only universal forum.

I do not wonder that there is both dissatisfaction and concern over the role of the United Nations, but I do wonder that anyone can seriously think that we would be better off without it, or that it is not deeply in the interests of the United States to support and maintain it. It is far from a perfect instrument, and it has not followed the course that those of us who were at San Francisco when the charter was drawn up thought and hoped it would, but it has performed some deeply significant services in the cause of peace, and any thought of permitting it to collapse at this moment or of failing to do anything within reason to maintain its vigor seems to me to be completely out of the question so far as the interests of the United States are concerned.

Though it can be said that the United Nations did not prevent situations such as those which the world faced in Egypt some years ago and in the Congo more recently from arising, the United Nations did provide, even if, as some contend, in a somewhat improvised and perhaps awkward manner, an invaluable substitute for what might have developed into the always dangerous confrontation of great powers over a disputed area.

Situations incipient with great hazards have been tamped down to much less dangerous, even if painful, balance, due in large part to United Nations action. Not only was a major war averted, but, I believe, in retrospect, we can say with certainty that in the process the interests of the free world were successfully maintained. Largely because of the United Nations action in the Congo the Soviets have not found it as simple as they thought it was going to be to take over Africa, as the independence movement took effect on that continent. Why else did the Soviets rail so at Mr. Hammarskjold for his activities there?

Just consider for a moment what serious issues face the world today as the testing of even greater weapons of destruction goes on—Berlin, Laos, Cuba, Vietnam, Quemoy, and Matsu are looming up again. It would not be difficult to add to the list.

Besides these specific issues, there is the great underlying revolution of the underdeveloped nations and the breakup of the old imperial systems. It is one of the great phenomena of history and the whole movement is fraught with dangerous issues.

When we think of the wars the old colonial system generated, we may get some concept of the dangers which could arise in its liquidation. And the one institution in which all these new countries as well as the old ones are gathered is the United Nations. We have not passed through all the risks yet, but if we did not have such an institution, we would have rapidly to invent one and thus far this great revolution of convulsion, whatever it should be called, is being effected without the high world tensions that might, but for the United Nations, have developed.

The United Nations, like the League of Nations, was created following a devastating war when people all over the world were impelled to erect an institution which would help us avoid another war. Imperfect as it may be, it functions, and if we allow it to collapse, it would not be a very long time before mankind would be demanding the re-creation of a new institution along similar lines, just as we did after the collapse of the League of Nations, and the ensuance of World War II after it.

If the veto prevents straightforward action, remember it was we who insisted on the veto at San Francisco. We hoped that it would not be abused by too frequent use, but we were as insistent upon having it then as were the Russians. Also, we were the ones who sought hardest of all to build up the power and authority of the Assembly, of which some of us are now complaining, when we could not get our way in the Security Council.

It would be an ominous parallel indeed to the fall of the League of Nations, which was followed by war, if we were to see the United Nations fold at this point of history. I believe we should go to great lengths to preserve the United Nations even if for no other reason than that it might just serve as the ledge, of which I spoke before, to save mankind from going over the brink into the cataclysm of a thermonuclear war.

I repeat, this is not the time either to be scrapping or diminishing the vigor of our peacekeeping machinery. It may well serve as just the reserve position between our diplomacy and the use of force that we may one day desperately need. I have been as critical as any of the attitude of some of the neutrals and so-called nonalined states in their tendency to be bold, provocative, and critical against those whom they do not fear, and to be moderate, or even conciliatory, in their hesitation to offend those whom they do.

The behavior of some of these nations, at the time of the Soviet resumption of atmospheric tests last year, was, in my judgment, indefensible, and I refuse to accept the suggestion that any of these nations represent a repository of higher moral opinion to which U.S. foreign policy must conform.

This is a very far cry, however, from suggesting that the United Nations should not be given all the support, within reason, of which this country is capable. This criticism of the nonalined powers and their failure to assume their full responsibilities is wholly irrelevant to the question of our support of the United Nations. This is the day and period of international institutions, and it is merely turning the clock back to think of withdrawing from them or of reducing our support of them.

We would not think of scrapping the International Bank or the Monetary Fund. They have done much in the way of avoiding financial crises by helping stabilize economies and currencies from which the free world has greatly benefited. If we need stabilizing factors in the financial field, how much more do we need them in the political field, for it is here where the greatest threats lie.

This, I repeat, is the time to maintain and strengthen the United Nations. It is not the time to decry it or turn to isolation. We need something besides a delicately poised balance of terrible military deterrents to preserve the peace. We need new approaches, new and better international institutions, if peace is ever to become more than a precarious interlude to another war.

It is not for me to review here the record of the United Nations in respect to its acceptance of the concepts which guide the United States and the free world, but I do have a very strong impression that we have come off thus far very well in the United Nations. Even with the advent of the new and immature countries, we have not thus far seen, and I do not believe we are apt to see, those policies overwhelmed in the future.

We shall always have to state our case forcibly and well, and we shall have to conduct our policies and make our decisions honestly and fairly, but it is clear to me that the record of votes in the United Nations shows that we have, on the whole, done this and we have on the other hand seen the failure of the Soviet Union to gain its way, time and time again, in its efforts to achieve undue control over the United Nations.

The fact is that it is an open forum in which the machinations of a closed society do not fare too well in spite of heavy and sustained campaigns within the United Nations to induce the new countries to become Communist colonies.

Having these convictions regarding the desirability, and indeed the necessity of having the United States in its own interests give support and assistance to the United Nations, the question follows, "Is this proposal to lend up to $100 million to the United Nations at this time a reasonable and sensible method of doing so?"

I think it is, and I am glad to learn that my successor in the World Bank, Mr. Eugene Black, also feels that it is. I am sure that a number of other alternatives to the proposed bond issue were carefully explored by the General Assembly of the United Nations and that the executive branch of the U.S. Government also carefully considered alternatives.

It is difficult to say that any one method is the best, but I am bound to say that I do not know of any better alternative which could have been proposed. I am certain that, considering its reasonableness and

the fact that it has been proposed and so many other countries have accepted it, it is now the best proposal to tide over the emergency which we can espouse and accept.

I am very much impressed by the fact that so many countries—I think there are some 40—have already purchased, or pledged themselves to purchase, bonds before the United States has made its own loan commitment. Some of these countries, I am told, are making bond purchases which represent, in relation to their capability as determined by the United Nations percentages used in the allocation of expenses, an amount relatively greater than the $100 million proposed for the U.S. participation under S. 2768.

I think this is the case with the Scandinavian countries, Ethiopia, Italy, Liberia, Nigeria, and Tunisia. There may be others. Germany, which is not even a member, has subscribed for $10 million of the bonds, and I would hope with some encouragement it might take more.

The money and obligations which makes the bond issue and the loan necessary were spent and incurred in the endeavor to maintain and preserve the peace. The Congo today, in spite of many vicissitudes and continued dangers, seems to be on the verge of achieving a certain stability and to collapse the United Nations effort there or in the Middle East for lack of funds at this time would seem most improvident, if not disastrous.

If these bonds are issued, their service becomes, as I understand it, a regular United Nations budget charge. This is a most significant recognition of the sound principle of collective finanial responsibility in the U.N. Furthermore, no one has as yet really refused to meet a regular budget charge in the face of the sanctions prescribed in article XIX of the charter.

Taking the proposed step now, I am certain, is in the interest of the United States and of peace. The success of this effort to deal with the financial emergency will depend largely on our response. The United States is indubitably the leader of the free world and as such is called upon to assume responsibilities and obligations which are indicative of and consistent with its leadership.

There may be some who will sit back and impose on that leadership, but there will be more who will respond. I think it unreasonable to expect that other members will meet their full responsibilities until the United States has acted. I do not believe the United States will be doing too much or more than its proper share in lending $100 million under the terms of this bill considering its position in the world. Far from it.

I cannot help thinking of the scores of billions we spend without a question on our national military defense, or the many billions we spend on military and economic aid—$4 billion in 1 year. And then I think of $100 million lent in a well-designed effort to fend off a crisis in the finances of the only worldwide peacekeeping institution we have, and while we stand in need of every honorable means we can reasonably maintain to keep us from the devastation of modern war. I can come up with only one answer—authorize the proposed loan without hesitation.

I have only one further thought and that is the necessity to get about the problem of putting the finances of the U.N. on a more solid and effective long-range basis. We all must recognize that this proposal

is only a one-time measure, designed to cover a present emergency and not to constitute a precedent.

It is not too soon, by any means, to be thinking about the long-range problem. It will become one of the real imperatives of planning for peace to stabilize the finances of the United Nations. But for the immediate present we have a patient on the operating table with an emergency condition. We cannot now wait for the permanent cure. This is clearly a reasonable means of meeting an emergency. Indeed it has now become something more.

It has become symbolic of U.S. support of this institution designed to maintain the peace, and I would hope that this committee would recommend that the House respond promptly and definitely to the opportunity it now has to accept the symbol S. 2768 represents of American support for the United Nations.

Chairman MORGAN. Thank you, Mr. McCloy.

Mr. Ambassador, I have in my mind an editorial from the New York Times on the question of dealing with the U.N. The editorial ends with this sentence:

"If the U.N. cannot act in emergencies"—meaning, of course, such emergencies as have arisen in the Congo and Gaza strip— "it will deteriorate into an ineffective debating society."

Do you think if the House of Representatives denies the purchase of the $100 million bond issue it will affect the solvency of the U.N.?

Mr. LODGE. It would affect the solvency and the effectiveness of the U.N. in a drastic way.

Chairman MORGAN. It might then become an ineffective debating society because it would not be able to act in emergencies like the Congo?

Mr. LODGE. If the United Nations had not been able to act in the Gaza strip and the Congo the way it has, we would have had an infinitely more dangerous situation—possibly leading to world war.

Chairman MORGAN. Mr. McCloy, as former head of the World Bank you feel this investment of $100 million by this Government is a good investment?

Mr. MCCLOY. Yes; it is a good investment for peace. You asked me as a banker—world banker. With 2 percent or 3 percent——

Chairman MORGAN. I am speaking of the peacekeeping machinery of the world as a good investment.

Mr. MCCLOY. Yes.

Chairman MORGAN. Thank you, Mr. Ambassador.

Mr. Chiperfield.

Mr. CHIPERFIELD. Thank you, Mr. Chairman.

I want to thank both of you gentlemen for a very constructive and persuasive statement. I have no questions at this time.

Chairman MORGAN. Mr. Zablocki.

Mr. ZABLOCKI. Thank you, Mr. Chairman.

I want to join my colleagues in expressing appreciation for the very fine, strong statements on behalf of the legislation before us.

Throughout both of the statements we find strong implications that the very existence of the United Nations—which we admit is vital to American interest—the very existence of the United Nations is at stake.

I think that we will have difficulty in proving that on the floor.

Do you mean to say that if the United Nations doesn't obtain the $200 million, that its existence is going to be placed in jeopardy? Couldn't the United Nations cut back some of its programs, peacekeeping and economic, in order to tide it over until it becomes financially more stable?

Mr. LODGE. The United Nations is a young evolutionary organization. It has no sovereignty. It has no power to tax. It has no right to draft a single soldier. It has none of the attributes of a government. It can merely recommend and exhort and urge. It caroms along from crisis to crisis. It is not a going concern like the U.S. Government, for instance. It is very often in a state of crisis.

I think if this money were not made available it would be a very critical thing for the U.N. I don't mean it would cease operation, that they would sell the building as a department store next summer. I don't mean that. But it would start to wither. It would cease to be the place to which now you can look to provide the damping action, to provide the delaying action, to provide the talk—a place which didn't exist in 1914, which didn't exist in 1939, and which we now have and which could just prevent us from all going over the edge. That is what I mean.

Mr. ZABLOCKI. Mr. Chairman, it is also of concern to Members of Congress that we may be setting a precedent. I would, therefore, like to ask a question of Mr. McCloy who has had considerable experience as a banker. In your statement, on page 5, you say, "We all must recognize that this proposal is only a one-time measure." How sure are you, Mr. McCloy, that this is a one-time measure?

Mr. MCCLOY. It is proposed and specified as not constituting a precedent. I think the situation is such in the United Nations that this can't take the form of a continuous procedure. You have got to deal with the long-range problem of financing the United Nations.

I think that with the prospect of this opinion that is coming down from the World Court—I don't know whether it will be favorable or unfavorable—certainly if it would be favorable I think we could begin to deal with this problem on a long-range basis, which I believe is necessary we should.

I think that everybody would agree that you would not be able to continue to finance this, you wouldn't be able to get it through Congress on this basis. You wouldn't be able to get it—I don't believe you could get it through the Assembly of the United Nations as a constantly recurrent means of handling the finances of the United Nations.

I think it is entirely up to us to determine whether or not this will be a precedent, at least so far as our investment is concerned.

I don't think that the pressures are going to be heavy enough on us to compel us to try to duplicate this in the event this doesn't succeed.

Mr. ZABLOCKI. Could we have a comment from the Ambassador, if this legislation, in his opinion, would provide a precedent on which the Executive will rely as the U.N. moves from crisis to crisis? Are we to expect that future crises may require the enactment of similar legislation to meet like emergencies?

Mr. LODGE. No; I think the time for a showdown will come in the U.N.—whether it means enough to the members to put up the money to maintain it. I believe that when that showdown comes that the

small countries will decide that it should be maintained, because there isn't anything in the world that gives the small countries the place in the sun that the United Nations does.

I don't think that 1962 is the time to have the showdown, because the peace of the world is too much involved in Gaza and in the Congo.

So I think pressure can be brought to bear. I think the U.S. Government should be extremely forceful to point out they can't count on us to pick up the check all the time.

The reason I don't think this constitutes a precedent is because I think the finances of the U.N. must be put on a permanent basis that you can live with year in and year out, and that you can't keep on shilly-shallying about expenses forever.

Mr. ZABLOCKI. I want to make just a brief statement, to indicate that my questions are not intended to imply that my faith in the United Nations is shaken. On the issue of the importance of the U.N., I agree wholeheartedly with the outlook and the views of the two witnesses before us.

Mr. MCCLOY. I think there is a point to the way you might put these on a more stable basis, because you accept through this the concept of collective responsibility. If you can get the assessments as part of the regular budget you have made a big advance forward toward the final solution of this problem.

Mr. LODGE. I might add, in the bill, section 4, it states:

> Nothing herewith shall authorize the United States to participate in any future * * *.

That is an expression of sentiment and hope.

Mr. ZABLOCKI. That is usual language in any AID bill.

Chairman MORGAN. Mrs. Bolton.

Mrs. BOLTON. Thank you, Mr. Chairman.

It is very good to see both of you up here. Your statements are very clear and are certainly evidence of your faith in what the United Nations does, and was created to do, and that it is not a hopeless situation. You seem to believe that it is only in its infancy.

I think people are expecting the United Nations is going to do everything that is necessary almost overnight. They think of it as a perfect organization, which of course it isn't.

I want to say to you, Mr. Ambassador, that I wholeheartedly second what you have said about the U.N. soldiers in the Gaza strip. I saw it before and I saw it after. You could walk down the streets comfortably after the soldiers were there. I didn't see them farming side by side—that came after my visit, but the peace the soldiers brought made all the difference.

If the United Nations troops could always be used in such a way they could be a powerful force in the world. On the other hand we have heard so many serious accusations of the handling of the U.N. troops in the Congo that it is a bit scarifying. The sense that so many people are bringing to us that if the United Nations has a bit of money they will immediately take their armies into Katanga and force the union that hasn't been gained by conference. Personally I feel it must be gained by conference, otherwise it will create a situation which would be intolerable.

I want to ask you, in your opinion, both of you—this opinion of the International Court—should we have waited until the opinion was handed down before bringing this whole matter out?

Mr. LODGE. I do not think so. The opinion of the International Court, which will be an advisory opinion, goes to the question of loss of right to vote because of it being in arrears. It does not go to the question of the bond issue.

No matter how the decision goes in the Court, it will not affect the provision for an amortization of the bond issue.

Mrs. BOLTON. Thank you for making it so clear in the record.

Mr. LODGE. As regards the Congo, that was the most ambitious, the most novel, the most difficult, the most widespread activity that any international organization has ever engaged in.

You had at the time that the Belgians left over 200 Soviet agents in surrounding African countries ready to move in when the Belgians pulled out.

We can all imagine what would have been the situation had that been allowed to happen. Either we would have lost the heart of Africa to the Communists or else we, the United States, would have had to go in there and prevent it.

We can say all we want about the United Nations force in the Congo, but there isn't a single American boy in it. That is an impressive fact.

Of course, some mistakes have been made. But the situation in the Congo today is very much better than it was in 1960 when as the U.S. representative I supported the resolution setting up the U.N. force. It is better than I think we had any right to expect at that time.

Mrs. BOLTON. The Communists are not too strong in that whole area?

Mr. LODGE. They certainly are not. In fact, the Communist diplomats have been asked to leave not only in the Congo but in many other parts of Africa. The African states have shown a great independence of the Communists and a determination not to put up with any of their machinations.

Mr. MCCLOY. I just want to add to that, if I can go off the record for just a minute——

Chairman MORGAN. This is an open session.

Mr. MCCLOY. I better not say it.

I will just say this, that I have pretty strong evidence of the feeling of the Russian leaders that they were blocked by the U.N. in the Congo.

Chairman MORGAN. Mr. Hays.

Mr. HAYS. The question that bothers me about the Congo is why are we so determined that the Congo is going to remain a unit when any other little old tribe in Africa wants to set up a nation we not only acquiesce in it but are there with aid.

Ruanda-Urundi—they have changed the name of it to Burundi, which makes it easier for me—but if there ever was a place on the face of the earth that isn't economically viable and shouldn't have been two separate nations, that seems to be it.

Here you have Katanga, which could exist as a nation, which you are deterring—I don't say "you," but the U.N is determined——

Mr. LODGE. I have an answer. Maybe it won't be satisfactory.

The Congo, of course, is the heart of Africa. If the Communists take that over they are in a position to spread out all around.

From the standpoint of power politics, I wouldn't think they would care very much whether Ruanda-Urundi was one or two. The question is a question of expediency, pure and simple.

I don't attach any mystical value to a unified Congo, but I attach a practical value to it. If the Congo is divided up it makes it much, much easier for the Communists to take one piece and then another.

It was for that reason that I supported the effort to keep the Congo as a unit. That doesn't mean that they can't have federalism and a lot of autonomy within the Congo. But I do think it ought to be enough of a unit so that it can be protected from communism as a unit.

Mr. HAYS. If that is a good and valid reason, and I would think it is, that it would be easier for them to take small segments and then one larger one, why isn't that reason applicable to Upper Volta and Dahomey, who started out as a federation and split up and started out with a separate capital, embassy, and separate everything?

Mr. LODGE. Because I feel the African governments in those countries were stronger than the African Government officials in the Congo, because there were a great many more educated people, a great many more trained people.

The countries were much smaller and there were more trained people in them. And also the Communists weren't aiming at them as hard as they were aiming at the Congo. The Congo was the target.

Mr. HAYS. I am afraid that with the chaos that exists in the Congo that either (1) we are going to have to keep supporting troops there forever, or almost forever, for the foreseeable future; or (2) because of this chaos and because of this civil war which the U.N. has not only, in my opinion, encouraged but participated in, it will eventually make it easier for the Communists to take over. That is the thing that bothers me.

Mr. LODGE. I don't think the U.N. encouraged it and participated in events having to do with the withdrawal of the Belgians. When the Belgians withdrew, a situation was created and then the U.N. got into the Congo.

I agree with you we are going to have to support troops all over the world for a long time. I am not at all sure that the Congo is the last of these operations. I think there may be other situations in Africa in which the only alternative to either Communist domination or a fight between us and the Communists is a U.N. force.

I think we might as well get used to the idea that it is the best of the alternatives, unattractive though it is. You have the choice in these situations of a broken arm or a broken leg a lot of times. This is what foreign policy often consists of.

Mr. MCCLOY. I don't think it is the policy of the United Nations, as I understand it, to bring about by force of arms the adhesion of any country. I think they are primarily there to try to bring about conciliation.

They are also designed to take care of the situation when the Belgians left and to remove the so-called mercenaries from the area.

The idea is to maintain a conciliating unit there where discussions can take place, definitely with the thought that the union of these two areas would be better economically and politically if they can be brought about, but not do it by force of arms.

Mr. HAYS. If you call bombing hospitals and shooting missionaries conciliation, that is a new way to conciliate.

Mr. MCCLOY. It got out of hand. But I don't believe it has been the definitive policy of the United Nations to force adhesion by arms.

Mr. HAYS. That is all, Mr. Chairman.

Chairman MORGAN. Mrs. Church.

Mrs. CHURCH. Thank you, Mr. Chairman.

Mr. Chairman, I do not believe the committee has ever been exposed to a team showing such volubility, power of articulation, and dedication at the same time.

Mr. MCCLOY. We didn't rehearse our act.

Mrs. CHURCH. Having said that, Mr. Ambassador, I would add that the words which came to me during my avid listening were: "Methinks the lady doth protest too much." That may be unfair. I know that you are sincere and dedicated in what you say.

May I say, Mr. Ambassador, that I am beginning to realize more than I ever did, and I had reasons before, why so many people in the United Nations told me last fall how much they missed you.

Having said that, I am compelled to take violent issue with you on the question as to whether or not the World Court decision is involved in any way with the bond issue, since the original United Nations resolution does provide that the interest and the principal repayment shall come each year out of the regular budget.

If members have not been able to keep up their full annual assessments on the regular budget—even if they have not fallen short enough to merit the set penalty—how could they be expected to support both the effort and the bond issue? Or how could we suppose that the delinquents on the special projects would vote to increase the budget to cover cost of a bond issue on the same?

In other words, it would seem to me to be almost self-evident that unless the World Court decision is favorable, complete reevaluation of the whole budgetary process would have to be made.

I think that even if the decision is favorable that the United Nations is going to have to make immediately, to use the term, "an agonizing reappraisal," which both of you gentlemen have agreed is necessary.

I wonder, Mr. Chairman, if I might say this, without turning it into a speech: We have to believe as regards this bond issue, as in so many others, that there is more faith in honest doubt, believe me, than in half the creeds. Those of us who have seriously questioned the wisdom of taking the whole $100 million of the loan that is proposed are just as sure that the United Nations is valuable, are just as sure that it must be continued, but feel that in some ways the U.S. position in the United Nations and its position in the world may be weakened if we merely use a blood transfusion at this time, though that may be necessary in part, instead of using this occasion to demand an appraisal of the whole situation in regard to the financing of the United Nations. The failure to do so disturbs many of us.

There are some of us who were members of the U.S. mission last fall when this proposition was made, who felt that it would be more advisable and easier to get a major appropriation through the Congress than the loan. They feared this new approach in the knowledge that once a thing happens no matter what you put in a measure to

the contrary, you have established a precedent. They also felt that for the United States, willy-nilly, to dash in once more and agree to take $100 million—half of the amount—might be weakening our stand for mutually accepted responsibility rather than developing a further method of cooperation.

My only point in saying this is to assure you that many of us are as sincere as you are in feeling that continuing the United Nations as a peace force is essential to the world, but we are not as sure as you are that the acceptance of this method of financing is necessarily the proper step.

I am sure that you both know, for instance, that this money was supposed to last for an operational period of approximately 18 months when it was first mentioned.

I read the other night in a fairly reliable statement, which I have not yet confirmed with the Department, but believe to be accurate, that it is now thought that this money might meet the necessity only to December.

To some of us, the plan therefore seems somewhat of a makeshift, and not an attempt to solve the main problem.

What do you think will happen, may I ask, Ambassador McCloy, if the decision is unfavorable? What will then be necessary?

Mr. McCloy. If the decision were unfavorable, I think that, assuming that the bond issue were authorized, and the purchase was made, it wouldn't affect the bond issue because the bond issue is something quite separate from the question which was put to this——

Mrs. Church. How would the principal and interest be met?

Mr. McCloy. It would be met. The question would be simply whether these arrears, these assessments which have heretofore been made, whether they were properly made and could be made so as to be enforcible. This was the sole question which was before the World Court.

Mrs. Church. Suppose that they are not?

Mr. McCloy. Still the bond issue stands by itself on its own legs, because the bond issue, according to the votes of the United Nations, will be a part, the service of the bond issue will be part of the regular budget. This isn't before the World Court.

Mrs. Church. I know that. How could you expect the budget to be augmented to include the payment of interest and the proper amount of principal if the nations are not willing now to meet assessments for the Congo and the Palestine expeditionary force?

Mr. McCloy. I think probably the net effect of this will be if we had an unfavorable decision on the part of World Court that this money would probably have to be used for the payment of arrears, rather than for the forward financing of the maintenance of troops.

Mrs. Church. You are aware that a certain proportion of this is going to be used to pay arrears?

Mr. McCloy. I think a certain portion will have to be used for the financing of arrears in order to keep the operation going. But a very substantial portion of it, I think a majority of it, will be used for forward purposes——

Mrs. Church. Through December?

Mr. McCloy. I don't know what the month date is.

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Mrs. CHURCH. It may not be fair to press this point of financing, because after all what you have given is to be taken as an excellent statement of declaration of faith, so to speak.

Mr. MCCLOY. Mr. Lodge said that the bond issue itself was not affected. I think he is right on that. The bond issue will stand on the basis of the legality of the issue. It was properly authorized, and for the future the service of the bond issue is secure.

Mrs. CHURCH. May I add just this word? The plan is being sold to the Congress of the United States on the ground that the principal payment and interest payment will be met out of a regular budget, if the decision is favorable.

It is rather hard for me to see how that is not to be affected as a proposition by the quality of the decision, the nature of the decision.

Mr. MCCLOY. It will depend to some degree upon what the Court says. The only specific question that has been addressed to the Court is this question of whether those arrears can be properly made a part of the regular budget; not the service of the bonds.

Mrs. CHURCH. This is one reason why some of us who know the decision of the Court is to be expected during August feel that we would be on safer ground if we could wait, say 3 or 4 weeks more or until the decision is announced.

When this plan was first presented to us in December at the United Nations, we were told that the United Nations would be practically bankrupt unless action——

Chairman MORGAN. Would you yield?

I have here an editorial which states that the International Court of Justice is expected to announce this week its decision. I don't know where they got their information.

Mrs. CHURCH. I would sincerely hope that would be so. I think that whether we were to vote the proposition up or down, the full amount, less than the full amount or none of it, we would be on safer ground now in presenting this plan to the Congress of the United States if we had our facts at hand.

Chairman MORGAN. Mr. Pilcher.

Mr. PILCHER. Mr. Ambassador, if the World Court should rule favorably, inasmuch as we don't recognize the World Court, what would Russia's attitude be and its satellites? Would they pay their dues?

Mr. LODGE. I don't know.

Mr. PILCHER. I know you don't know. What is your opinion? Say the World Court ruled they should pay, and inasmuch as we don't recognize the World Court, what is your guess that the Soviet Union and its satellites——

Mr. LODGE. If the World Court rules that they should pay, that this is an assessment and as binding as the regular dues are, my guess would be that they wouldn't pay. But they would take a big propaganda defeat in the process.

Guessing what the Russians will do is a dangerous business. Certainly if they don't pay, with the World Court decision saying they should, they will take a propaganda defeat all around the world.

Mr. PILCHER. In other words, the psychological effect would be in our favor?

Mr. LODGE. Very much so.

Mr. McCloy. If it was favorable and it was made a part of the regular budget and a country didn't pay, there is a specific sanction provided for in article 19 of the charter, which is that a country loses its vote in the General Assembly if its arrears equal or exceed its "contributions due" for the full 2 preceding years.

The only exception to that as I read it is where the charter provides that the General Assembly may nevertheless permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

I think that clearly means the country hasn't enough money or it is bankrupt.

This shouldn't apply to the Soviet Union. I think it stands the risk of losing its vote.

According to the charter, the only way it can avoid that risk is by proving that they just were unable to pay. I don't believe——

Mr. Hays. Will the gentleman yield to me?

Mr. Pilcher. Yes.

Mr. Hays. I will predict what will happen. The Russians will say "The United States itself refuses to recognize the World Court. Therefore the World Court has nothing to say about this. We maintain it is part of the regular budget. We maintain we don't lose our vote." And they will put it up to the United Nations to decide.

Do you think those nations, when 50-some abstained on the vote on Hungary—you don't think——

Mr. Lodge. That is another question.

Mr. Hays. That is the logical thing that will happen.

Mrs. Church. Would the gentleman yield?

Chairman Morgan. It is Mr. Pilcher's time.

Mrs. Church. They would in any event have a permanent seat in the Security Council, would they not?

Mr. Lodge. The question of throwing Russia out of the U.N. and the question of depriving her of the vote in the General Assembly are two entirely separate questions.

Mr. Hays. Depriving her of the vote——

Mr. Lodge. It is impossible.

Mr. Hays. I don't think they will vote to cut her out of her vote.

Mr. Lodge. You can deprive Russia of its vote and it doesn't take a vote to do it. This article 19 becomes operative.

The question of expelling Russia from the U.N. cannot happen, because none of the five permanent members of the Security Council can be thrown out.

Mr. Hays. She will bring up the fact that the decision of the World Court is not binding. I say you won't get the vote. They will cite the fact that the United States refuses to recognize the World Court, unless we agree in advance to it. I think the whole thing is an operation in futility.

Mr. Lodge. I am not sure there will be a vote. Article 19 doesn't say anything about a vote.

Mr. Hays. You have this World Court decision in there. That is what you will get the vote on, whether it is binding——

Mr. Lodge. It is in arrears——

Mr. Hays. Who says they are in arrears? The World Court? Is that in the charter?

Mr. LODGE. That is a question of fact.

Chairman MORGAN. Mr. Pilcher.

Mr. PILCHER. The question is not whether we are going to support this or not support it. Following up what Mrs. Church said, I think that we have been misled a little bit.

I think it could be sold to the Congress on a basis of what the United Nations has been or what it will mean. But I don't believe that Russia is going to pay if the World Court says that they should.

I get confused sometimes. We voted nearly $5 billion last week to scatter around all over the world. I think the United Nations is doing a better job than we are with some of the money we are kicking around—just a little $100 million.

I don't think the Congress ought to be told it is just a loan, going to be paid back right away. I don't think it is going to be paid back right away. It is just a matter of whether it is worth $100 million or not.

That is all, Mr. Chairman.

Chairman MORGAN. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

I have been listening to the discussion with great interest because I realize this committee is going to be faced with the obligation of explaining and defending, or perhaps opposing, this bond issue when we get it on the floor.

I would like to get the opinion of both you gentlemen about what seems to me the basic issue. I don't think it is whether or not the United Nations should be allowed to fold. I doubt if there is any very substantial support for that point of view in Congress, Mr. McCloy.

It does seem to me the question is how effective has the United Nations been, how effective it is today, and how effective it will be.

Involved here is how are we going to provide adequate financial support. What concerns me is whether this is anything more, as Mrs. Church said, than a stopgap. Is this a makeshift arrangement which is going to be criticized both by those who were unenthusiastic about what the U.N. has done for us, and also by those who feel that this is no solution to the long-range problem?

I think we are just begging the issue if we simply say we are not going to consider how financing of the U.N. is going to be handled hereafter, that this is to pay back bills, which basically is what this is.

Governor Stevenson has indicated they haven't even given serious consideration to this basic problem until the advisory opinion has been given.

This is what I would like some further comment on. Isn't it essential for us to face up to the fact that this may well be a precedent?

What other alternative do we have to adequate financing for future crises? Aren't future crises the ones where the U.N. is going to be useful as they have been in the past? Whether it is to be to avoid a confrontation with the Soviet Union, or whatever the reason may be, aren't we asking for trouble if we simply say we have to pay our past bills but don't know how to face future problems?

Do you have any suggestions as to how we can meet this argument? How can we meet the argument that the United States is already doing

too much to bail out reluctant members of the U.N.? Why should it do more by taking over the lion's share of this bond issue?

Mr. McCloy. I think that if we pass this bill and we had a favorable opinion, we would be well on our way to finding the permanent solution. You would then have a collection of arrearages.

There are a number—I am told there are a number of countries that said once this thing is determined to be proper by the decision of the World Court they will immediately pay up. I don't know how many that is.

I think with the pressures that would come from that decision, if favorable, you would have a campaign then to bring up your arrearages.

If you do have that, and if in the future assessments of this character all come within the regular budget item, the precedents that we have thus far indicate the regular budget, regular assessments and the regular dues based upon the budget have been met pretty well. We have very minor arrearages in this area.

There may be some other things that can be done in this connection. I know that a good bit of thought is being given to it. I am not in on the councils of that and I cannot tell you what the progress of that thinking is. There are some devices.

There has been some suggestion of outside revenues that the United Nations may be able to get, whether it is by reason of registrations of space or fees, things of that character. There is thought being given to that type of thing.

I don't believe I can give you at this stage the chapter and verse as to what the final solution of the financing of the U.N. is to be. I do believe that this is the best emergency solution that we can find, because it does something that I think is extremely important. It creates and binds and locks in the concept of the collective financial responsibility. It actually reduces the amount of our proportion, because if it comes into the regular budget it is only 32 percent rather than whatever it is—47 percent—we are paying of the assessment now.

Mr. Frelinghuysen. You seem to be saying this is establishing a precedent and obligating reluctant nations to pay for the peace——

Mr. McCloy. If it establishes the precedent, I don't think we are saying that the United States is going to be called on for $100 million every 6 months or 6 years, but where it establishes the matter of putting the precedent into the——

Mr. Frelinghuysen. Why do we shy away from the desirability of establishing a precedent?

Mr. McCloy. The collective financial responsibility in the United Nations is almost the lifeblood of the United Nations.

Mr. Frelinghuysen. I don't see how we can get the nations reluctant to face up to their collective financial responsibility with respect to crises they want no part of. It seems to me we can anticipate a refusal, on some basis to contribute——

Mr. McCloy. Then they are going to face up to whether or not they will lose a vote in the Assembly.

Mr. Lodge. Mr. Chairman, I agree with Congressman Frelinghuysen, and I agree with Mrs. Church, for whose kind remarks I thank her, that a reappraisal of the whole financial setup of the United Nations is very much in order. I wouldn't put that off.

This bond issue, I think, is a step toward such a clarification, toward such a reappraisal. I am in favor of the bond issue, not only because it fills a very urgent need insofar as maintaining the peace activities are concerned, but also because it is a step toward regularizing these activities and turning them into legally binding obligations of the member states.

The General Assembly has no force of law on any of the political diplomatic decisions that are taken. It is all recommendatory and hortatory, but the votes it takes on assessments are binding on governments.

If we can get these peacemaking activities into that category even, we are doing something for the permanent financing.

Mr. FRELINGHUYSEN. With respect to future crises then, Mr. Ambassador, do you feel if the advisory opinion is favorable and if we agree to purchase part of this bond issue, there will be a commitment to support future major operations of the U.N., whether or not the major powers are interested in doing it?

Mr. LODGE. No, sir; I do not.

In the first place, the World Court decision doesn't affect the question of the bond issue.

In the second place, I think each crisis is different and each crisis has to be dealt with differently.

I do think it is a step toward getting these activities financed out of the regular appropriation, which is a legally binding commitment. That, I think, is a very necessary thing.

Chairman MORGAN. Mr. O'Hara.

Mr. O'HARA. Thank you, Mr. Chairman.

Mr. Ambassador, I am not looking for perfection. We would like perfection, but when a program is suggested I am looking for alternatives that we can accept other than that which is proposed, and if there be no alternatives that seem more promising, reason impels me to accept that which is offered.

You state we should stay in the United Nations and try to build it up. Is the pending proposal the best way to do this at this time?

With your rich experience, and no one in America has had a richer experience in this field than you, Mr. Ambassador, do you know of any alternative other than the plan suggested in the bill before us?

Mr. LODGE. I don't know of anything that I think is as good as this as the way of carrying out this purpose.

Mr. O'HARA. Mr. Ambassador, what would be the effect if the House should defeat S. 2768? What would defeat of this bill mean?

Mr. LODGE. It would be very unfortunate and extremely dangerous. Your Congo and Gaza strip activities would be in serious jeopardy, and it would be the cause of great unrest.

We already have a number of danger spots in the world. We have Berlin, the Straits of Formosa and, thanks to the U.N., the Palestine area and the Congo have been taken out of that category.

If this legislation didn't pass and these projects were put in jeopardy, it would increase the danger in the world very much.

Mr. O'HARA. There will be problems in the future. Following the decision of the World Court there may be problems. But should those problems be considered at this time or should they be left to a future time when they become current?

Mr. LODGE. I don't know to which problems you refer.

Mr. O'HARA. Any problems that might result from the decision of the International Court, questions that might result as to possible expulsions from the United Nations and many of these academic questions that are being aired here. Can they not be left to a later period?

Mr. LODGE. The expulsion question isn't one on which Congress has to pass. It is provided for in article 19, which has been ratified by the U.S. Government a long time ago. It is not a question on which Congress needs to pass at this time.

Mr. O'HARA. Thank you, Mr. Ambassador.

Mr. McCloy, you stated that this is the best plan that you know of, the best method, and certainly you have had a tremendous world of experience in banking and in many other fields of service to our country.

You know of no better plan than the one suggested in this bill?

Mr. MCCLOY. No; I do not know of a better plan. I think in view of the circumstances this is the best plan that I can think of.

Mr. O'HARA. Then you further say in your statement "But for the immediate present we have a patient on the operating table with an emergency condition."

Would you say that the defeat of this bill might mean the death of that patient and that patient is the United Nations with all of its service to us as a forum for international discussion?

Mr. MCCLOY. I think it would greatly change the character of our leadership in the United Nations and the United Nations itself.

You must bear in mind that some 40-odd nations have already said they are ready to subscribe to this. Over $72 million have been pledged, committed, or actually put into the treasury of the United Nations, and if at this stage when we know we need this money, at this point we should permit that heartbeat of this patient to be depressed I think we would take great risks.

Mr. O'HARA. You think we should view the issue as it is?

Mr. MCCLOY. Yes.

Mr. O'HARA. Either we vote for this bill and go into the bond program, or else we leave the United Nations maybe prostrate?

Mr. MCCLOY. I don't think, as somebody said, the United Nations would collapse or they would sell the real estate in New York, but I think two things will happen: The vigor of the United Nations would be greatly impaired and the leadership of the United States in the U.N., I am convinced, would be substantially lessened.

Mr. O'HARA. Might I say, Mr. Chairman, I think this is one of the most heartening sessions of this committee that I ever attended, our two witnesses of preeminent standing, of great service, great experience, coming here and testifying as they have. It has been a heartening experience.

I wish to thank the witnesses for being here. They have rendered a service to our country and to this committee.

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. Mr. Chairman, I merely want to join my other colleagues in paying tribute to both our guests this morning, not only for their statement, but for their fine testimony.

I agree with Mr. O'Hara, I think this has been one of the most interesting sessions on this subject. I appreciate the opportunity of listening to both of the men and their opinions on this legislation.

Chairman MORGAN. Mr. McDowell.

Mr. MCDOWELL. Mr. Chairman, this is a very interesting meeting of this committee this morning, not only because of the two distinguished gentlemen here and their testimony, but we seem to revert to something like a little meeting of the General Assembly of the United Nations.

The pattern we have established this morning is not to begin by questioning the witnesses, but to first make a speech. Thus to get a lot of emotions and ideas off our chest, and then to ask a question. I am sure that both Mr. Lodge and Mr. McCloy would agree with me we probably haven't changed many votes with our speeches. In any event, I am going to stick to the pattern.

I think this whole question of the finances of the United Nations and the bond issue that is before us is a gamble. Of course, it is a gamble. That is all we have been doing since World War II, in most of the major decisions in international relations, to meet a crisis and take a gamble on decisions.

It started in France, Italy, Greece, Turkey, Iran. We are ending up in Laos, South Vietnam, and the Congo. All these decisions are gambles.

I think when we add this gamble all up and these decisions all up over these years we have been right, because the gamble has always been on the side of peace, and we have been successful.

When we think of the results, the problem of whether we took these decisions in that direction was one of whether we tried to maintain a position of peace in the world, or whether we decided we were ready to go to war, and we still have the same problem before us; I think it is worth the gamble, to back the United Nations as the only international agency to keep peace in the world of today.

I would rather gamble with money, dollars, than I would with hundreds of millions of people's lives in this country and all over the world. I think it is a gamble. I think we might as well recognize it.

This problem before us now is a gamble. It may pay off. It may not. It is a gamble in dollars and not in lives.

I do have a question. It is my understanding that it was primarily at the insistence of the United States that the costs of the Gaza strip and the Congo operations were to be kept in an operating fund rather than to come out of the general funds and to be paid for by the general assessments. Was that correct, and what was the reason for this decision at that time?

Mr. LODGE. Mr. Chairman, I don't know what the bookkeeping technicalities may have been. I know when I was U.S. representative, I have always contended that the Russians should pay for their share of the Gaza force and of the Congo force, and that it was an act of bad faith for them not to.

They may have been kept separately as a bookkeeping matter. On that I don't know.

Mr. MCDOWELL. There must have been some decision made within the United Nations itself to have these funds separate rather than in the general funds.

Mr. LODGE. Of course the money wasn't there. When this thing hit the United Nations, first the Gaza strip force and then the Congo force, there wasn't any money in the regular fund. So in that sense it had to be—in a bookkeeping sense it had to be separate.

I know in the Eisenhower administration, and I am sure it is the same in this administration, the contention always was that this was just as much of an obligation on the U.N. as the payment of the salaries and the building in New York and it ought to be so regarded.

Setting it in a separate pocket was simply because there wasn't the money in the regular budget. It didn't mean that it was an obligation of inferior quality. I made many statements which were authorized by the administration to the effect that this was an obligation on the Russians and they ought to honor it and they would be welching if they didn't.

Mr. MCDOWELL. If there is any possibility, Mr. Chairman, of any clarification on this point, I would appreciate it if the committee could have that information.

Chairman MORGAN. We will be glad to obtain it for you.

(The information is as follows:)

THE INTENTION IN ESTABLISHING SEPARATE ACCOUNTS FOR UNEF AND THE CONGO

For a number of years prior to 1956 (when the United Nations Emergency Force in the Middle East was established) expenses of relatively small magnitude for various peace and security operations (e.g., U.N. missions in Palestine and Kashmir) had been carried in the regular budget of the United Nations. As a matter of fact, similar costs are currently included in the 1962 regular budget of the U.N. for special United Nations missions and the United Nations field service.

Upon the recommendation of the Secretary General the use of a separate account originated with UNEF in 1956. The use of a separate account was not intended to differentiate the expenses for UNEF or their treatment from those for peace and security operations which had been and are reflected in certain sections of the regular budget. When the Emergency Force was established in November of 1956 the regular budget estimates for 1957 were already in final form. Moreover, because of the nature of the operation, the Secretary General was not in a position to provide the Assembly with a definitive estimate of the total costs that might be required. The Secretary General, therefore, recommended to the Assembly in November 1956 (A/3302) that the costs of UNEF be assessed on the basis of the regular scale of assessments and recommended that an initial amount of $10 million be authorized and be handled accountingwise as a special account separate from the regular budget.

On the question of the apportionment of the costs of UNEF (and later Congo) member governments put forward a variety of suggestions such as: (1) The costs should be included in the regular budget and apportioned among all member states on the basis of the regular scale of assessments; (2) the costs should be borne by the aggressor powers (in the case of UNEF) or by the former administering power (in the case of the Congo); (3) the greater portion of the costs should be borne by the permanent members of the Security Council as having a major responsibility for the maintenance of peace and security; (4) the costs should be assessed on all governments, however, those able to do so should make voluntary contributions in order to lessen the amount to be provided by assessments on those states with a limited capacity to pay; (5) the costs should be financed entirely out of voluntary contributions; etc.

In the face of the cost-sharing dilemma, the Assembly in November 1956 in resolution 1122 (XI) approved the Secretary General's recommendations and authorized the establishment of a $10 million special account for UNEF. The Assembly put aside until November of 1957 action on the apportionment of UNEF costs among member states.

With respect to the Congo force a similar situation developed in 1960, costs being authorized from the outset, but cost sharing not being voted until December of that year. It is important to note that the Assembly's Resolution 1583 (XV)

of December 20, 1960, states: "The General Assembly, * * * *Recognizing* that the expenses involved in the United Nations operations in the Congo for 1960 constitute 'expenses of the Organization' within the meaning of article 17, paragraph 2, of the Charter of the United Nations and that the assessment thereof against member states creates binding legal obligations on such states to pay their assessed shares, * * *."

In essence, therefore, the separate accounts were set up as a matter of administrative convenience and as an orderly way to keep the books.

Mr. McDowell. I want to thank both the gentlemen for being here. I think your presence here again fortifies this committee and Members of Congress in the position that I think we are always sound in taking, that when civilian and military experts in and out of the Government of this country come before us and testify almost to a man, on issues of this importance, that in their opinion it is necessary, I think it is pretty difficult for us as Members of Congress to go contrary to those opinions.

I appreciate your presence here, and the statements you have made.

Mr. McCloy. You mentioned, Mr. Congressman, that it was a gamble. It is a gamble. But I think it is the best gamble that I can think of for the time being because this payment is going to be diluted in terms of the capacity to pay, of some of these underdeveloped nations, over a period of 25 years, and I think it is a whole lot more likely to be paid than if you lumped it in 1-, 2-, or 3-year payments.

It is interesting to see how these moneys have been raised in the past. I was very much involved in the Suez affair. Mr. Hammarskjold asked me to come in and help him because he didn't have any money to clear the canal. There was nothing in the coffers to take care of it.

Well, it was strange how informally and yet effectively it worked out.

I called up all the seafaring countries I could find and said, "Would you put up some money in the pot to help clear the canal?"

They said, "When do we get it back?"

I said, "I don't know when you will get it back, but we will try to get it out of tolls."

We raised the money on the basis of a gamble and that money has all been repaid now. A greater and greater number of countries contributed to it as they saw others doing so and there was a certain sense of obligation, and it has been all paid back now.

I think considering the form of this loan and the general desire of nations to meet their obligations, it is something less than a pure speculation—something better than pure speculation or a gamble.

Mr. O'Hara. It was about that time, too, that the Export-Import Bank loaned five times this amount—$500 million—to the United Kingdom?

Mr. McCloy. Yes.

Mr. O'Hara. That money came back and that is five times the amount of money involved here. Also the Congress voted about $4 billion for the space venture, our quest to reach the moon, and that is 40 times the amount of money, and they are both gambles, aren't they?

Mr. McCloy. I saw some figures the other day that this figure for this year's military and aid program is $300 per capita for each man, woman, and child in the United States, and $1.06 for the United Nations proposal.

Mr. LODGE. Speaking of gambles that work out well and of the Suez Canal, you remember the destruction was perfectly tremendous and it was considered it would take a long time to get it open again.

The Secretary General set up a force entirely for the countries that were not involved in the dispute. They got Gen. "Spec" Wheeler of the U.S. Army Engineers to head it up, and all those people, speaking different languages and never having worked together before, were able to get that thing opened in a matter of months.

It was opened in March after it had been destroyed in October, which is a gamble that succeeded better than anybody possibly dreamed it could under extremely difficult conditions.

Mr. O'HARA. Gambles do pay off.

Mr. LODGE. Sometimes.

Mr. MCCLOY. It cost $12 million rather than $45 million. That was because "Spec" Wheeler did it. He was engineer officer of the 4th Division in World War I and that is how he happened to be appointed. When Hammarskjold came to me and said "Where do I go to get a fellow to clear up the canal?" I said "Spec" Wheeler. I had used him as chief engineer of the World Bank when I was president. He had been in charge of the Panama Canal and he built emplacements for my guns when I was an artillery officer along the Moselle River in World War I.

Mr. LODGE. How old was he when he cleared the canal?

Mr. MCCLOY. Past retirement age.

Chairman MORGAN. Mr. Barry.

Mr. BARRY. Thank you, Mr. Chairman.

I wish to add my word of praise to the comprehensive statements you have given this morning, and your observations in regard to this problem. I think in facing up to this in the next few weeks, that we must be aware of the technical problem that we have in view of the Gross amendment last week, which showed that there were a majority of members at least last week who seemed to be unhappy about other nations' contributions to the United Nations which is this same feeling that many of us have expressed here. In view of the technical situation, I wonder if you had given thought to possibly another method which would meet Mrs. Church's objection to the bill which might also meet Congressman Frelinghuysen's point with regard to working up a permanent future financing plan for the United Nations, if something along the lines of a general loan by this Government for 3 years of $100 million, giving the United Nations this period of time to straighten out the financial problems that face it today.

I know that this method was discussed in the Foreign Relations Committee. The Senators, if they did not have a committee vote on the amendment, failed to take any action on the proposal.

There are those in the Chamber who, if we don't come in with a better solution to this problem, are going to vote against it. Then there are those who traditionally vote against it. They may possibly outnumber the people who are willing to take this middle ground, especially if the vote were to come prior to a decision of the World Court.

I don't worry along the lines of the Congressman from Ohio when he says that the Soviets would just say "Well, you don't recognize the World Court, so as far as we are concerned, we won't contribute and

pay our share." I say this because the Soviets will be required to pay their share of servicing the bond issue and under article 19 if in 2 years they have not paid their share of the servicing of these bonds, as I understand it, they would no longer have a vote in the General Assembly.

If they no longer have a vote, they have no right to be heard, or to be recognized in the General Assembly under section 19. Is this a correct interpretation, Mr. Ambassador?

Mr. LODGE. The language is "shall have no vote in the General Assembly." I have never contended that the Russians are going to pay their share no matter what the decision of the Court is. I don't think they are going to pay their share.

We have just got to brace ourselves for that fact. When you look at the arrearages, you have the Communist bloc—you have the group of countries that don't want to pay, which consist of the Communist bloc, plus France, Belgium, and of course the Arab states on the Gaza strip thing.

Then you have China, which is unable to. Then the rest of the ones that you think you can probably get, who are doing it—who don't pay for various reasons. I have never contended that the Russians will pay, no matter what the decision of the Court is.

You mentioned a loan proposal which would not require the amortization out of the regular appropriation of the U.N. I think it would be a pity to drop that. I think that is very much in our American best interest, to make these peacekeeping expenditures a part of the regular budget.

I think that is one of the ingenious and constructive things about this proposal that it does that.

Mr. BARRY. It says the money for repayment comes out of the regular budget. There is a 2-year provision after a country has defaulted on the regular budget. Let's say we do go ahead and buy the bonds. Let's say the entire indenture is picked up by the end of this year, so beginning a year following would be the due date time on repayment.

You have to wait 2 years beyond that date before a country is in default. In effect, we are talking about 3½ years from now before we could pinpoint anyone in default under the bond issue.

Mr. LODGE. I think you are talking about loss of voting rights.

Mr. BARRY. Yes, I am.

Mr. LODGE. As distinct from payment for the expenses of the peacekeeping activities. They are two separate things. The voting right isn't an issue in this legislation at all.

Mr. BARRY. No; it isn't an issue except for the fact that one of the reasons for pushing the bond issue is that the repayment on the bonds and servicing of the bonds would be part of the regular budget. This will be pointed up on the floor with a statement that it is going to be 3 or 3½ years before there will be any leverage from the use of this provision from the indenture to force a nation to come across in the servicing of the bonds——

Mr. MCCLOY. If I may interrupt, the greatest leverage I think is going to be when it gets under the regular budget, with the advisory opinion, assuming that the advisory opinion is favorable.

Mr. BARRY. Then you are going to rely on the advisory opinion?

Mr. McCloy. Sure, because one of the things that is going to induce these people to pay up these assessments—pay up their assessments—is the fact that it is legal, whereas now there is an argument that this is illegal. There is going to be a big campaign made, I would assume, I would hope, for the collection of arrearages once you get this through, and have the favorable opinion.

I don't think you have to wait, in other words, for the 2-year lapse. There will be a lot of people that will come forward before that time. Some of them will come forward in——

Mr. Barry. You are basing the success of the enforcement provision of the bond issue on the decision of the Court? You think that is going to be persuasive. I am merely making the observation that in standing up in the well of the House of Representatives and trying to sell them a bond issue and they say "What force of repayment is there?" I have to say to them "For 3½ years I don't think we have a weapon in this to get other nations to repay."

Mr. McCloy. You have a weapon right now. We lent money to the United Nations to buy the building in New York. That was in the regular budget. That has been repaid. Anything that gets into the regular budget prima facie is going to be paid.

Mr. Barry. How can you be sure they won't withhold that percentage for the servicing of the debt?

Mr. McCloy. It is conceivable they will. In the first place they would be acting illegally and they would be subject to suspension of their vote after 2 years.

Mr. Barry. It would be the year intervening plus 2 years, and that is 3½ years before we would know that. Why wouldn't it be advisable to take what some of the Senators think would be a way to get out of this thing, by lending $100 million to the United Nations for 3 years?

Mr. Lodge. First of all, the Russians are going to lose their vote in 1964. That is not 3½ years. It is 2 years.

Mr. Barry. Is that because of the present dues they now owe?

Mr. Lodge. Present dues——

Mr. Barry. They could pay 1 year's dues and continue to vote and default on the bonds a year and a half hence.

Mr. Lodge. They will lose their vote in 1964. Now your second question. What is the second question? You had so many I have forgotten—they are good ones, too—it was on a straight loan without requiring that the amortization come out of the regular budget.

I think we would lose something if we didn't try to put the peacekeeping activities in the regular budget. That is advantageous to the United States because they become legally binding obligations on all governments.

Mr. Barry. Legally binding, but not enforcible.

Mr. Lodge. It is as enforcible as anything in the U.N. is. It has no sovereignty. But the assessments are legally binding on countries and that is one reason why the record of paying assessments is very good, where the record for peacekeeping activities is very bad.

Chairman Morgan. The gentleman's time has expired.

Mr. Gallagher.

Mr. Lodge. The law is broken, but the law is obeyed a great deal in that respect.

Mr. GALLAGHER. Thank you, Mr. Chairman. I will join my colleagues in welcoming the witnesses before us this morning. I think maybe Mr. McCloy may have an addition to what his colleague said.

Mr. MCCLOY. I think there are many answers in addition to that you can make to this. This particular bond issue has been approved. The other one hasn't. I don't believe the United Nations would approve a 3-year bond issue because it constitutes too much repayment in too short a period. This does it over 25 years, and everyone can participate. This is my point about joint responsibility. The fact is that they have voted this; $72 million has been purchased or pledged by 44 other nations. To go back and say, "We want this a 3-year loan," is a different proposition and the patient may die on the operating table meanwhile.

Mr. LODGE. They voted it by a two-thirds vote. You gentlemen know how hard that is.

Mr. BARRY. Will the gentleman yield?

Mr. GALLAGHER. If we are going to inject some new thinking, I will yield.

Mr. BARRY. My questioning goes more to the problem that we have on the floor, that, in view of the vote last week, it doesn't look as if it is going to be easy sledding.

Mr. MCCLOY. The Gross amendment—I can't imagine anything that the Russians would rather have than the Gross amendment.

Mr. GALLAGHER. I disagree with the gentleman. The chairman will be handling the proposition, and you know how well that is done. I think the main question that should be perhaps repeated is one Mr. O'Hara, my colleague from Illinois, brought up: Is there really any workable alternative to the proposal that has been put forth by the United Nations on this bond proposal? There is considerable criticism aimed at the proposal, but there has been no alternative put forth. As a result I think that this is the issue that we must consider. Assuming that the bond issue was defeated in Congress, what would be the result on the United Nations action in the Congo? Would we not have to pull out, or will we not have to accept the unilateral responsibility for the action?

Mr. LODGE. I think if this legislation failed, it would be a body blow to our program in the Congo. If the United Nations program in the Congo were to disappear, the United States would undoubtedly have to be in there itself to prevent a Communist takeover. That would be an extremely dangerous operation.

Mr. GALLAGHER. Would not that bring about a Soviet Union and United States confrontation?

Mr. LODGE. It could be. There are no Soviet soldiers in the Congo, which is a good thing.

Mr. GALLAGHER. If this bond proposal should fail, we would have to get out of such peacekeeping operations. Would not then the burden become greater on the United States?

Mr. LODGE. Very much. The expenses we would have then would make this look like peanuts.

Mr. MCCLOY. And in the meantime our leadership position would be greatly impaired.

Mr. GALLAGHER. I think this was the significant point that you brought out, that our leadership would be considerably impaired if

the bond proposal should fail. One of the other things I think is the point that you made of collective financial responsibility, that this is something that we are trying to establish through this precedent. That is perhaps the very reason why we should not try to make a loan to the United Nations and perhaps indenture the United Nations even more so to the United States.

I join Mr. McCloy in his respect for General Wheeler, if he held you on the right side of the Moselle River in World War I. I remember one night crossing and recrossing the Moselle River several times in World War II. We apparently didn't have anyone who was so successful in keeping our guns on the right side that night.

I thank you very much.

Chairman MORGAN. Mr. Whalley.

Mr. WHALLEY. I have been very much impressed with the statements of both gentlemen. I think most of the questions have been asked, and certainly well answered. I agree with them, that at this stage of the game with so many of the U.N. nations already having subscribed for bond purchases, I don't think we have any other choice but the $100 million bond issue.

Thank you, Mr. Chairman.

Chairman MORGAN. Mr. Monagan.

Mr. MONAGAN. Thank you, Mr. Chairman.

I do want to express my appreciation for the statements made this morning and particularly for the clarity and the fairness, Mr. McCloy, of the statement you have made. It certainly is an excellent approach and one I would be delighted to defend myself.

I think it is a necessary approach in view of the circumstances that surround this question. One of the difficulties about this issue is connected not with the immediate problems of the financing itself but with the disillusionment that you have referred to that has set in in the country with reference to the U.N.

Many of the questions that I have had in mind have been touched on and discussed as we have gone around the table here.

There are two points that I think are important, among others, in giving rise to the disillusionment that I have mentioned. One of them is the feeling that there is a conflict between the security interests of the United States and the voting pattern that exists in the General Assembly, the one-nation, one-vote pattern which exists at the present time.

The second point I have in mind is the degree of concern that we exhibit in connection with the freedom of certain countries in the world. Angola and Ruanda-Urundi have been mentioned here. And at the same time the fact that we don't show the same concern over the freedom of other countries, such as those of the captive nations, who are tremendous friends of the United States and who are held in captivity at the present time.

I would just like to have your comments on those points for the record.

Mr. LODGE. As far as the voting goes, all important questions have to get a two-thirds vote in the General Assembly. It is extremely difficult to get a two-thirds vote. It is meant to be difficult. It is difficult to get one in the House of Representatives. It is difficult to get one in the Senate. We had to get a two-thirds vote to put the

United Nations forces in the Gaza strip. At that time when we didn't have as many of the so-called new countries as we have now, we could get 50 percent with our friends in the Organization of American States and the NATO countries, and then we had a handful of friendly nations in Asia. Then we had to go out and deal and trade and get a two-thirds vote.

The ingenuity and persuasiveness of the U.S. Government comes into play. It is hard to get a two-thirds vote to put something across. And of course that means that when there are things proposed that we don't like, it is easy for us to get a one-third to block it. I don't think that the new countries come to the United Nations animated by a spirit of revenge and desirous of forming a bloc in which they will vote solidly against anything that comes from the West. I don't think so.

Up to the time I left I knew all of the representatives of these countries well. I had them either to lunch or dinner and had gotten to know them. They are inexperienced. There are things they don't know about the world.

But most of them are men of good will. Most of them have got native intelligence and will learn. I am not pessimistic about the representatives of all these new, small countries in the United Nations. As I said in my prepared statement, if they start voting in an unreasonable and malicious and extremist manner that will be the beginning of the end of the General Assembly.

Mr. MONAGAN. It isn't anything malicious that I have in mind, but something of the type of the Angola situation with the problems that that creates for us in relation to Portugal, which certainly has been from the security point of view a very dependable and solid ally, member of NATO, and so forth. That is the sort of situation that I have in mind.

Mr. LODGE. The era of Western colonialism is practically over. All that is left really are the situations to which you refer. When you have raised before you the question of men in white hats dominating other men in hot countries, the men who represent those hot countries are always going to be against the men in white hats. That is just fundamental.

The era of Soviet colonialism of course is by no means over and has been growing. It is being more and more labeled for what it is. I think there will be difficulties about Angola. But broadly speaking, practically the whole of Western colonialism has melted like snow in the sun.

Mr. MONAGAN. Would you care to address yourself to the other part of my question, with reference to the captive nations and the attitude of the U.N. toward those countries?

Mr. LODGE. I think there is a great deal of sympathy in the U.N. toward the captive nations. I don't think there is any disposition to take violent steps——

Mr. MONAGAN. Of course we know that violent steps are not possible. We do have these resolutions about colonialism and Angola—and I am not defending it, either—and expressions on other sections of Africa, but nothing is mentioned about the other type of colonialism that is just as reprehensible.

Mr. LODGE. Absolutely. You not only have the captive nations but the Soviets did not hesitate to take over a whole lot of areas in Central Asia that had been colonized by the Czars. It is a perfectly fair point. If you are going to denounce Portuguese colonialism in Africa, denounce Soviet colonialism in Eastern Europe. You have a perfect right to do it.

Mr. MONAGAN. Thank you.

Chairman MORGAN. Mr. Seely-Brown.

Mr. SEELY-BROWN. First let me say, Mr. Chairman, this has been probably the most effective session of this committee on this particular problem that we have had. I certainly thank the two gentlemen for having done such a splendid job.

One of the questions which is going to be raised time and time again on the floor of the House when this issue is called up for debate, will involve the question of the decision of the Court. What is going to happen if we in the Congress vote "Yes" and the Court votes "No"?

Mr. LODGE. It will not affect the bond issue which is based on a two-thirds vote of the General Assembly. It will affect the question of loss of Soviet vote.

Mr. MCCLOY. Don't you think this is going to be academic? I don't know when your vote will come, but I am told on pretty authoritative sources that this decision has already been sent to the clerk of the Court. I think probably before the debate comes you will have the decision.

Mr. SEELY-BROWN. There is one last question I would like to ask you, Mr. Ambassador. In the last point that you raised in your testimony on the bottom of page 3 and the top of page 4, you say:

> While the United Nations renders indispensable services, it obviously cannot be our sole reliance for building a peaceful world and the case grows ever stronger for further steps to bring about a true capacity for timely and effective common action by the free world.

That is a wonderful statement. I am sure we agree with it.

I am wondering if you could quickly and briefly outline what some of those further steps might be?

Mr. LODGE. We have at the present time no free world organization. We have NATO which is a regional organization. We have SEATO which is a regional organization. We have the Organization of American States, which is regional. We have ANZUS, which is a regional organization.

We haven't any one place which is a free world organization where the free world as a whole can be unified and rally. I think if we had such a place with a small steering committee consisting of the big, economically sophisticated countries, we would be in a much better position to take the initiative and put the Soviets in a bad position.

I think we would be in a much better position to deal with the Soviet economic offensive—the way at the present time they are selling petroleum at cut rates all over the world, and they plan to do it with aluminum, magnesium, and other commodities. That is the thing you must cope with on a worldwide basis because everyone now has different policies.

Mr. SEELY-BROWN. Could that be done within the framework of the United Nations?

Mr. LODGE. Not at all. The United Nations is the place where the free world meets the Communist world. The United Nations is the place where we meet the nonalined peoples. It is the only place that can cope with things like the Congo. But the United Nations is not a place to rally and unite the free world. You can't expect the United Nations to do everything. One of the mistakes at San Francisco was to arouse the hope that it was a panacea for all ills. It isn't.

I was in Congress when the Communists took over Czechoslovakia in 1949. That is what gave rise to NATO. NATO was created to deal with that situation. And a very fine thing it was.

We created the Marshall plan to deal with another situation.

Now the world is shrinking all the time. I think the need has arisen for a worldwide organization of the free, an organization in which Japan would be a member on the same basis as one of your big NATO nations. It might have a secretary general, a sort of a Hammarskjold for the free.

I am not talking about any cession of sovereignty. I am talking about an organization with approximately the power that the U.N. has—which is not much—but with enormous influence.

But the fact still remains that the U.N. is utterly indispensable. It is a brilliant and effective instrument of international action. If it didn't exist, we would be in a terrible situation.

Mr. MCCLOY. I think though when you said it wasn't within the framework of the United Nations, you didn't quite mean that, because the United Nations contemplates regional areas.

Mr. LODGE. The thing I am talking about is not regional.

Mr. MCCLOY. It is not regional in the sense that it is not Atlantic.

Mr. LODGE. It is not Atlantic, Pacific, not Latin American; it is a worldwide organization. That is a concept that the United Nations Charter doesn't allow for.

Mr. SEELY-BROWN. It could prove to be a very effective voting bloc in the United Nations.

Mr. LODGE. It would be a place where you might be able to convert some of your positions in the United Nations. But above all, you could deal with—you take the Soviet economic offensive, where they now play one free nation off against the other.

Many of the big free countries have totally different policies about trading with the Communists. You need a worldwide free organization to deal with that. We haven't got one.

There is nothing sacrosanct about these international organizations. They are useful and practical. You are going to need many international organizations to cope with many things, and the way not to do it is create one big "ominium gatherum" that seeks to handle everything.

Different countries are involved in different questions to different degrees. You ought not to try to involve everybody in everything because you sharpen differences between you and other countries. If you have separate organizations you increase the basis of agreement.

Chairman MORGAN. Any further questions?

Mr. BARRY. Mr. Chairman, I wanted to say in the event we received an adverse opinion from the Court and we later had to face up to this matter on the floor, and the real question would be getting money for the United Nations to keep it from bankruptcy, and the proposal

presently before us might be in great jeopardy, if then a $100 million amendment on a 3-year basis were offered, one could consider that the value of the real estate at the United Nations as being worth that much—you are a banker—one could get down there on the floor and make a good argument for getting $100 million to the United Nations to save it secured by real estate mortgages.

What would you think of that?

Mr. McCloy. It is awfully hard to think what the psychological impact of an adverse decision would be. I think we would only——

Chairman Morgan. We would not want to lose the $72 million that is already pledged.

Mr. McCloy. I think the best thing would be to go ahead if you had an adverse decision.

I am quite aware of the fact that you would have a problem on the floor of the House.

Mr. Barry. This hasn't anything to do with the United Nations bond issue.

Algeria is having a great problem today, and France has consistently asked the United Nations to keep its hands off Algeria.

Do you know of an effort in the United Nations to do something before too much damage is done in Algeria?

Mr. Lodge. I don't know.

Mr. Frelinghuysen. One question about these future crises.

It still seems that part of the problem we face in trying to sell this particular project is how you handle future crises.

Is it your feeling, Mr. Ambassador, that there is going to be less likelihood hereafter of using the machinery of the U.N. for peacekeeping purposes, such as has been done in the Middle East and in the Congo? Future decisions to take no action would develop because of political difficulties, because of financial difficulties, or because of the difficulty of moving in promptly in what may well be delicate situations?

Mr. Lodge. If you are going to be prudent you have to assume there will be more of them.

Mr. Frelinghuysen. More problems——

Mr. Lodge. If I could talk about this off the record, but I don't want to say anything more than that now.

There are very good reasons for believing that there are going to be more of them.

Mr. Frelinghuysen. There will be more problems, but will they be problems to which the United Nations will respond?

Governor Stevenson sounded so negative. I am drawing my own conclusions from his testimony.

My feeling was that we had been bitten so often we were going to be reluctant to move in on a major scale again.

Mr. Lodge. We the United States, are the United Nations. We are a good part of it. We oughtn't to talk about the United Nations as a sort of hostile foreign power. We have everything to gain by having its methods work.

In these underdeveloped countries which have just emerged from old-fashioned colonialism, there are few educated and trained people who have had experience in running a government, collecting taxes, sanitation, teaching school, all these things. Where can they turn when they have a chaotic situation?

Well, their national pride and their human nature obviously prevent them from turning back to the old colonial masters. They don't want to turn to any country, even if it wasn't a colonial country where it might give them a feeling that they were going to be dominated.

The United Nations is the only place from the standpoint of human nature, human pride, they can turn. Thank God, you have a place where they can turn. That is all I can say on the record.

Chairman MORGAN. Mr. Monagan.

Mr. MONAGAN. Mr. McCloy, you may or may not want to go into this at this time, but I should like to ask if it is your feeling that a permanent solution to the financial problem would come from a new method of collection or from a new attitude on the part of the members of the U.N.?

Mr. MCCLOY. I think that there are some areas where—I think it is a combination of both.

I think that you have got to explore the possibilities of new international fees of some sort that maybe you can build up the—so it isn't directly related to any particular incident or any particular "hot spot" in the world. This is something that ought to be a regular charge.

I said "space flights," something like that. It may even be in shipping or some——

Mr. MONAGAN. The Suez Canal fees, that have been mentioned.

Mr. MCCLOY. Something like that. That together with a new attitude, which you refer to, which might very well result from the effect of this particular experiment.

I think the combination of both of those may carry us through.

This institution, the United Nations, is fumbling, it is awkward, it does things maladroitly. But, it is moving, and if we can keep it alive it is going to improve its techniques and there is going to be more sense applied to it.

With the horrible alternative of a thermonuclear war facing us all the time, I think we may come up in 5 or 10 years with a well-stabilized financing system.

As my colleague says, I think now is not the time to let it down.

Mr. MONAGAN. I agree with that.

Mr. LODGE. Secretary Hammarskjold provided a program called Opex, which provides trained civil servants to countries that want them.

All through Africa you will find United Nations trained government officials teaching them how to collect taxes, how to do all the things you have to do to run a government, help which they will take because it doesn't threaten their sovereignty and it doesn't arouse fears that somebody is trying to take them over.

Mr. BARRY. I would just like to say if these two gentlemen could appear on the floor of the Congress, I don't think there would be any doubt about what would happen to the United Nations bond issue.

Mr. LODGE. You are going to be there. You can do it.

Chairman MORGAN. Thank you very much, Mr. Ambassador and Mr. McCloy, for a very interesting session.

The committee stands adjourned until 10:30 tomorrow morning.

(Whereupon, at 12:50 p.m., the committee adjourned, to reconvene at 10:30 a.m. Wednesday, July 18, 1962.)

PURCHASE OF UNITED NATIONS BONDS

WEDNESDAY, JULY 18, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, in room G–3, U.S. Capitol, at 10:45 a.m., Hon. Omar Burleson presiding.

Mr. BURLESON. The committee will come to order.

The committee meets this morning to continue hearings on S. 2768, authorizing the purchase of United Nations bonds and the appropriation of funds therefor.

May I say to our visitors and witnesses that I am not the chairman of this committee, but only substituting for Chairman Morgan, who, along with other senior members of the committee, both Democrats and Republicans, are in conference on the foreign aid bill.

I know that they would wish me to express to you, for both sides, their regret at being occupied at this time and unable to be here to hear your testimony. They will have occasion to read the record and I know, like those of us here, will respect what the witnesses have to say.

We expect other members to be here before very long.

In beginning, I think we will have about an hour and a half. To divide available time equally we'll give 30 minutes to each witness including questions from members. I trust this is agreeable to the committee.

We expect to hear all three witnesses who are here this morning. We would not wish you to have to return, since I understand some, if not all, are from out of town. Therefore when 30 minutes has expired we must take the next witness. We want to be sure that we hear you fully, but at the same time, that we hear all the witnesses.

Doubtless we will have a quorum call soon after 12 o'clock. The first witness is Mrs. John D. Kenderdine, member of the board of directors, League of Women Voters. If you would come up and sit here.

You may read your statement or testify from it, whichever way you wish.

STATEMENT OF MRS. JOHN D. KENDERDINE, MEMBER, BOARD OF DIRECTORS, LEAGUE OF WOMEN VOTERS OF THE UNITED STATES

Mrs. KENDERDINE. I will read the statement and then if you have any questions I will be glad to try and answer them.

As I am sure you are aware from previous testimony, the League of Women Voters of the United States has supported the United Na-

tions since its inception as an important means of developing procedures for international cooperation and promoting economic growth and political independence in the emerging countries. We have interpreted these U.N. goals as consistent with, indeed, vital to, the national interest of the United States.

As a matter of fact, the League's continuing support for the United Nations over the past few years has explicitly spelled out "adequate financial contributions," be it for the regular U.N. budget, special programs for economic development or, as in the present crisis, for efforts to keep the peace.

Through the 1950's we opposed percentage restrictions which have speeded the gradual cutting of U.S. contributions to the present 32 percent. I should say approximately.

In connection with our support of U.S. economic aid, now under AID, we have emphasized U.S. contributions to U.N. technical assistance, the special fund and the voluntary international programs.

At our national convention held in Minneapolis this May, the delegates by an overwhelming vote chose the United Nations as one of two major program concerns. This vote followed 3 days of debate, when delegate after delegate voiced the desire of the members she represented to give special attention to the United Nations so that, as League members, they could contribute to a greater depth of public understanding of the potentialities, and the limitations, of the United Nations.

One of the specific and critical U.N. problems which League members will study is that of financing in both its immediate and its longer range aspects.

Regrettably, the United Nations present fiscal crisis imposes an undesirable limitation on the very kind of activity which serves the interests of the United States, namely, efforts to preserve peace and the independence of new and developing nations. In our judgment, the purchase by the United States of $100 million of bonds offered by the United Nations has these advantages:

It would avert imminent U.N. bankruptcy and provide the funds necessary to carry on the emergency force and Congo operations for which the United States voted.

It would put the U.S. contribution on the basis of an interest-bearing loan which would be repaid by all members through regular U.N. budget assessments.

It would support the genuine effort of the U.N. General Assembly to face its financial difficulties.

It would be a demonstration of good faith and solidarity to those countries which have purchased many millions of these bonds.

It would make possible a breathing spell during which studies might be initiated and a more permanent solution to problems of U.N. financing might be found.

It seems to us that the basic issue is: Will the United Nations be able to carry out its peacekeeping responsibilities? In the League view, the answer must be "Yes."

We consider it a privilege and a pleasure to appear before this committee to present the views of our members. There are 132,000 of us now, organized in 1,150 local leagues in all 50 States and the

District of Columbia. For these members I want to thank you for listening today to our statement.

Mr. BURLESON. Thank you, Mrs. Kenderdine. It is a very attractive statement you have presented and in a very able manner.

If it is agreeable with the committee, we will waive the 5-minute rule and question as you wish. Are there questions for Mrs. Kenderdine?

Mr. BROOMFIELD. Mr. Chairman, I first would like to congratulate Mrs. Kenderdine on the work of the League of Women Voters. In my particular district I am well aware of the tremendous research that they do on vital subjects affecting not only our State of Michigan but the United States.

I think they do an excellent job in keeping voters more fully informed on issues. There are some questions that I would like to ask you in view of your statement.

On the first page you mention that "As a matter of fact the League's continuing support for the United Nations over the past few years has explicitly spelled out 'adequate financial contributions,' be it for the regular U.N. budget * * *."

Of course, you mention that you oppose percentage restrictions which have speeded the gradual cutting of the U.S. contributions to the present 32 percent. Is it the judgment of the League of Women Voters that the United States should pay more than 32 percent to keep the operation of the U.N. going?

Mrs. KENDERDINE. We have no definite position on this. I think the feeling has been that it was too bad to have this cut too fast, that there were so many new countries coming into the United Nations for whom it was going to be very difficult to make an adequate contribution.

Mr. BROOMFIELD. Don't you believe——

Mrs. KENDERDINE. That this might ease their coming in. This, as I say, is not a definite position. We just felt this was pushing it a little too fast.

Mr. BROOMFIELD. Many of us feel an organization of 104 members, if their membership is to mean anything, should not be primarily sponsored or supported by one country. I think the United States—and I would like to make sure that you understand that I never opposed the U.N.—I think it is very vital. But I think it loses some of its effectiveness when the United States continues to try to bail out the entire financial operation of the U.N.

What disturbs me greatly is the fact that many of these countries are not paying their just share of the peacekeeping operations in the Congo. It is very disturbing to me.

I often wonder what would happen if Cuba, for example, had an internal problem and went before the General Assembly and asked for help there, whether the United States would be willing to pay their share in view of the situation in Cuba?

Mrs. KENDERDINE. It would certainly be a very difficult problem. There are comparatively few members—there are some who are behind on their regular U.N. budget, but they are comparatively few and most of them are making an effort to pay this. I agree the Congo operation is the real reason for financial difficulty, and this is where—one reason

for the whole crisis. We will hope the decision of the International Court——

Mr. BROOMFIELD. Has the League of Women Voters done a great deal of studying on this peacekeeping operation? Do they support this particular phase of operation within the United Nations?

Do you visualize eventually establishing a bigger police force within the United Nations to carry out these individual problems in different countries throughout the world, if they should arise?

Mrs. KENDERDINE. That is one of the problems we are going to be considering in the next few years.

Mr. BROOMFIELD. Have you done any studying and come to any conclusions? My concern is whether the United Nations should stick to a forum; in other words, where you bring all these countries together to actually discuss these issues, whether the United Nations should become involved actually with people in these different countries?

Mrs. KENDERDINE. As I say, this is one of the problems that we have before us and will be discussing and trying to reach some agreement on in the next couple of years. It isn't a thing you can decide off the cuff.

Mr. BROOMFIELD. In conclusion, Mr. Chairman, I wish to compliment the League for taking a positive position on this U.N. bonds issue. I think it is vital. Again I want to emphasize that I certainly wouldn't want the United Nations scuttled. I think it is extremely important. Unless this is done there is good reason to believe it might cause the end of the United Nations.

I do want you to know I appreciate your forthright statement.

Mrs. KENDERDINE. Thank you.

Mr. BURLESON. Mr. Broomfield, I also pay attention to the League of Women Voters in my district.

Mr. BROOMFIELD. I am sure you, do, Mr. Chairman.

Mr. BURLESON. Are there other questions for Mrs. Kenderdine?

Mr. MURPHY. I want to compliment you on your statement. I subscribe to the position taken by the League of Women Voters on the U.N. bond issue. I would like to call your attention to page 2 of your testimony in reference to the advantages offered by the United Nations by the purchase of the U.N. bonds. I am referring to where you state "it would put U.S. contribution on the basis of an interest-bearing loan which would be repaid by all members through regular U.N. budget assessments."

I believe you failed to mention the word "regular," which indicates from what budget the interest-bearing loan is to be repaid. I think it is important that the term "regular" should be set forth in the record, because it shows that payment is to be made from the budget that has had the greatest support by the member states.

Also there is already a precedent in which the United States made a loan to the U.N. for the construction of the headquarters in New York. This loan was repaid from the "regular" budget, so that the U.N. bonds could be paid accordingly through the same budget.

The question has been raised by some witnesses as to what would happen if the International Court of Justice rendered an adverse opinion. Testimony was given that an adverse opinion would not make any difference as to the bonds. I believe it is important to identify the budget as the "regular budget" instead of having some misun-

derstanding that it might be paid from the special budgets such as the one for UNEF-Near East or the ad hoc Congo special account.

Mrs. KENDERDINE. We do speak of the regular budget.

Mr. MURPHY. You did not mention it in your testimony. I am calling your attention to it because of its importance.

Mrs. KENDERDINE. I thought I did. Maybe I forgot it. I think this is one of the reasons we believe that this loan is an important one, because it would go into the regular budget and would be repaid by all the members.

Mr. MURPHY. I agree with you.

Mrs. KENDERDINE. As I understand that was the definite motion—resolution of the General Assembly.

Mr. BROOMFIELD. Would the gentleman yield?

Mr. MURPHY. Surely.

Mr. BROOMFIELD. There is a question: You speak so positively that this would be repaid through the regular budget. I mean, this does have to be voted on by the General Assembly, does it not?

Mrs. KENDERDINE. It has been. The General Assembly resolution that set up the bond quite explicitly——

Mr. PILCHER. Would the gentleman yield?

Mr. MURPHY. I would be happy to.

Mr. PILCHER. I am not saying how I stand for or against, but does the League of Women Voters really believe this loan would be repaid?

Mrs. KENDERDINE. Yes.

Mr. PILCHER. On what basis? How many countries haven't paid up their dues?

Mrs. KENDERDINE. There are not many countries that haven't paid up their dues.

Mr. PILCHER. How many? Aren't there 70 or 80?

Mrs. KENDERDINE. That are really behind in their dues? No.

Mr. PILCHER. The record shows there are over 70 countries behind in their dues. This whole thing is going to be based on the verdict of the International Court with lots of these nations.

Do you think that the Soviet Union and her satellites—should the Court rule favorably, and the United States doesn't even recognize the International Court—do you think that the Soviet Union and her satellites are going to pay their dues for this Congo operation?

Mrs. KENDERDINE. Well, I think these are two different things. I am no lawyer. It is my understanding that this loan, as it was set up by resolution of the General Assembly, to be repaid out of the U.N. regular budget, was voted upon and agreed to in the General Assembly and that that is a different—it is not a special assessment. That this would be a regular part of the budget and is not a special assessment such as the Congo operation.

Mr. PILCHER. I was for Woodrow Wilson's old League of Nations. In the United Nations I have always been a strong believer. I believe we are just assuming something that is not going to happen. I wish we could have put the $100 million in the foreign aid bill.

As far as this loan being repaid, I would hate to have my money invested in it and expect to get any interest. I think we can just as well forget about that. If it is a good deed, it is all right.

Mr. Chairman, I would like to get the record straight.

Can we have one of the staff get the number of countries in the United Nations that actually are behind with their dues now?

Mr. BROOMFIELD. If the gentleman will yield, I think Mr. Cromer has it right here, which is on page 12 and page 13 of this report. You can look at it.

Mr. PILCHER. They are $82,400,000 behind. All those countries are in arrears as listed there, are they not?

Mr. BURLESON. That is correct.

Mr. PILCHER. Afghanistan, Albania, Argentina, Australia, Austria, Bolivia, Brazil, Bulgaria, Burma, Cambodia, Canada, Central African Republic, Ceylon—well, there are two whole pages there—Philippines, the United Arab Republic, United Kingdom. But that is just a matter of whether it is worth the $100 million. But, so far as getting repaid, that is just a difference of opinion. I don't think it will be worth a copper cent.

Mrs. KENDERDINE. You don't think the vote in the United Nations is worth something? After all, if they run behind over 2 years, then they lose their vote.

Mr. PILCHER. Well, not necessarily, unless there is some cause beyond their control. They don't just say they can't vote, period.

Mr. MURPHY. Yes, page 13.

Mr. PILCHER. They can always get up some excuse. It says:

> A member of the United Nations which is in arrears in the payment of its financial contribution to the organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding full 2 years.
>
> The General Assembly may nevertheless permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of a member.

Mrs. KENDERDINE. No; but I think considering—well, I shouldn't get into what I think.

The General Assembly is certainly aware of its financial difficulties and apparently is extremely anxious to get on a more solid financial footing.

Mr. PILCHER. I agree with you. We have to be realistic. This Congo operation, that is just one. With these countries coming in just as fast as they are, we are going to have several of the Congo operations. It all depends on the attitude of these nations of whether they are willing to put up the money or not or whether a few of the countries will put it up.

I am not trying to make it hard on you or anything. I just want to state some real facts. As far as getting the money back, I don't think it will be worth a copper cent.

Mr. BURLESON. Mr. Nix.

Mr. NIX. Thank you, Mr. Chairman.

Mr. Chairman, I feel that there is real merit in the position taken by the League of Women Voters. I think that too often we predicate what the United States of America might or might not do on what the Soviet Union is to do.

I don't think that should be our attitude at all. On the contrary, I think the attitude of the United States of America should reflect a determined effort toward that which is right, that which is helpful to less developed countries and to men everywhere.

As to the $100 million purchase of U.N. bonds, the United States of America in recent years has certainly lost infinitely more than that in less worthy causes. I am not too concerned with whether or not it is ever repaid, but I am definitely concerned with the preservation of the only institution which has any present hope of bringing to all mankind the one blessing devoutly desired by all—that is peace. I feel strongly that no worthy course of action has been suggested as a substitute for what the United Nations has done and might do.

For these reasons I see no alternative except to support the President.

Mr. BURLESON. Thank you, Mr. Nix. Are there other questions?

Mr. Barry, you have just come in. Do you have any questions?

Mr. BARRY. Thank you, Mr. Chairman.

Mrs. Kenderdine, I have read your statement and I want to commend the League of Women Voters for their farsightedness over the years, in being one of the earlier sponsors of the United Nations and also for maintaining that support through the years.

I enjoy several League chapters in Westchester, and it is a privilege when one of your representatives appears here to tell the Nation through this committee of your continuing interest in working for the only international peace organization to which members from all over the world can join, with the exception of Germany and one or two other countries.

Thank you, Mr. Chairman.

Mr. BURLESON. Are there other questions?

If not, Mrs. Kenderdine, thank you very much for your testimony. It is a pleasure to have you here.

Mrs. KENDERDINE. Thank you. Tell Chairman Morgan that I missed him. I come from Pennsylvania.

Mr. BURLESON. He will be sorry to have missed you.

The next witness is Dr. Elton Atwater of the Friends Committee on National Legislation.

You may proceed, as I indicated to Mrs. Kenderdine, in your own way. You may wish to read your statement verbatim or summarize and file your statement with the recorder.

STATEMENT OF DR. ELTON ATWATER, REPRESENTING FRIENDS COMMITTEE ON NATIONAL LEGISLATION

Dr. ATWATER. I would like to read the statement and if members would like to ask questions, I will try to answer them.

My name is Elton Atwater. I am professor of political science and head of the Department of Political Science at the Pennsylvania State University. I am appearing today on behalf of the Friends Committee on National Legislation.

The Friends committee does not claim to speak for all individual Friends in the United States. Its organization is not such as to empower it to do so. Nevertheless, Friends in general have had a long and continuing interest in the United Nations and would like to have it function as effectively as possible.

Last October, for example, the Friends National Conference on World Order called for wholehearted support for the United Nations. In January of this year, the Friends Committee on National Legisla-

tion made support for U.N. bonds a priority issue for 1962. An increasing number of individual Friends during the past 2 years have joined in a self-imposed, voluntary tax plan whereby they have contributed a certain percentage of their income to the United Nations. Approximately $75,000 was given to the U.N. in this way last year, and comparable amounts seem to be coming in this year. It is in line with this interest of many Friends in the success of the United Nations that I have come today to support S. 2768 which authorizes the President to purchase up to $100 million of U.N. bonds.

Much of what I shall say will reflect my own firsthand work and observations at the United Nations. For 2 years, 1957–59, I was on leave of absence from my university to serve as an accredited nongovernmental representative at the United Nations of the Friends World Committee. During this time, I worked closely with many U.N. delegations and Secretariat officials on U.N. programs of technical assistance, economic development, and social welfare. Since returning to my university, I have continued to maintain close touch with current U.N. developments in these fields.

Let me say at the outset that I was appalled at the action of the House last week in voting to withhold loans or special assistance to the United Nations until all other countries had paid up their arrears. While I realize that this does not affect the payment of the regularly assessed quotas of the United States, it seems to me that the above action is like saying to the United Nations, "We won't help you solve your problem until you have solved it." If all U.N. members were to pay up their arrears fully, there would of course be no problem, and the U.N. emergency operations in the Middle East and the Congo would be financially solvent. The U.N. bond plan is designed to help the U.N. out of the crisis caused by the failure of certain governments to pay their share of these emergency operations. The whole purpose of the bond plan will be defeated if the House amendment remains in the foreign aid bill, and this will gravely weaken the U.N. efforts to maintain peace in the Middle East and Africa.

I hope the conference committee, which is meeting today, will find some way of restoring the provision in the bill to permit the purchase of U.N. bonds.

I agree with Ambassador Adlai E. Stevenson and Under Secretary of State George W. Ball that it is clearly in the interest of the United States that the U.N. be financially able to carry out its policing operations in Africa and the Middle East. The United Nations Emergency Force in the Middle East, which as of June 30 accounts for about 29 percent of the estimated U.N. deficit, has contributed greatly to a reduction of tension along the Arab-Israeli borders. Whereas border incidents used to occur frequently, some with serious results, they have decreased considerably since the U.N. forces took up their places along the frontiers. Graphic evidence of this was seen a year or so ago when the U.N. force had to be temporarily shifted from certain border areas and a noticeable increase in border violations occurred.

The U.N. force in the Middle East is not physically large enough nor militarily strong enough to deter a full-scale violation of the border by either the Israel or the United Arab Republic Governments should either decide to commit such an aggressive act. But the U.N. force has a symbolic and psychological strength which enables

it to be far more influential than its physical size might otherwise suggest. To violate the borders patrolled by the U.N. force would be tantamount to making war on the entire world organization, and such a step by either Israel or the United Arab Republic seems extremely unlikely. The U.N. Middle East force therefore constitutes a significant example of how a small and relatively inexpensive international peace force can help to keep a tense area stabilized and provide more time for the underlying political conflicts to be resolved through negotiation and adjustment.

It is regrettable that several states have, for political reasons, refused to pay their share of the costs of the U.N. Middle East force, but this does not make it less important for the operation to succeed, or for the United States to support it. Indeed, I believe it is all the more reason to take the necessary action to assure the continuance of the operation.

In the case of the Congo operation, which accounts for about 65 percent of the current estimated U.N. deficit, I believe that a potentially major cold war conflict has been localized and that progress in achieving agreement on internal unity is slowly taking place under U.N. protection. Not only has the presence of U.N. forces restricted the opportunities for foreign intervention in the Congo civil strife, but U.N. civilian personnel have assisted the Congo Government in conducting many of the daily tasks of public administration pending the training of competent Congolese to do the job. In the fall of 1960, when the need for help was perhaps at its height, there were approximately 500 civilian U.N. officials in the Congo performing every conceivable type of function. Had no U.N. program been in effect, the chaos of the situation would have undoubtedly invited all varieties of foreign intervention.

Although the Congo case is exceptionally complex, it illustrates strikingly how U.S. interests have been more effectively served by relying on U.N. agencies than by relying on direct bilateral aid. Bilateral U.S. aid to the Central Government in the Congo would in all probability have been followed by intensified Soviet aid to the followers of Lumumba and Gizenga, thereby opening the doors to endless cold war intrigues and rivalries for greater political influence in the country.

Indeed, I would go even farther and suggest that the U.S. interest in developing strong, independent, economically viable governments in the new countries of the world can be more effectively accomplished by using the United Nations rather than by trying to do it exclusively ourselves. I say this on the assumption that we are not seeking political concessions from the new countries, but are trying primarily to encourage the kind of genuinely independent, economically strong regimes that will be least susceptible to foreign penetration or infiltration. Assuming that the U.N. has funds at its disposal comparable to our bilateral programs—this, I realize, is a big assumption—the U.N. can do a number of things better and less expensively. For example:

(1) Economic assistance can be more effectively taken out of the context of the cold war. U.N. grants or loans can be allocated more readily on the basis of economic need and soundness, without the so-called political strings or implications, direct or indirect, of bilateral aid. Given the availability of sufficient U.N. funds, most underde-

veloped countries would prefer to come to the U.N. for their technical assistance and capital investment needs. Few, I believe, would choose Soviet bilateral aid if ample U.N. aid were available.

(2) Internal economic and social reforms can be more effectively suggested by an impartial U.N. mission than by a national government mission which can be quickly accused of intervention in the internal affairs of the recipient country.

(3) U.N. funds can be made to go farther than bilateral funds. The costs of experts and services from other countries are often less than those for U.S. experts and services. The contributions of other countries help U.S. contributions go farther.

I might add at this point that under our bilateral programs the United States contributes all of the cost. Under the multilateral U.N. programs we contributed 40 percent of the cost. Other countries pay 60 percent of the cost.

Moreover, under U.N. programs, there is less danger of grants being made, so to speak, just "to keep up with the Joneses." By this, I mean that it is sometimes politically awkward under bilateral programs to extend aid to country A without also extending a like amount to country B, regardless of the economic merits of the latter case.

I might also add that U.N. economic aid programs have, to the best of my knowledge, been free of scandal and have been conducted efficiently.

It is for reasons such as these that I believe we have every interest in seeing the U.N. operation in the Congo freed from its present financial difficulties, and why I support the authorization to purchase $100 million of U.N. bonds. Not only does the bond plan constitute a reasonable stopgap measure, pending the development of more permanent means of assuring larger revenues, but it will have the effect of spreading the costs of the current deficit over all U.N. members by making the bonds repayable over the next 25 years from the regular U.N. budgets which are assessed against all members.

The bond plan is, of course, only a stopgap measure, and it is essential that steps be undertaken promptly to study ways of providing more adequate revenues for U.N. peacekeeping operations which will render unnecessary any future large-scale borrowings. I am glad that section 4 of S. 2768 envisages U.S. initiatives along these lines. It seems clear that if the U.N. is to be fully effective, it must have at least some new and independent sources of revenue which cannot be easily cut off because a few U.N. members dislike some particular peacekeeping operating such as that in the Congo or in the Middle East.

I was much interested to see reference in the Senate debate on this bill to certain specific sources of independent revenue for the United Nations which ought to be investigated. In an address before the Senate on April 3, 1962 (Congressional Record, daily edition, pp. 5355–5356), Senator Hubert Humphrey called attention to a study made by Dr. Eugene Staley for the International Industrial Development Center of the Stanford Research Institute, Menlo Park, Calif. In this study, Dr. Staley suggests the following steps:

(1) That the U.N. be given exclusive authority to license and regulate the use of outer space and to tax outer space traffic and communication. The recent successful launching of the Telstar communica-

tion satellite suggests that some action along these lines should be investigated immediately.

(2) That the U.N. be given special rights to royalties from the production of raw material resources found in the oceans or under the ocean bottoms beyond the territorial jurisdiction of national governments. The possibility of drilling for oil through the ocean floor on the high seas may not be far off, according to some engineers.

(3) That the U.N. be authorized to regulate and tax the exploitation of resources or transportation routes in the polar regions.

Here are three broad areas of potentially fruitful development which do not lie within the present domain of national governments. It seems extremely important to begin discussions at once on ways whereby they might be brought under the jurisdiction of the U.N., not only to provide the U.N. with possible sources of new and independent revenue, but also to reduce the danger of their becoming the objects of a dangerous free-for-all rivalry on the part of various states.

In addition, I should like to suggest the possibility of asking U.N. members to permit the levy of a small nonburdensome tax—for example, $1—on each passport or visa which they issue, the proceeds of which might be turned over to the United Nations. This would be even simpler to institute than any of the measures previously suggested since it would not be dependent upon formal international agreement and could be instituted by whatever governments were prepared to do so. A similar nonburdensome charge might also be levied, on behalf of the U.N., on all international air or sea passenger tickets. These are only ideas. They present some possibilities and might be worthy of investigation.

Even if only a few governments were prepared to undertake measures such as these, it would be a significant start toward the creation of a more independent source of revenue for the United Nations. In addition to supporting the U.N. bond issue this committee, I hope, will also authorize an early study of constructive measures which would provide a more reliable long-term system of U.N. financing.

Mr. BURLESON. A most interesting statement, Dr. Atwater. It is appreciated.

You have consumed about 15 minutes, which leaves about 15 minutes for questioning, which according to my arithmetic, excluding the Chair, who will be glad to yield, permits about 2½ minutes in questioning.

Mr. BROOMFIELD. Mr. Chairman, I would like to direct a question to Professor Atwater. I, too, want to congratulate him for his statement. It is very interesting.

You admit in your statement that the bond issue is stopgap legislation. Do you favor future bond issues to finance the U.N.?

You touched vaguely on the problems, and then you had some suggestions as to a tax. A witness in a statement yesterday said that under no circumstances could the U.N. tax other countries for the operation of the U.N. I was just interested in your viewpoint on future bond issues, because the bill, as you probably know, section 4 states that—

nothing herein shall be regarded as authorizing the United States to participate in any future United Nations borrowing.

Dr. ATWATER. I would hope that future bond issues would not be necessary. I believe they would not be necessary if adequate new measures for long-term financing can be worked out, along some lines of the sort that I indicated.

I wasn't suggesting in my various points what might be called a direct U.N. tax, but rather a basis whereby the U.N. would be given certain royalty rights or certain revenue rights for the use of resources in areas presently beyond the jurisdiction of national governments.

I was also suggesting that governments which were willing might permit the levy of nonburdensome charges on certain services, such as passports, or air tickets, which would be collected by governments and then simply made available to the U.N. This is not a U.N. tax. So perhaps——

Mr. BROOMFIELD. It could not be enforced, could it? It could not be enforcible by the U.N.? It would be more or less on a volunteer basis by individual countries?

Dr. ATWATER. That is right. They could make money available to the U.N. without going through the appropriation process every year.

Mr. BROOMFIELD. Don't you feel there should be some method of collecting these arrearages, that these countries who fail to pay realize there is a responsibility if they want to continue to be a member of the United Nations? This is my point. Again I want to emphasize that I feel very strongly for the U.N.

I think we are being very complacent as far as the United States is concerned. We hear the United States is not paying enough. There are cases where we pay as high as 47 percent of the operation.

In the Congo area we can cite military contributions that we voluntarily contribute over and above our regular assessment. I think it is vital that we stress and the United States take a strong position in insisting on these countries who are in arrearage to pay up if they are going to be a member of it.

Dr. ATWATER. In principle I agree with you. In practice we are dealing with one of the basic weaknesses of the U.N.

The U.N. is not in a position easily to make countries do things which they feel are against their national interest.

It is not in a position particularly to force a great power to do something against its wishes. I wish it were, but it is not. It is not able to force the United States. It is not able to force the Soviet Union. The U.N. depends upon the willingness of countries to use it. It is something which can be used if governments are willing to do so.

Until the day when we have a stronger international organization with the powers of the sort that you contemplate, I see no way other than to work through persuasion, negotiation, and for those who see an interest in U.N. endeavors to express that interest in the best ways they can, of which this is one.

Mr. BROOMFIELD. Thank you.

Mr. BURLESON. The gentleman's time has expired. Are there other questions for Dr. Atwater?

Mr. PILCHER. I have no questions.

Mr. BURLESON. Mr. Barry?

Mr. BARRY. Thank you, Mr. Chairman.

Dr. Atwater, I too appreciate your statement. On page 3, at the top of the page where you are referring to technical assistance through the United Nations, I gather from this statement that you are really proposing that our economic aid program should be funneled through the United Nations; is that correct?

Dr. ATWATER. I feel the U.S. interest would be served even more effectively through the U.N. if the moneys were administered for the economic aid programs that way; yes.

Mr. BARRY. Let me cite you one of the reasons why this committee would be reluctant to make such a recommendation. Beforehand, however, I am confident that you are aware of the fact that we now support a technical assistance program at the United Nations where we make a small contribution in relation to the total economic aid which we give bilaterally. Even with this small amount of aid given through the U.N. there has been a tremendous upheaval with regard to technical assistance that has been given Cuba within the last year, where the United States has contributed between 30 and 47 percent.

Would you jeopardize our entire economic aid program by placing ourselves in a position that would allow Cuba and other Communist-dominated nations to siphon money from the United States through such a setup?

Dr. ATWATER. I believe you are referring, are you not, to a project of the U.N. Special Fund——

Mr. BARRY. Yes, I am.

Dr. ATWATER. That was granted this last year. As I understand this project, it was investigated very carefully by the experts at the U.N. It was adjudged to be economically sound and therefore, since the Cuban Government was a member of the U.N., it was awarded to it as any other contract might be awarded that was found economically feasible and for which funds were available. Basically I think the long-run effects of this may be better than if the money were denied Cuba.

It will help to improve the economic potential, the economic well-being of Cuba, which in the long run I think will have a mellowing effect upon the Cuban revolution. I believe that Cuban policies are more likely to become moderate if the country is permitted to receive outside help through the U.N. rather than by isolating it.

Mr. BARRY. Dr. Atwater, I think if your proposal were adopted, it would spell the end of our economic aid program throughout the rest of the world. This is not something that the American people would tolerate.

Dr. ATWATER. I realize this position may be somewhat different from what the majority of the American people would support. I suppose most Americans would like a combination of bilateral and multilateral aid.

I would suggest in this connection that a far greater proportion of our aid be channeled through the U.N. because so long as we are not seeking political concessions, and are trying to encourage independent strong governments, the U.N. can do this just as well and less expensively.

Mr. BARRY. I would like to call your attention to the bottom of page 3 where you suggest that "the United Nations be given exclusive authority to license" and in the next paragraph, "the United Nations be

given special rights to royalties, that the United Nations be authorized to regulate and tax resources and transportation routes in the polar regions" and so on.

I ask you if you don't think this is a tendency toward world government, which is something that the United Nations presumably was not going to be?

In other words, the United Nations is peacemaking machinery, not an organization to divide powers that presumably have never been delegated to it.

Dr. ATWATER. It represents a mild strengthening of the United Nations by giving it access to revenues that are not wholly dependent upon the year-to-year decisions of national governments.

Mr. BARRY. It would require a surrender of sovereignty by these nations for these provisions to become operative.

Dr. ATWATER. No more than any international treaty involves the surrender of sovereignty. Obviously the U.N. couldn't go to the middle of the Atlantic Ocean and collect royalties. But by international agreement or treaty it could do this provided enough countries ratified it.

Mr. BURLESON. The time of the gentleman has expired. Are there other questions?

Mr. Nix.

Mr. NIX. Mr. Chairman. Dr. Atwater, I read the briefs submitted by the United States, by the United Kingdom, by the Netherlands to the International Court of Justice in support of the proposal made to the Court. It seems to me that there is precedent for what is being done in the Congo.

I get the impression that the same thing was done in the Gaza strip. I would like to know whether or not the funds being used in the Congo operation come from a different source than the funds that were used and are being used in the other operation?

Dr. ATWATER. The United Nations has several accounts. There is the regular budget. There is also the budget for the Middle East operation, and still another budget for the Congo operation. Special amounts are appropriated by the Assembly for these different operations, and then assessments are made against member states for each of the three budgets. Member states then pay into each of the separate accounts as indicated.

I don't know whether that answers your question or not.

Mr. NIX. I merely wish to emphasize the fact that there is precedent for the operation in the Congo. That has been set forth in the briefs presented to the International Court of Justice by each of the countries who advocate the continuance of this Congo operation. I mention it merely to say that there is every reason to believe that the decision of the Court will be a favorable one.

Thank you, Mr. Chairman.

Mr. BURLESON. Thank you, Mr. Nix.

Mr. PILCHER. Just one question.

You have mentioned the easing of tension in the Middle East between the Israelis and the Arabs. Do you believe that solution is any nearer settlement than it was 10 years ago?

Dr. ATWATER. I didn't mean to give the impression that the basic problem was solved or was perhaps even near solution. What I

meant to imply was that in a situation where there was acute danger of conflict a device had been discovered for keeping border incidents to a minimum and reducing the danger of explosions.

Hundreds of border incidents, most of them not in the papers, used to take place prior to 1956. Many were innocent violations by farmers who wandered across the lines. But they sometimes exploded into serious conflict.

The U.N. Force has reduced these to negligible proportions along the Israel-United Arab Republic frontiers.

Mr. PILCHER. I believe the tension is just as bad. For instance, the Speaker of the House of Representatives of Lebanon, where we had Marines in 1958, told this committee—a subcommittee of the Foreign Affairs Committee—no later than last November, at a banquet, that the U.S. Government was responsible for all the trouble in the Middle East, that it started when Israel was created, and that there never would be any peace in that section of the country until Israel was destroyed.

You take today. If a Member of Congress has one ounce of Jewish blood in him, or you had a plane where there was a technician or pilot, you can't land. We had to show them in Hong Kong that we didn't have a Jewish Member of Congress on our plane. They won't even let them land in that country.

Dr. ATWATER. Could I just make the point, Mr. Chairman, that I think the U.N., in a situation like that, represents a kind of holding operation. It keeps the situation from getting worse while time is allowed to heal the wounds and provide the opportunity for negotiation which is, after all, the only way this ever can be resolved.

Mr. BURLESON. Are there other questions for Dr. Atwater?

Mr. WHALLEY. Thank you, Mr. Chairman.

Professor Atwater, do you have any idea how much money could be raised on passports or airline tickets?

Dr. ATWATER. There were some 850,000 passports and over 1,200,000 immigrant and nonimmigrant visas issued last year by the United States. The figure varies, of course, from year to year, but I believe 2 million would be a reasonable figure to use for the number of U.S. passports and visas issued in an average year.

While this would supply only $2 million, I would assume that several other governments would also be willing to levy such a charge on the passports and visas they issue. If 30 or 40 governments agreed to do this, it could produce a significant amount of additional revenue for the U.N.

I don't have any exact statistics on air or sea tickets, but this would probably be somewhat larger than the figure for passports and visas since some individuals would be traveling on passport renewals, and some might not have to obtain visas. If countries which supply major international sea and air transport services, such as the United Kingdom, the Netherlands, France, and the Scandinavian powers, participated in the plan I have suggested, it would assure an additional significant amount of revenue for the United Nations. While the revenues from these services might not be sufficient to clear up the entire U.N. deficit, this would nonetheless be a start in the direction of finding additional sources of independent income.

Mr. WHALLEY. Thank you, sir.

Mr. BURLESON. Any other questions?

Thank you very much, Dr. Atwater. It is a pleasure to have you. Our remaining witness is Col. Curtis B. Dall, chairman of the Policy Board of Liberty Lobby.

You may proceed as you desire in your direct testimony.

STATEMENT OF COL. CURTIS B. DALL, CHAIRMAN OF THE BOARD OF POLICY OF THE LIBERTY LOBBY, INC.

Colonel DALL. Mr. Chairman and members of the Foreign Affairs Committee, my name is Curtis B. Dall, of Philadelphia, Pa., and I am chairman of the board of policy of the Liberty Lobby, Inc., of Washington, D.C. The Liberty Lobby is a bipartisan, political-action association designed to assist in keeping the American public currently informed as to vital legislative matters before Congress and designed to encourage American citizens to take an active interest in the affairs of government.

Our membership now exceeds 25,000 subscribers in each of the 50 States and in every congressional district therein.

Actually our points of contact with the various units I would estimate to be in excess of a quarter of a million.

I am authorized by our board of policy to appear before you today concerning S. 2768, the proposed $100 million loan to the United Nations.

The Liberty Lobby is strongly opposed to this bill now being considered and we wish to register our opposition to it, as being inimical to the best interests of this Nation.

In December of 1961, when the United Nations voted to float a $200 million bond issue, almost one-half of the U.N. members apparently didn't approve. Although the United States supported this proposal, the vote was 58 for, and 13 against, with the other 33 member-nations either abstaining or absenting.

Therefore, from the beginning, it lacked the popular support and/or approval of almost one-half of the membership. Should not the United Nations operate on a sound financial basis, with all the members paying their share of expenses? We are definitely opposed to the investment of a single penny of American taxpayers' money in this so-called loan, unless all other member nations pay what they owe.

It is incredible to us that American taxpayers, whom you represent in Congress and who have already paid for far more than their proper share, should be asked to pay for the international delinquencies of such nations as Cuba, the Soviet Union, and even some of our friends, such as France.

Why should our Government, a fully paid-up member, make up for the bad debts of deadbeat countries?

We all know too well that for many years we have been paying much more than our share of the operating expenses of the United Nations, and until the delinquent nations pay their just debts, it is unthinkable that Congress would consider granting the President the authority to sink another vast sum of public money in this organization, at this time.

Should such authority be given, it would obviously encourage other nations to continue to refuse to meet their financial obligations as

required under the United Nation's Charter. Certainly if the member nations see that the United States intends to support the United Nations, almost singlehandedly, they will duck their just obligations ever more readily in the future than they have in the past.

Article 19 of the United Nations Charter clearly states:

> A member of the U.N., which is in arrears in the payment of its financial contributions to the organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceeding 2 full years.

Certainly the time to enforce this article is at this very minute.

To quote Senator George Aiken, in a statement made early last year:

> If we start on this course, we will find that not only Russia, but possibly other countries will refuse to meet assessments, secure in the knowledge that the United States will make up the deficit.

According to a U.N. report, contributions due the U.N. as of December 31, 1961, totaled $93,915,569.45. The last figures available show that some 72 member nations have failed to pay their assessments for the U.N. Emergency Force in the Holy Land, and 74 nations have not paid their assessments for the Congo operations.

Quoting two of your outstanding committee members for their recent report on the United Nations:

> In this connection we think that the United States has hurt its own position, and similarly has hurt, rather than helped, the United Nations by assuming a totally disproportionate share of the expenses * * *. Certainly we do not believe that a further unfair financial burden should be placed on our taxpayers. Nor can we fail to consider the effect on our mounting national debt.

Our assessment in the Congo was approximately $32 million, which we have paid. In addition to this regular assessment, I have been informed that we made a voluntary cash contribution of over $15 million, in order to allow the assessments of a number of other nations to be reduced.

Among these were Soviet bloc nations, Albania, Bulgaria, and Cuba. To my knowledge, we are the only nation which has made any voluntary contribution.

No sound banker would consider making a loan to a borrower, even a small loan, if the borrower was known to be untrustworthy, such as the United Nations now stands revealed to be.

Even if such were not the case, this proposed load can only be regarded as a stopgap interim financing, a burden which is highly improper for the American taxpayer to be saddled with.

In conclusion, again referring to the report made by your able delegated members to the United Nations last year, I quote:

> The pertinent questions, therefore, are these: (1) Can the United Nations without change in its present composition and present character, ever meet its original goal? (2) Do the policies and activities of the United Nations at this time further the best interests of the United States? (3) Does the U.S. policy in regard to the United Nations strengthen our position in that body and consequently in the world? Reluctantly and regretfully, our answer to all three questions is "No."

For the identical reasons, so ably stated, the Liberty Lobby strongly urges you to reject this projected piece of unsound legislation.

Thank you for your consideration in allowing me to appear before you on this vital issue.

Mr. BURLESON. Thank you very much, Colonel Dall.

It would probably be more interesting to the members of this committee to hear the argument between you and the two witnesses who have just preceded you but that is not in order.

Colonel DALL. I am——

Mr. BURLESON. So we will proceed to the members who wish to ask questions of you.

Ordinarily we have 5 minutes each.

We will proceed under about a 2½-minute rule instead of the 5-minute rule.

Mr. Broomfield?

Mr. BROOMFIELD. Colonel Dall, are you against the U.N. as an institution?

Colonel DALL. Initially I was for it until it stands revealed as it is today.

Now I am against it without substantial revamping. You can't build a sound structure on an unsound foundation.

I don't want to detract from the point for which we came here. And that is the point of where we limit this discussion rather specifically to our opposition to S. 2768. Your question would open up very broad avenues. I think I am as idealistic as any lady or gentleman in the room, but when you see certain things, when you see the architecture where the vehicle has gone, let's say it was not supposed to go there, but the United Nations today is at a point where I think it has departed from the original concepts of a great many idealistic people.

Mr. BROOMFIELD. Let me put it a different way: If it meant the dissolving of the U.N. operation if we didn't contribute this $100 million, you would be for that?

Colonel DALL. Would you mind repeating that, sir?

Mr. BROOMFIELD. If this bill wasn't passed and it meant the U.N. would have to be dissolved, would you be for that?

Colonel DALL. Would we be for it? Yes, we would.

Mr. BROOMFIELD. That is all the questions.

Colonel DALL. We would be giving away the taxpayers' money and it is probably on an unconstitutional basis.

Mr. BURLESON. Mr. Nix?

Mr. NIX. You are aware of the fact that Ambassador Henry Cabot Lodge takes a different view from that of your organization?

Colonel DALL. He is an American citizen. He has that right.

Mr. NIX. I was merely asking if he took a different view.

Colonel DALL. If he took a different view? I haven't read his speech.

Mr. NIX. He does take a different view.

Colonel DALL. There are probably many people who do.

Mr. NIX. You are also aware of the fact that the present Ambassador, Mr. Stevenson, takes a contrary view of this also, aren't you?

Colonel DALL. Yes.

Mr. NIX. And both of these men had an opportunity to be intimately associated with both the operations of the United Nations and the conditions in the world today. You realize that of course, don't you?

Colonel DALL. Yes. I suggest you study who formed the United Nations and you would find out——

Mr. NIX. I have made studies, Colonel, and I am doing what you did a moment ago. I am restricting myself to certain things. I want to say this, however, that if your organization takes the position that they would stand for closing down the United Nations, if other countries did not contribute, then I think it is a very, very bad position.

Colonel DALL. Mr. Nix, you have just given me the opportunity to reply that I hoped you would do. I lived through the formative chapters of the League of Nations. You did, too. Some of the people in this room have not. We saw that humanity was groping for something better than war between A and B irrespective of what forces started those wars.

We have lived through the formation of the United Nations which was largely developed subsequently by people who are interested in the Soviet development. If you are familiar with the architecture of the United Nations, you ought to know who wrote that: Alger Hiss, Vishinsky, Molotov, and a few others.

I can say the architecture from where we sit here is definitely from across the seas. We don't sit up here as intelligent citizens and regard the periphery of our intelligence as prescribed by the United Nations.

If our intellects can't create something better than that, I don't feel we are alert citizens.

Mr. NIX. Colonel, I have just a second or so. I might say this: Alger Hiss has been accused of many things in this country. I can't by the widest stretch of my imagination believe him guilty of all the charges laid to him. I take it that he is guilty of what the courts convicted him of. I can't assume that he did nothing that was good and constructive.

Colonel DALL. That is assumption on our part, and I didn't open that up.

Mr. NIX. It is assumption on your part when you imply that because he was convicted of something he of necessity is guilty of a variety of other charges not placed against him.

Colonel DALL. I certainly don't want him to be the architect of something I have to contribute unlimited money for.

Mr. BURLESON. Any further questions for the Colonel?

If not, thank you very much, Colonel. It is a pleasure to have you.

Thank all of you again.

If there is nothing further, the committee will stand adjourned.

(Whereupon, at 11:50 a.m., the committee was adjourned.)

(The following statement has been submitted by Mr. Barry for inclusion in the record at this point:)

STATEMENT SUBMITTED BY HON. ROBERT R. BARRY

DRAFTERS OF THE UNITED NATIONS CHARTER

It cannot be said that any one person or group of individuals "wrote" the charter because of the continuing negotiations until the final version was approved by the Conference on June 25, 1945, and signed the following day. The Charter of the United Nations was based on the Dumbarton Oaks Proposals drafted during the summer and fall of 1944. After examination by United Na-

tions governments and various international gatherings, 40 countries submitted amendments to the proposals, numbering an estimated 1,200 items. The actual text of the charter was negotiated by 50 participating governments during the San Francisco Conference on International Organization from April 25 to June 26, 1945.

The U.S. delegation and the Department of State advisers who attended the Conference follow:

Delegates:

Edward R. Stettinius, Jr., Secretary of State; Chairman
Cordell Hull, Senior Adviser
Tom Connally, U.S. Senate
Arthur H. Vandenberg, U.S. Senate
Sol Bloom, House of Representatives
Charles A. Eaton, House of Representatives
Comdr. Harold E. Stassen, U.S.N.R.
Dean Virginia C. Gildersleeve

Department of State Advisers:

James Clement Dunn, Assistant Secretary of State
Green H. Hackworth, legal adviser
Leo Pasvolsky, special assistant to the Secretary of State for International Organization and Security Affairs
Isiah Bowman, special adviser to the Secretary of State
Hamilton Fish Armstrong, special adviser to the Secretary of State
John Foster Dulles
Charles W. Taussig, chairman, U.S. section, Anglo-American Caribbean Commission
Avra M. Warren, director, Office of American Republic Affairs
John D. Hickerson, deputy director, Office of European Affairs
Harley A. Notter, Office of Special Political Affairs
Leroy D. Stinebower, deputy director, Office of International Trade Policy

There were, in addition, numerous advisers from other departments of the U.S. Government, technical experts, administrative and press personnel and consultants representing 42 national organizations which had been invited by the United States to send representatives.

Alger Hiss was Secretary General of the Conference and, therefore, in charge of the International Secretariat which served the various meetings. He had no role in choosing members of the Secretariat, as these personnel were selected and loaned by individual participating governments. His role was entirely administrative. He also played no role in determining U.S. positions during the negotiations at the Conference. At the time he was appointed Secretary General of the Conference, Mr. Hiss was Director of the Office of Special Political Affairs, which had the responsibility under the special assistant to the Secretary of State for Political Affairs and a committee composed of distinguished citizens both from the Government and the public, of determining our position on the Dumbarton Oaks Proposals and on the amendments and additions to them submitted by the 50 participating governments.

PURCHASE OF UNITED NATIONS BONDS

THURSDAY, JULY 19, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, at 10:45 a.m. in room G–3, U.S. Capitol, Hon. Clement J. Zablocki presiding.

Mr. ZABLOCKI (presiding). The committee will please come to order.

We are meeting this morning to continue the hearing on S. 2768, relating to the purchase of United Nations bonds. We are privileged to have two Members of Congress and Mr. Clark M. Eichelberger who will testify on this legislation. We will begin with the Honorable Robert W. Kastenmeier, my colleague from the State of Wisconsin.

STATEMENT OF HON. ROBERT W. KASTENMEIER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WISCONSIN

Mr. KASTENMEIER. Mr. Chairman and members of the committee, I want to thank the Foreign Affairs Committee for this opportunity to testify today in favor of the proposal to authorize the appropriation of up to $100 million for use as a loan to assist in the financing of the United Nations peace and security operations.

Many well informed and capable men have spoken before the committee on this proposal. I do not want to duplicate their testimony nor do I want to waste the committee's time covering similar material. I want to say only that I believe the United Nations is one of our most valuable instruments of international cooperation. Though it has many faults, it is the one international tool we have for moderating conflict and avoiding the war which none of us wants.

In recent months there has been great discussion as to the support of the United Nations among the public. Frankly, I view the bill you are considering today in the broadest sense as a measure to support the United Nations generally; $100 million is important but equally important is the fact that this instrument is a way to record the support of the Congress for the United Nations in these troubled times. For this reason I do not hesitate to bring to your attention a proposal which must be regarded in exactly the same light. It is a proposal in connection with the United Nations financing which would allow individual citizens to help defer expenses of loans to the United Nations. Just as the basic bill would record the support of Congress, the proposal I would like to have you consider would record and facilitate the support of individual Americans throughout the country.

Originally my proposal was that the Treasury be authorized to issue special peace bonds in denominations of $25, $50, $100, $500, and

$1,000. The bonds would have been earmarked orginally only for use in financing loans to the United Nations. They would bear a 2-percent interest rate and individuals would be limited in that they could purchase only up to $10,000 of the bonds.

As you can see this proposal is aimed at giving the man of moderate income a chance to buy special U.N. bonds to defer the cost of financing to the United Nations. The peace bonds are bonds for the man in the street. They allow him to demonstrate his support for the United Nations and they give him a stake in a positive instrument of peace.

My proposal, H.R. 12383, has been introduced in the other body, where it had the cosponsorship of Senators Clark, Hart, Humphrey, Oren Long, Smith, Harrison Williams, and Stephen Young.

The Senate Foreign Relations Committee last week held most favorable hearings on the proposal. My proposal was similar to the one introduced earlier by Congressman Kowalski.

I do not think the idea needs more elaboration before the committee today. Frankly, it is a commonsense proposal which needs only the action of the committee and the Congress to put it into practice. It is, I submit, a mere authorization for activity which should be encouraged and obviously should be supported. The bill, I would only need point out, has the full and solid support of the State Department and the Treasury Department. I believe the committee has a report to this effect.

I want to say at this point that, though I have written the bill as an amendment to the United Nations Participation Act of 1945, and I believe this is the most appropriate legislation which might be amended, I certainly have no wish to press this point. If the committee feels that another act might be amended instead of this one, I would certainly defer to the committee's judgment.

In addition to saving money, I would hope my bill would allow an opportunity for those who would like some way to make their views known in support of the United Nations. Frankly, there is little that the individual citizen can do today to make an effective demonstration in matters of international relations.

However, the State Department has received thousands of letters from interested people offering direct contributions for the United Nations. To date they have turned these donations back, though there is presently some question whether or not they might begin to accept these donations under the foreign aid bill. It may interest the committee to know the United Nations has received donations of almost $1 million. Individuals in the United States have donated more than $150,000. If individuals are encouraged to participate in financial support in a formal way, I am sure that much more money could be raised.

The British people, for example, contributed some $650,000 in a drive to help the United Nations eliminate disease and starvation in the Congo.

I frankly would prefer that my fellow citizens rather than directly contribute to the United Nations would contribute to such a cause through their own Government. My bill provides just such a vehicle.

I believe there is much support in this country for the United Nations. A recent Gallup poll showed 83 percent of the people think it "very important" that we make "the United Nations a success."

My own poll in the Second District of Wisconsin showed that 57.7 percent agreed with the President's proposal originally to support the United Nations by purchasing $100 million in bonds. These indexes of public support, I believe, would be enhanced and dramatized if the citizens were allowed to purchase peace bonds for the United Nations. As you will note, these bonds bear a 2-percent interest rate, substantially lower than the interest rate that is normally given on savings bonds. For this reason not only would they save taxpayers' money, but they would be an excellent index to the measure of support in the public.

I would like to say only one final word. In the Senate Foreign Relations Committee there was some discussion as to the exact interpretation of the language of this bill. My own interpretation is that any funds received through the sale of peace bonds be used for any United Nations operations, the support of which is already authorized by the Congress. However, there have been other interpretations as to a possible reading of this legislation. In order to clarify the matter I have for insertion in the record three possible formulations which the committee might like to consider when taking up the matter.

Mr. Chairman, I ask unanimous consent that a letter from the Treasury Department be placed in the record at this point.

Mr. ZABLOCKI. Without objection that will be done.

(The letter referred to follows:)

TREASURY DEPARTMENT,
FISCAL SERVICE,
Washington, D.C. July 18, 1962.

Hon. ROBERT W. KASTENMEIER,
House of Representatives, Washington, D.C.

DEAR MR. KASTENMEIER: This is in response to Mr. Alperovitz' informal request today.

Subsection (c) of section 9 of the United Nations Participation Act of 1945, as it would be added to H.R. 12383, would provide as follows:

"(c) Amounts realized by the Secretary of the Treasury from the sale of peace bonds shall be deposited in a special fund in the Treasury, and shall be available for use by the President in support of the activities of the United Nations."

At the hearings on S. 2818, the question was raised whether, if this language were enacted, the President could spend the proceeds from peace bonds in support of activities of the United Nations without further action by the Congress. This in turn depends upon whether the language makes an appropriation.

As I stated at the hearing on S. 2818, without a clear indication of a different congressional intent, the Treasury would regard the language as not making an appropriation. It does not use normal appropriating language and it is being initiated through a committee other than an appropriation committee. On the other hand, the language would have meaning other than as appropriation language: it would authorize appropriations in support of United Nations activities which might otherwise be unauthorized. (I am not informed to what extent appropriations for United Nations activities are presently authorized.) In short, it would mean that appropriation language this broad would not be subject to a point of order on the floor of the Senate or House. (Again, I am not informed whether present substantive authorizations are broad enough to achieve this same result.)

If the Congress wished some other result it could, of course, obtain it by making its intent to that effect clear. While nothing I say here should be construed as a recommendation one way or the other on the policy to be followed, as a technical matter the Congress might indicate in a number of ways its intent that it wished to make the proceeds of peace bonds available without further action. One of these ways would be to substitute for the words "shall be available" the words "are hereby appropriated." On the other hand, if the Congress, in addition to not wishing to make the proceeds available without further action, wished to limit the authorization which the present language or subsection (c)

would provide, it could do so by specifying activities rather than using the broad generic term "activities" in subsection (c). It could also, of course, use narrower language in its subsequent appropriations.

Sincerely yours,

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

Mr. KASTENMEIER. I want to thank the committee for giving me this time today. I would urge most respectfully when considering the broadest ways to obtain a demonstration of support for the United Nations the committee should give positive consideration to this small piece of legislation.

Thank you.

Mr. ZABLOCKI. Thank you, Congressman Kastenmeier.

Is it your intention that H.R. 12382 be considered as a substitute for S. 2818 now under consideration by the Senate committee?

Mr. KASTENMEIER. No, Mr. Chairman. It actually provides no funds directly for the United Nations. Under the U.S. peace bond proposal, the funds would presumably not be adequate to support the United Nations in its present financial crisis. It is at best an adjunct to another bill, either the bill this committee is considering now with respect to loans to the U.N., or with respect to the U.N. Participation Act of 1945, or indeed any other appropriate measure.

It would depend upon one's conception of the bill, actually. There are some unresolved questions in the bill as I have proposed it. As originally conceived it was supposed to provide some moneys from American citizens interested in support of the U.N., to offset any loan or purchase of bonds that the Government or the President might undertake in connection with the U.N. However, I have been in consultation with the State Department and the Treasury Department. Now the bill before the other body, and my own bill, do contain somewhat broader language. The last line on page 2 being:

funds shall be available for use by the President in support of the activities of the United Nations.

Now, this is somewhat broader than originally conceived; namely, to support only—to be a replacement fund only for any loans that may have been made to the United Nations by virtue of the principal legislation we are considering on the subject now.

Mr. ZABLOCKI. I believe your proposal has merit. As you know, however, the need for a loan to the United Nations has been presented as being rather urgent. Further, it would take some time before arrangements could be worked out for individual participation, through the purchase of peace bonds, in the financing of U.N. operations. It would seem, therefore, that your proposal should serve as a supplement to the U.N. bond loan proposal.

Mr. KASTENMEIER. Yes. It could be used, Mr. Chairman, to replace the money out of our general funds that has gone into the loans. In this sense we have not only a similar rate of interest of 2 percent to replace the money but we also allow many citizens in this country to demonstrate their support for the United Nations through their own government, which I think is desirable.

Mr. ZABLOCKI. Is it your thought that the proceeds of peace bonds should be used to repay the U.N. loan?

Mr. KASTENMEIER. That is my original thought. As I say, actually my bill has broader language than this, but this was the principal purpose of having the legislation.

Mr. ZABLOCKI. On page 3 of your statement you say:

> The bill has the full and solid support of the State Department and the Treasury Department.

Yesterday, late in the afternoon, the committee received a report from the Department of State and without objection we will make it a part of the record at this point.

(The letter referred to follows:)

DEPARTMENT OF STATE,
Washington, July 18, 1962.

Hon. THOMAS E. MORGAN,
Chairman, Foreign Affairs Committee,
House of Representatives.

DEAR MR. CHAIRMAN: This is in further response to your letter of July 3, 1962, requesting the Department's comments on H.R. 12382, a bill, "to amend the United Nations Participation Act of 1945 to provide an opportunity for the public to provide support for the United Nations through the purchase of peace bonds."

It is the opinion of the Department of State that the enactment of legislation which would permit the citizens of the United States to participate more directly in the support of the United Nations is most desirable. The Department vigorously supports efforts to make it possible for our citizens to lend financial as well as moral support to the United Nations. It further believes that, by permitting a citizen to provide this support through the instrument of his own Government, a partnership and identity of purpose is created of positive value to both the citizen and his Government.

We wish to call to your attention a problem in connection with section (c) of the bill which became apparent during the recent Senate hearings on S. 2818. Senate sponsors of the bill there indicated that it was their intention that the proceeds from the sale of peace bonds, which are to be deposited in a special fund in the Treasury, are to be available "for use by the President of the United States in support of the activities of the United Nations" without the requirement of further appropriation action by the Congress. (It is less certain whether the sponsors intended that this bill should also be the sole substantive authorizing legislation.)

The Department's testimony in support of the bill before the Senate was clearly based on an interpretation of section (c) by the Treasury Department which construes the language as presently written as requiring subsequent appropriation action.

We have discussed the question of the interpretation of section (c) with staff of the House sponsor of the bill (Congressman Kastenmeier). We understand that he will advert to the question in his testimony and may well suggest additional language to clarify the matter, should the House committee believe this to be necessary.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary
(For the Secretary of State).

Mr. ZABLOCKI. As you say the Department has questioned section (c) of your bill. I presume the insert you are putting into the record will explain that particular section.

Mr. KASTENMEIER. Yes, Mr. Chairman. It is a letter directed to me from the Treasury Department dated July 18. It contains three alternatives which the committee might like to consider in construing that language, or indeed in changing the language to make it consistent with the intention of the committee in this respect.

Mr. ZABLOCKI. Merely for the record, it is my understanding that you do not intend that we amend the bill before us, but rather hope that we will consider your proposal separately, some time in the immediate future?

Mr. KASTENMEIER. It would be my personal view, or my personal desire, that the committee actually do consider amending the bill but I would think that the committee would have to consider whether the State Department and perhaps indeed the Treasury Department would consider this appropriate in terms of the legislation.

Now there are other considerations. Ideally speaking, I must say for my own part, I think it would be appropriate to the bill you are considering as an amendment thereto.

Mr. ZABLOCKI. In view of the fact that the other body is now holding hearings on your proposal and obviously will take some action on it, do you not think it would be better if we would defer our decision until some action is taken on your bill in the other body?

Mr. KASTENMEIER. Mr. Chairman, the other body I think has finished its hearings on the matter and finished its hearings also not only on U.N. loans, but on the question of U.N. peace bonds. So they will presumably take no further action, at least at this time, relative to the U.N. loan legislation. However, in my view it would certainly be appropriate for this committee to do so, but this is a question for the committee.

Mr. ZABLOCKI. I have but one further question. Your bill does not spell out whether the peace bonds will be tax exempt or not.

Mr. KASTENMEIER. No, Mr. Chairman. As a result they would be treated as any other American savings bond. Presumably in many States interest would be exempt from State income taxation, but in terms of Federal taxes they would be subject to tax like any other savings bond.

Mr. ZABLOCKI. Thank you very much.

Mr. Chiperfield?

Mr. CHIPERFIELD. Thank you, Mr. Chairman.

Mr. Kastenmeier, I want to thank you for a very constructive statement. I am quite interested in your proposal. It seems to me to be worth while and should be carefully considered.

I am wondering if your bill was before the Senate when they considered the U.N. bond bill.

Mr. KASTENMEIER. Mr. Chiperfield, my recollection is it was not before the Senate actually at the time they considered the U.N. bond or loan bill but they later, on Thursday, July 12, granted hearings specially for this purpose. I think that is correct.

Mr. CHIPERFIELD. I wish it had been because I believe your proposal has merit and it also has a great deal of appeal and I would have liked to have learned their thoughts on the proposal when they considered the bill before us. We are up against this situation now where the Senate has passed the bill and we are considering the measure before us and whether or not it would be advisable to consider your measure now in connection with this bill or as a separate measure, probably would be a matter for the committee to determine. As I say, I wish it had been before the Senate when they considered their bill and I would have been interested in the reaction they took after considering it.

Mr. KASTENMEIER. Mr. Chiperfield, there are not yet reports on the hearings of July 12 in the other body. I think we had a very similar situation there. They considered the U.N. bond or U.N. loan measure while the peace bond proposal was in draft bill form. That is the peace bond measure was before the Senate at that time. Apparently the committee agreed to have it heard immediately after the major proposal was heard—unfortunately, in my view.

Mr. CHIPERFIELD. Well, some of us are not too happy about the manner in which these bonds are being raised and to me your proposal has considerable appeal.

I will raise the matter when we go into marking up this bill and have the committee make a determination.

Thank you, Mr. Chairman.

Mr. ZABLOCKI. Mr. Nix.

Mr. NIX. Thank you, Mr. Chairman.

Of course it is a pleasure to have our colleague here, Mr. Chairman. I, of course, am sympathetic to the idea of having the American people have an opportunity to express their interest in the United Nations. But I am afraid that your proposal will give aid and comfort to a great number of persons in this country who are today opposed to the purchase of United Nations bonds. I think the immediacy of the problem requires us first of all to dispose of that question and to purchase those bonds.

Now, if your proposal is in conjunction with that and is taken up later, I think it might receive favorable reception. But for myself, I think it serves to muddy the water and give some semblance of an argument to the people who now take a position contrary to the interest of the United States.

Mr. KASTENMEIER. I can only say I would hope what you say would not be true. I would think there are some people in the administration who would feel such an addition might complicate such matters. It is, in my view, sufficiently simple and commonsense in its approach so that this wouldn't necessarily be the result that my good colleague from Pennsylvania suggests. I would certainly hope not.

Mr. NIX. I would just like to say this: I have heard many comments from people who are opposed to the President's proposal and in my view those comments are not based on reason and are not consistent with the interests of the United States. I am impatient with the delay. I am impatient with the arguments; all of which I feel are without merit. I feel a great urgency to grapple with the problem because I think the United Nations life is at stake and it is to our interest to see that it is preserved. The best way to do it, in my opinion, is to support the President.

Mr. ZABLOCKI. Mr. Whalley.

Mr. WHALLEY. I have no questions, Mr. Chairman.

Mr. ZABLOCKI. Mr. Seely-Brown.

Mr. SEELY-BROWN. I have no questions.

Mr. ZABLOCKI. Thank you, Bob.

Perhaps you have some indication of the attitude of the public toward your proposal. What indications have you received from the rank and file as to their interest in the peace bond issue?

Mr. KASTENMEIER. I have not had a great deal of mail on this particular subject, Mr. Chairman. But the written letters I have had on

it have been favorable and there have been a couple of favorable editorials from newspapers who have heard about the proposal. The editorials I have seen have been in papers of different political views and I haven't seen any objection. As I say, even the State Department has adopted the view that this is a worthwhile enterprise. I do not think it is really a question of opposition, because there really hasn't been opposition. It hasn't really been tested in that sense.

What comment has been elicited has been favorable, Mr Chairman.

Mr. ZABLOCKI. Thank you very much. We appreciate your presentation. It has been most interesting.

Mr. SEELY-BROWN. Mr. Chairman, could I ask a question of the staff in connection with what has just been said?

Mr. ZABLOCKI. Yes.

Mr. SEELY-BROWN. Does the United Nations itself offer bonds which can be bought by the general public in any country?

Mr. CRAWFORD. No, sir. Under the terms of the resolution authorizing this bond issue, it was not made available to individuals.

Mr. ZABLOCKI. I will now call on the Honorable John V. Linsday, Member of Congress from the State of New York. Mr. Lindsay, we welcome you and look forward to hearing your statement.

STATEMENT OF HON. JOHN V. LINDSAY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. LINDSAY. Thank you, Mr. Chairman and members of the committee.

I am not going to read a prepared statement. I prefer to speak informally.

I come here to urge the committee to lend its support to S. 2768 and to state that it has my total and complete support. As I see the issue it comes down to the question as to whether or not the U.N. is to be preserved as a peacekeeping operation.

I have spent a great deal of time in that international body, it being a part of the congressional district that I represent. Technically, it is extraterritorial but it is within the bounds of the 17th District of New York. Only last Sunday I was across the street from the United Nations, on U.N. Plaza, addressing the Assembly of European Captive Nations which, as you know, is an organization which has not been wholly in agreement with aspects of the United Nations. Yet even with this worthy organization I could feel a great sense of support for the institution of the U.N. by the representatives of the nine captive European nations.

I have spent some time in the United Nations. I have spent time in the corridors, and in the assembly hall and sitting at times with members of the Foreign Affairs and Foreign Relations Committees who were delegates to the U.N. Assembly. I know something of the importance of the United Nations purely as an escape valve. This is not to be discounted under any circumstances. When the pressure of steam in international relations gets so high that it is at the exploding point, there has to be an outlet somewhere. It exists in this organization. Here is the escape valve that allows enough steam to blow off so that a direct confrontation between the great powers can be avoided.

But even more important than this, it seems to me that the bond issue comes down to the question of whether or not the peacekeeping functions of the United Nations as they have been developed are going to be supported. I think it is true that whereas the U.N. was conceived as an organization that would keep the great powers together, it has not quite worked out that way. It has worked out quite differently but nonetheless effectively. What the U.N. has been able to do is to keep the great powers apart. It has made it possible to avoid a direct confrontation of the kind that could trigger off world war III.

This special U.N. role has come about as the committee well knows, through the extraordinary development of the powers of the office of the executive secretary. A kind of international case law has been developed. The demonstration of this has been Korea, the Middle East, and the Congo. As long as this peacekeeping function is kept intact there is some hope of avoiding a direct head-on confrontation of the kind that nobody wants.

I am sure you have heard plenty of testimony on the development of the instrument of the United Nations as the one means by which the free West and the United States have been able to counteract indirect aggression successfully.

I have been in the Middle East and I have examined those U.N. outposts, as I am sure many of you have, between Israel and the bordering Arab lands. In this no man's land it is very comforting to see the blue U.N. flag flying with U.N. personnel standing watch alongside of it, between two armed camps. There is a tension there which could trigger off another explosion.

Mr. CHIPERFIELD. And without American boys there.

Mr. LINDSAY. Yes; without American boys there.

Without a stabilizing influence, without the U.N. presence in these border lands, the tension is such that any border incident could trigger off such a wave of reaction and counterreaction that the whole world would be immediately embroiled. Right there you have a justification, without anything more, for this bond issue which is designed to keep the peacekeeping functions of the U.N. alive. It's a cheap price to pay in this nuclear day and age. And in the Congo, that controversial area, the question at issue is the right of the policemen to be on the beat. It is always difficult to suggest what would have happened or might have happened, but for a particular event. You can't ever prove that "X" would have hapened but for "Y." But the fact of the matter, as I see it, one mans' opinion, is that but for the presence of the U.N. in the Congo the world would have been faced with a blood bath of the most appalling proportions, plus the establishment of a Communist beachhead, followed possibly by a direct confrontation of the kind that is to be avoided except under the most extreme provocation.

So then why the bond issue? Is not this a reasonable price to pay? As a practical matter, further, the U.N. Assembly has acted on it. It is there. Forty-four member nations have responded to the U.N. resolution to the extent of $73 million either pledged or actually paid. This, to me, is significant. If Congress should now reject the bond issue as it has been agreed to by the member nations of the United Nations, then we should have on our hands a tragedy of unending

proportions, the fallout from which would most seriously affect the delicate balance of the continuing cold war tension.

The legality of the bond issue is established. I should like for the record at this point, Mr. Chairman, if I may, to submit an excellent memorandum of law which was prepared by the Committee on International Law of the Association of the Bar of the City of New York, one of the countrys' leading bar associations, in which the legal aspects of the bond issue are set forth. The memorandum confirms the binding nature of the bond issue, based on article 104 of the charter.

Mr. ZABLOCKI. Without objection the memorandum will be made a part of the record at this point.

(The memorandum follows:)

COMMITTEE ON INTERNATIONAL LAW REPORT ON THE UNITED NATIONS BOND ISSUE, MAY 31, 1962

I

On December 11, 1961, the Acting Secretary-General of the United Nations at the 899th meeting of the Fifth (Administrative and Budgetary) Committee predicted that by the end of 1961 there would be a gap of $107.5 million between the Organization's debts and its available net cash resources, which could be expected to increase to $170 million by June 30, 1962. The alarming rate at which the costs of the Congo operation alone had been multiplying, of which the members had been aware for some time as evidenced by the various previous actions taken and resolutions passed both by the Advisory Committee on Administrative and Budgetary Questions, the Security Council and the General Assembly, required immediate action. As a result on December 20, 1961, Resolution 1739 (XVI), providing for a bond issue, was adopted by the General Assembly.

The General Assembly recognized that while the proposed bond issue should not be deemed a precedent for future financing of the expenses of the United Nations, existing circumstances required extraordinary financial measures. Pursuant to the resolution the Secretary-General was authorized to issue bonds not exceeding $200 million (U.S.) in principal amount and to use the proceeds from the sale of such bonds "for purposes normally related to the Working Capital Fund." The resolution provides that an amount sufficient to pay interest charges on the bonds and the installments of principal due is to be included annually in the regular budget of the United Nations. The bonds are to have a 25-year maturity and carry a rate of interest of 2 percent. They may be issued in U.S. dollars or in such other currency as determined by the Secretary-General. Each bond will be payable in 25 annual installments at a rate increasing from 3.1 percent of the principal amount at the end of the first year to 5.1 percent at the end of the 25th year. There is provision for prepayment in whole or in part at any time provided the partial prepayment is applied equally and ratably to all the bonds outstanding. The bonds may be offered to states which are members of the United Nations, members of the specialized agencies and of the International Atomic Agency as well as to the official institutions of such members, and, if the Secretary-General, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, shall so determine, to nonprofit institutions or associations. The bonds will be transferable only to governments or institutions to which the bonds may be initially offered pursuant to the resolution. Agreements for the sale of the bonds must be concluded before the end of 1962, but may provide for delivery of and payment for the bonds at any time on or before December 31, 1963.

II

It is clear that the United Nations has the power to issue valid and binding obligations. Although like a sovereign state, the Organization could not be sued without its consent, its international obligations are similarly binding.

Article 104 of the charter provides:

"The Organization shall enjoy in the territory of each of its members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes."

The borrowing of funds is a necessary consequence of the exercise of the Organization's functions. Indeed, the authority of the Organization to borrow was not challenged in 1948 when it financed the construction of its headquarters. The members have been regularly assessed to repay that loan as part of the Organization's annual budget.

The International Court of Justice recognized the Organization as a legal entity capable of operating as such, in the case of *Reparation for Injuries Suffered in the Service of the United Nations*, I.C.J. Reports, 1949, 174, which considered the question whether the Organization had the capacity to bring an international claim against a state for damage caused to the Organization and its agents.

"In the opinion of the Court, the Organization was intended to exercise and enjoy, and is in fact exercising and enjoying, functions and rights which can only be explained on the basis of the possession of a large measure of international personality and the capacity to operate upon an international plane * * *.

"Accordingly, the Court has come to the conclusion that the Organization is an international person. That is not the same thing as saying that it is a state, which it certainly is not, or that its legal personality and rights and duties are the same as those of a state. Still less is it the same thing as saying it is 'a superstate,' whatever that expression may mean. It does not even imply that all its rights and duties must be upon the international plane, any more than all the rights and duties of a state must be upon that plane. What it does mean is that it is a subject of international law and capable of possessing international rights and duties, and that it has capacity to maintain its rights by bringing international claims" (p. 179).

The reasoning which led the Court to conclude that the Organization has rights against states under international law would likewise lead to the conclusion that it would be obligated under international law to pay the bonds.

III

There is presently before the International Court of Justice a related question which could affect the repayment of the bonds. On the same day it passed the resolution concerning the bond issue the General Assembly by Resolution 1731 (XVI) asked the Court pursuant to article 96 of the charter for an advisory opinion on the question whether expenditures by the Organization for operations in the Near East and Congo were "expenses of the Organization" which "shall be borne by the members as apportioned by the General Assembly" under article 17, paragraph 2 of the charter.

The committee has not considered the merits of this question, but the character of the bonds as valid and binding obligations of the Organization would not be affected if the Court should rule that the expenditures for the Near East and Congo operations were not "expenses of the Organization." In this connection it is to be noted that:

1. Under the terms of the General Assembly's resolution, the proceeds of the bonds are not specifically allocated for reimbursing the expenditures referred to in the request for the advisory opinion.

2. The assessments out of which the bonds are to be repaid will not be specifically allocated for such repayment but will be included annually in the regular budget of the Organization.

Thus, if the Court should rule that the Near East and Congo operations were not "expenses of the Organization," and if this should permit a member to withhold payment of that portion of its proposed regular assessment representing the payment for expenditures of a type referred to in the request for the advisory opinion, the Organization would nevertheless remain obligated to repay the bonds out of available resources.

Committee on International Law: Isaac N. P. Stokes, Chairman; Frank P. Davidson, Carl F. Farbach, Albert H. Garretson, George W. Haight, James N. Hyde, Carlyle E. Maw, Chester Rohrlich, Michael A. Schwind, Leander I. Shelly, Saul L. Sherman, Paul Smith, Jr., Robert T. Tait, Theodore H. Thiesing, Lowell C. Wadmond, Fredrick A. Yonkman.

Mr. LINDSAY. That, Mr. Chairman, completes my testimony and I repeat what I said at the beginning, that it is simply a question as to

whether or not the U.S. Congress wishes the United Nations to survive as a viable peacekeeping organization with a degree of power or whether it wishes to have it fade into a rather meaningless debating society.

Mr. ZABLOCKI. Thank you very much, Mr. Lindsay, for a very fine statement and for your personal observations on the organization of the U.N. and the necessity for the proposed U.N. loan.

Mr. Chiperfield?

Mr. CHIPERFIELD. Thank you, Mr. Lindsay, for a very fine and constructive statement. I think you have put your finger right on the main issue and that is the question whether the United Nations is going to be able to carry on its peacemaking powers. If the United Nations should be unable to continue in the Near East or in the Congo and would have to withdraw, do you not agree with me that that would be disastrous to our foreign policy, not only for ourselves but for the free world?

Mr. LINDSAY. I certainly do agree with that statement, Mr. Chiperfield.

Mr. CHIPERFIELD. That is the issue before us, it seems to me. You can talk around the other issues all you want; but if the United Nations can't keep its peacemaking powers and continue them then, as you say, it will be a debating society.

Thank you very much, Mr. Zablocki.

Mr. ZABLOCKI. Mr. Fountain?

Mr. FOUNTAIN. No questions, Mr. Chairman. I do want to thank Mr. Lindsay for a very thought-provoking statement.

Mr. ZABLOCKI. Mr. Whalley?

Mr. WHALLEY. I want to thank Mr. Lindsay for his very excellent statement. I think, as he does, this is an emergency for funds that cannot be put off and the other will have to come later.

Thank you.

Mr. ZABLOCKI. Mr. Seely-Brown?

Mr. SEELY-BROWN. I have no questions, Mr. Chairman.

Mr. ZABLOCKI. Thank you, Mr. Lindsay.

Mr. LINDSAY. Thank you, Mr. Chairman and members of the committee.

Mr. ZABLOCKI. We are indeed pleased to have with us this morning Mr. Clark M. Eichelberger, executive director, American Association for the United Nations, Inc. I have known Mr. Eichelberger for many years and I am happy to present him to the committee.

STATEMENT OF CLARK M. EICHELBERGER, EXECUTIVE DIRECTOR, AMERICAN ASSOCIATION FOR THE UNITED NATIONS

Mr. EICHELBERGER. I am indeed very glad to have an opportunity to supplement some of the things my Congressman from New York has said. I am sorry he has already left, but I happen to be one of his constituents in the 17th District and we are very proud indeed of the representation he gives our district.

Mr. ZABLOCKI. I am sure Mr. Lindsay will not disagree with me when I state he is just as proud of you as you are of him.

Mr. EICHELBERGER. Between the statements of Mr. Lindsay and Mr. Chiperfield many of my points have been made, so I will not read my statement but I will supplement a few things if I might.

Mr. ZABLOCKI. Would you care to have this included in the record?

Mr. EICHELBERGER. Yes.

Mr. ZABLOCKI. Without objection it will appear in the record at this point.

(The prepared statement is as follows:)

STATEMENT OF CLARK M. EICHELBERGER, EXECUTIVE DIRECTOR, AMERICAN ASSOCIATION FOR THE UNITED NATIONS, JULY 19, 1962

Mr. Chairman, I appear in support of S. 2768, a bill which authorizes the President on behalf of the United States under certain conditions to lend up to $100 million to the United Nations.

United Nations financing may be divided into three areas. It is only the third, the emergency peacekeeping area, that has presented the problem which necessitates a United Nations loan at this time.

The first area of United Nations financing covers the expenses of the so-called regular day-by-day operation. The U.N. collected 92.68 percent of the assessment for 1961. Because the United Nations fiscal year is different from that of some governments, there are frequently technical arrears. For illustration, the United States is $33 million technically in arrears for 1962, but that obviously will be corrected before the year is out.

The second area of United Nations financing may be considered as wholly voluntary. Here the U.N. adopts a program and sets the goal of funds needed. However, contributions to such a program are voluntary, rather than assessed. In some cases, a few nations pay a great deal toward these goals. In others, many nations pay something. For illustration, the United Nations determines a budget for the maintenance of Arab refugees, a large share of the cost of which is borne by the United Kingdom, the United States, and a few others. On the other hand, many nations contribute to the U.N. technical assistance program. The United Nations has set a goal of $150 million for 1962 for economic and social assistance and the Special Fund. On October 17, 1961, the U.N. held a pledging conference at which nations said what they would give to the program. At this conference and since, 86 governments volunteered a total of about $100 million for this program. Of this, the United States volunteered 40 percent. It is interesting to note that the Federal Republic of Germany and the Vatican made pledges. It should also be noted that Canada, the Netherlands, Norway, Sweden, and Denmark made pledges for technical assistance that are more per capita than the contribution of the United States. It was a matter of pride for the governments of the underdeveloped countries to contribute something toward the overall cost. It shows that a great many members of the United Nations are making an effort to carry some of the expenses of the operation.

A third area of United Nations financing is that which has caused the financial crisis. This is the financing of two major emergency operations. One is the maintenance of a United Nations force in the Gaza strip and the Sharm el Sheikh area to keep the peace between Israel and her Arab neighbors. The other is the United Nations activity in the Congo. Both these U.N. operations are serving the national interests of the United States. The Congo operation is the largest cause of the financial difficulty for two reasons:

The United States and many other governments take the position that the obligation to meet these expenses has the same legal status as the regular expenses. However, there are those who say that they are not obligated to meet the assessed cost of an emergency operation unless they choose to do so; there are those who have a hard time paying more than their regular assessed dues.

The excuse of the Soviet Union and its Communist allies for not paying for either program is that these budgets should have been voted by the Security Council, since it is primarily responsible for the maintenance of international peace and security. Of course, in the Security Council the Soviet Union has a veto and it is apparent that they would have used the veto for these emergency expenditures. The Soviet Union has taken the position that it and the United

States could between them impose a settlement in the Middle East and the other nations would have to accept, thus obviating the necessity of UNEF. The Soviet Union has also taken the position that the United Nations forces should be withdrawn from the Congo. Obviously, the presence of these forces and the United Nations program have prevented the Soviet Union from getting a free hand in the Congo.

In the early hours of the morning of December 20, 1961, in the 16th General Assembly, when it looked for a moment as if the passage of the extraordinary expenditures was blocked, the Communists could hardly conceal their glee. They insisted that the Congo finances go to the Security Council. Fortunately, some brilliant work on the part of the American delegates and those of other countries saved the day and the expenditures were approved.

In order to meet the two problems of those refusing to pay extraordinary emergency expenditures and of those who can scarcely afford to pay regular dues, the United Nations embarked on a twofold program. First, it asked the International Court of Justice for an advisory opinion as to whether the expenses for the two emergency operations referred to above are as equally binding on the members as the regular assessments. An opinion from the International Court of Justice is momentarily expected. If the decision should be that such obligations are binding, those who refused to pay their emergency appropriations in the long run would be delinquent and deprived of their voting rights in the General Assembly.

For the second part of the program, the United Nations voted to float a $200 million bond issue payable over 25 years with interest at the rate of 2 percent per annum. If the world can have peace and stability, in 25 years, with a gradual rise in per capita income in the underdeveloped areas of the world, the payment of these obligations will not be difficult as compared to the difficulty of these nations in paying now.

The number of states, including Kuwait, that have subscribed so far to the bond issue is quite surprising to those who predicted that few nations would purchase bonds. As of July 13, 1962, 44 nations have pledged or purchased bonds that total $72,404,175.

Now let us look at the list of those who have pledged or purchased bonds. Thirteen are European states; twelve are Asian states, plus Australia and New Zealand; one, Canada, from North America; three from South America; seven from Africa; and six from the Middle East. I should like to call attention particularly to the 7 African and 12 Asian purchasers. Seven African states have pledged to purchase $1,955,000 worth of bonds. All but one of these countries—Tunisia—have, according to the estimate of the special fund, a per capita income of under $100 per annum. Eighteen states from Asia and the Middle East are pledged to purchase a total of $10,816,175 worth of bonds. Of these states, nine have a per capita income of less than $100 a year.

It should also be pointed out that of the 9 Asian and African states—which at the present time have combat troops in the Congo totaling 15,093 men—8 of them have purchased or pledged to purchase bonds.

The U.N. operation in the Middle East has been overshadowed by later events, but nevertheless it is an important factor in world stability. It was clear that the British, French, and Israeli forces had to be withdrawn from the Sinai Peninsula and Suez. What could save the face of those who had to withdraw their troops; how could the area be policed until stability was restored? A dialog between Minister of External Affairs Lester Pearson of Canada and Ambassador Henry Cabot Lodge of the United States resulted in a decision to send a United Nations force to keep peace. The force first policed the Suez Canal and then was stationed in the Gaza strip and the Sharm el Sheikh area. Not many nations would suggest that these forces be withdrawn. They have resulted in stability in the Middle East and kept peace between Israel and her Arab neighbors. This force has been very little in the public eye and the program has gone on peaceably and steadily.

The Congo has involved a greater agony and drama, with headlines lasting over a longer period of time. Two years ago, on July 14 at 3:22 in the morning, the Security Council of the United Nations in response to the urgent request of the Congolese Government voted to send U.N. troops to the Congo. Tired delegates responded to Dag Hammarskjold's appeal that the peace of the world depended upon immediate action. Not only was there danger of complete chaos in the Congo; it was feared, and with good reason, that some Communist powers were ready to move in. Such a maneuver would have forced a response from

the United States and other Western nations. The result might well have been a third world war.

The United Nations acted. Then began a series of steps that would involve thousands of men, loss of U.N. personnel, the expenditure of a hundred million dollars, scenes of bitterness in the General Assembly, and the martyrdom of Dag Hammarskjold himself. The United Nations had to improvise and revise its tactics as it went along. Gradually, however, violence subsided and the threatened secession of a number of provinces was materially abated. The turning point came when the United Nations was able to give safe conduct to a majority of the members of the Congolese Parliament to meet under its protection in Lovanium University. A legally constituted government resulted, and Cyrille Adoula was elected Premier.

In an address on July 5 to the United Nations Association of Great Britain and Northern Ireland, U Thant listed some of the successes which the Government of the Congo and the United Nations have together achieved the past 2 years. He said, "It is hard to think of a working alternative to the United Nations operation in the Congo. In 1960 the world faced, in that vast and newly independent country, a desperate danger, compounded of internal chaos and potential external intervention. It faced an almost classic example of rapid change overtaking all those concerned and leaving them helpless and confused—Africans and Europeans alike." Then U Thant went on to list some of the achievements:

"Despite the initial mutiny of the army and the nationwide breakdown of confidence, law and order now exist again in the Congo, even if they may be disturbed occasionally in some areas by political and tribal differences."

Again, "Despite the extreme confusion of the political situation in the early days of independence, the Parliament was finally reconvened in July 1961 through United Nations effort and its protection and approved the constitution of a central government universally recognized and now gaining daily in strength and experience.

"In spite of various secessionist tendencies or movements, there is now a steady trend toward national reconciliation * * *.

"In this effort at conciliation, we are * * * beginning to see at last a new comprehension by the outside interests involved of the great issues at stake and a new willingness on their part to use every influence in the direction of a united and stable Congo * * *.

"Finally, the great basic problem of the Congo—lack of training, experience, and qualifications—is being tackled * * *. Political tension and pressures from outside have not made the task any easier, but nonetheless, the first results are now beginning to show, and the program of training and assistance, so essential to the successful future of the Congo, has, under United Nations auspices, gathered considerable momentum."

I should like to discuss three problems confronting the United Nations in the unification and the preservation of the Congo. I have already dealt with one, and that was the danger of Communist takeover. The reason, of course, for the ire of the Soviet Union toward the United Nations and toward Dag Hammarskjold personally was the fact that the United Nations arrested Soviet military activity in the Congo.

Another problem or danger was that the African states themselves might divide in their support of various factions in the Congo. For a while, many of them made Patrice Lumumba an international hero. But unity has been pretty much achieved among the African states in support of what the United Nations is doing and in support of the Central Government. At a meeting in January of this year in Lagos, Nigeria, 20 prime ministers and government leaders of African states indicated full support of Cyrille Adoula and followed his lead in protesting the move of the Soviet Union to call a meeting of the Security Council to discuss the Congo at the moment when Adoula was visiting in the United States and was to visit the United Nations.

The third danger, of course, was and to a certain extent still is that the Congo be fragmented by autonomy movements in various provinces and in which Communist influence might be revived.

The United Nations has a long road ahead of it before it can withdraw its military and technical forces from the Congo. But certainly one major step that must be taken immediately is the integration of Katanga into the central government.

Protracted negotiations have been taking place between Adoula and Tshombe for the implementation of the Kitona agreement of last December at which Tshombe agreed to the integration of his province into the central government. Katanga, in modern times, has always been a part of the Belgian Congo. At the Brussels conference in 1960, when Tshombe and other political leaders of the Congo conferred with the Belgian Government to receive their independence, he signed, as did the others, an agreement which provided that the Republic of the Congo would include all the provinces of the former Belgian Congo.

For some time, in the latter part of 1961, there was danger that the Congo be torn apart between what has popularly been called the left and the right. The Soviet Union backed Gizenga. That leader has pretty much been discredited, is under arrest, and Communist agitation seems to be at a very low point indeed. If, however, Tshombe is successful in breaking his province away from the central government, I would expect that secessionist movements would arise in other provinces and that the Soviets would attempt to dust off another Communist champion. The Congo could be torn apart between extremes.

No one wants to deprive Katanga of its legitimate autonomy as a province in a Federal system. No one wants to destroy the Union Miniere and the economic interests whose prosperity must be linked to the prosperity of the Congo. However, United Nations efforts in the Congo will not have been successful and the assurance against the revolt of other provinces and possibly a recurrence of Communist agitation will not have been secured until the last step in Congolese unity has taken place.

I think we should look at the Congo situation in its very largest aspects. Undoubtedly no one would be satisfied with everything that the United Nations has done there. No operation, particularly one of an untried and improvised nature, could be nearly perfect. In retrospect, one can find mistakes. The fact of the matter is, however, that the United Nations has saved the Congo and probably the peace in Africa.

If one looks at a map, he will see that the Congo is the heart of Africa. Had the U.N. not answered the appeal of the Congolese Government, that area would have been one of untold lawlessness and violence. The Communists were ready to move in. As a matter of fact, they had already begun to move in. And a confrontation of the great powers would have been inevitable, which could well have involved American troops. The new states of Africa would have been involved. Possibly they would have chosen sides and Africa's development, which has been progressing fairly well, would have been thwarted. Much of Africa south of the Sahara would have become involved. The Congo could very well have been the means by which Africa could have been torn apart, resulting in a war which might have involved the entire world.

In closing, may I say that if the Members of Congress wish to avoid anarchy in the Congo, if they wish to prevent the return of Communist influence in that land, they could help by the immediate enactment of the legislation authorizing a loan of $100 million to the U.N. If the peacekeeping operations of the United Nations were to stop because of the failure of the nations to provide the U.N. with emergency financing now, conflicts might well break out in areas where the United Nations is now keeping the peace. The many new states that look to the United Nations for protection and guidance would be confused and forced to make alliances in any way they could. The United Nations would tend to become what a few powers want it to be, simply a conference mechanism to secure coexistence between ideological blocs. The steady development of the United Nations into a strong organization to keep the peace and to develop world law and economic advancement would be thwarted and disintegration might set in which would be fatal to the peace of the world.

A strong U.N.—working actively for peace, justice, and progress in the world—serves the national interests of the United States. The American people—by every nationwide test of public opinion—want a strong United Nations. Favorable consideration of the bill before you will help achieve that objective.

Mr. EICHELBERGER. I don't think it is necessary possibly for this committee, but for the general public it is well to break U.N. expenses down into three divisions, because the public has the idea that nations do not pay their obligations anywhere along the line. Of course, the first division of the United Nations expenses is the regular budget. It was last year, I believe, the United Nations collected 98.6 percent

of all the dues from the Communist states and everyone else. As a matter of fact, this year there are very considerable arrears but that is purely a technical matter. The United States is $33 million in arrears in the table published in the New York Times Sunday. That is because I think you gentlemen provide the U.N. money in the middle of the year whereas the U.N. bills everybody automatically the first of the year.

Mr. CHIPERFIELD. Could you enlarge on that statement for the record for us?

Mr. EICHELBERGER. It is all in my prepared statement, Mr. Chiperfield.

The second division of the United Nations expenses are the voluntary contributions. The United Nations sets a figure but the contributions are voluntary. It sets a figure for the care of refugees. The United States and the United Kingdom pay a major portion of their bill. The United Nations also puts a figure for technical assistance and the Special Fund, and I think the report should show that last year—rather, for 1962, 86 members of the United Nations pledged to that Special Fund. Surely, the United States pledged 40 percent but 85 others pledged the rest, which shows that everyone wants to get in the act to help as much as they can—the very poorest nations.

Then the third department of the United Nations expenses are the special peacekeeping operations. Those two peacekeeping operations, of course, as Mr. Lindsay said, are in the Gaza strip and in the Congo. Now, the Gaza strip affair is possibly overshadowed by the Congo, but you will remember there was an invasion of the Sinai Peninsula and the Suez by Israeli, French, and British troops. They wanted to get out. How could it be done? So in a very famous dialog between Lester Pearson of Canada and Cabot Lodge of the United States it was provided that an international police force would go in, and no one except the Soviet Union would like to have that force withdrawn. A couple of years ago the Soviet delegates in effect said to the American delegates in the Assembly, "Look, now that while we are getting along better, why don't our two countries impose a settlement on the Middle East? We can get away with it and then we don't need a police force." But the United States doesn't believe in imposing settlements with the Soviet Union. It prefers to work out settlements through the United Nations.

The Soviet Union, of course, opposed the activity in the Congo. Why? Because it was the United Nations that prevented the Soviet Union from sending troops into the Congo. I remember on the 14th of July 2 years ago at 3:22 in the morning the Security Council passed a resolution providing for sending troops to the Congo. They did so at Secretary General Hammarskjold's appeal that it must be done immediately, for the peace of the world was threatened. He had information—and the world generally did, but it wasn't published until later—that the Communist troops would move in if the United Nations didn't.

Now, Mr. Chairman, a quorum call has been made. Do you prefer I go along a little longer for the stenographic record or do you prefer I rest with my prepared statement?

Mr. ZABLOCKI. Mr. Eichelberger, some of the Members may have questions and will undoubtedly return. I realize that you have a

very tight schedule. Could we, however, suspend for 5 minutes to answer the quorum call? Would this be agreeable with you?

Mr. EICHELBERGER. Certainly.

Mr. ZABLOCKI. I am sure Mr. Chiperfield will be back as well as other Members, so we will just suspend for 5 or 10 minutes.

(A short recess was taken.)

Mr. ZABLOCKI. The committee will resume hearing the testimony of Mr. Eichelberger.

Mr. EICHELBERGER. Mr. Chairman, you may be very interested to get back on the floor yourself.

Do you prefer that I just rest by submitting this statement for your convenience, Mr. Chairman? I do not need to convince you.

Mr. ZABLOCKI. I need no convincing but I would like to take this opportunity, Mr. Eichelberger, to commend you for your untiring efforts to promote better understanding for the United Nations, its problems, its accomplishments, and its goals.

You have done yeoman's work. If more people would have an opportunity to better understand the United Nations, I am certain there would be no objection to the legislation before us.

Mr. EICHELBERGER. Mr. Chairman, there are just two points in this statement I hope sometime you have an opportunity to point out. I wrote Mr. Lindsay's figures down where he pointed out how many African and Middle Eastern states have already purchased a pledge to purchase United Nations bonds. He pointed out how many with a per capita income of less than $100 a year are showing some interest and actually making a greater effort than we will if we purchase $100 million worth of bonds. I think that information ought to be given so we do not get the idea that we are carrying more than our proportionate share.

Mr. ZABLOCKI. I assure you, Mr. Eichelberger, that the members of the committee who were unable to be here today will carefully read your statement. On behalf of myself and my colleagues I want to thank you for your excellent presentation. I am sorry that, at the time when we scheduled your appearance before our committee, we did not know that the farm bill would be on the floor of the House today.

Mr. EICHELBERGER. This is very, very important and it should be important to you, too.

Mr. ZABLOCKI. Thank you very much, sir.

Mr. EICHELBERGER. Thank you, sir.

Mr. ZABLOCKI. The committee stands adjourned until 10:30 a.m., tomorrow, Friday, July 20.

PURCHASE OF UNITED NATIONS BONDS

FRIDAY, JULY 20, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, at 10:30 a.m. in room G–3, U.S. Capitol, Hon. Thomas E. Morgan (chairman of the committee) presiding.

Chairman MORGAN. The committee will come to order.

The committee meets this morning in open session for continuation of hearings on S. 2768, purchase of United Nations bonds.

STATEMENT OF RALPH SHOWALTER, NATIONAL LEGISLATIVE REPRESENTATIVE, UNITED AUTOMOBILE WORKERS; AND INDUSTRIAL UNION DEPARTMENT OF THE AFL–CIO

Chairman MORGAN. Mr. Showalter is our first witness. Mr. Showalter is the national legislative representative of the United Automobile Workers, and Industrial Union Department of the AFL–CIO.

Mr. Showalter, have you a prepared statement?

Mr. SHOWALTER. No, Mr. Chairman. I just want to say that our organization supports the bill, and I wish to leave with you a copy of the letter that President Reuther sent to you back in March. It is a rather lengthy statement of our position on this matter, and I ask that it be put in the record.

Chairman MORGAN. Without objection, it is so ordered.

(The statement referred to is as follows:)

INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW,
Detroit, Mich., March 26, 1962.

Hon. THOMAS E. MORGAN,
Chairman, Foreign Affairs Committee,
U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN MORGAN: Against the advance of the science of cosmic calamity, the people of the world have one great bulwark, the United Nations.

I write you now to speak in favor of the $100 million U.N. bond issue and for the deeply cherished hope lodged in the continuing work of the United Nations.

The million and a quarter members of the UAW share with the people of the world an uneasy apprehension over worldwide developments in the last decade. These developments give no one reason to believe that life on this planet, as we know it, can survive without the most dedicated commitment by each individual citizen to a new sense of international responsibility and morality.

But our personal and historical experiences warn us that the idealism of the people of the world will vaporize in the final blinding light of a nuclear explosion unless we strengthen the social and political instruments by which we can achieve a just and peaceful world.

The struggle for peace in a world, one-third free, one-third captive, and one-third in suspense, we are well aware, is a many-factored effort complicated by 120 sovereign national states insecurely associated in an unstable and volatile

world where hunger, disease, and ignorance are more often the rule than the exception.

We would be in an even more desperate situation now, except for the fact that the United Nations was brought into being 16 years ago as the expression of age-old longing for peace and in reaction against the horror of the most devastating and the cruelest war in human history. Today, after a sequence of hard trials, the United Nations still survives and in its continuing effort manifests the almost indestructible determination of human beings to persist against every discouragement in the search for social organizations that correspond with their ethical convictions.

We, in the American labor movement, do not claim that the United Nations will be set on a wide road to an easy final solution of the problems of the world by the enactment of the bill pending before your committee to authorize the United States to purchase $100 million of United Nations bonds. Nor do we challenge the good faith of those Americans who oppose this bill or who propose an alternate financial arrangement to the U.N.'s fiscal problems, although we are critical of their judgment and their computations.

We do not suggest that the United Nations will be dealt an immediate fatal blow by the rejection of the $100 million bond proposal.

We do believe, however, that the calculation of those who oppose the bond issue are made in terms which are not commensurable with the problem.

We do believe that the weight of a rejection of the U.N. bond issue will bear down heavily upon the United Nations and seriously impair its effectiveness in this critical period. It will weaken and hamper its efforts, and may set events in train that ultimately could transform the United Nations Building in New York into a mausoleum of human hopes comparable to the Palace of Nations in Geneva which once housed the League of Nations.

Without attempting to minimize in any way the imperfections of the United Nations until now, there can be no question that it plays as important a role in our efforts to wage peace as our Defense Establishment. There can be no question that our hope for avoiding war and for the ultimate prevalence of freedom depends as heavily on the General Assembly as on our missiles. In this context debater's tactics and semantic jockeying over the ultimate cash advantage over one method of financing the U.N. as against another are unseemly.

The fact is the United Nations and our representatives there have themselves determined that the bond issue now before the Congress for consideration is the most effective way of maintaining U.N. solvency and for averting a financial crisis which would jeopardize the U.N.'s effectiveness as an instrument for world peace.

Our national administration has assured the American people that the bond issue, as proposed in the bill before you, promotes our national interest better than any other alternative. In reality, the choice now is not "Yes or something else", but "Yes or No." In this circumstance, surely it is incongruous to split statistical hairs in an effort to establish irrelevant, hypothetical savings as an argument for a method of financing that has not been proposed to us by the United Nations, and which, at best, would require a long period of debate during a period when time itself is unraveling and the peace of the world is eroding in Africa, in Berlin, in Asia, and perhaps in our own hemisphere.

For these somber reasons, it is inappropriate for one side to score political points against the other side on the basis of dubious arguments about which is the better method for encouraging self-reliance and sound credit practices among the nations of the world now in arrears on the U.N. books.

It is the judgment of the men and women in the American labor movement that the deficiencies and delinquencies of other nations with respect to the U.N. are a challenge to us to strengthen the world organization and not an excuse for diluting our own commitment.

During the last year the U.N. has demonstrated its effectiveness in such explosive situations as the Congo—where, without U.N. intervention, chaos and civil war would have resulted and the peace of the world would have been in grave jeopardy.

The most significant advances made toward peace and justice in the world have been in those areas where the world community has worked through the United Nations. Through the U.N. the free nations of the world have won new allies in the commitment to the principle of world order, have rebuffed Communist efforts to emasculate the U.N. ability to act to carry out the will of the people of the world, and have frustrated the Communist attempts to subvert the possibility for a rule of justice in the Congo.

Simultaneously with the direct Communist attacks on the integrity of the United Nations, there has been a parallel effort to reduce the U.N. to ineffectiveness by cutting off its funds.

Thus, the Soviet bloc has refused to contribute any financial support to the U.N. forces in the Gaza strip or in the Congo, despite a specific initial Soviet vote in favor of a U.N. Congolese force.

Under the rules governing the United Nations, the Soviet powers can now refuse to pay the cost of these special programs without jeopardizing their standing or vote in the U.N. organizations.

However, any nation which falls 2 years or more in arrears in the payment of the regular assessments for the maintenance of the U.N. is suspended and loses all its rights as a member organization.

By making use of this principle, the proposed United Nations bond issue would present the Soviet bloc with the choice of paying its share of the cost of the Congo and Gaza strip programs or, in effect, withdrawing from the world organization.

What has made it possible for the non-Communists in the United Nations to compel the Soviet bloc to pay up on its obligations or to get out is the rule which excludes the possibility of a Soviet veto in U.N. administrative decisions. Free from the paralyzing effect of the veto, the General Assembly of the United Nations voted to issue $200 million in bonds to pay its debtors, restore its solvency, and to finance its continuing activities. These obligations will be repayable over a period of 25 years at 2 percent interest. Income from assessments on all the members of the U.N. will furnish the funds to pay off the bonds and interest.

Two years ago, speaking before the AFL–CIO International Affairs Conference in New York, I declared that each dollar we spend through the United Nations in the struggle for a world we can live in, is worth $10 spent unilaterally.

In the 2-year interval the exchange value of money spent through the United Nations has, if anything, increased.

In summary, I hope you will note that by the purchase of the bonds, the United States will actually reduce its share of the cost of U.N. peacekeeping efforts from 47.5 to 32 percent as the procedural rules which will be written compel the Soviet bloc to pay its proper proportion of the U.N. budget.

In the past, the United States did purchase U.N. bonds to make possible the erection of the U.N. Building and you know, of course, that the U.N. met the payments on these obligations punctually.

It is also our belief that the preponderance of Americans take for granted that the financial advantages of the bond issue are relatively unimportant when compared with the overwhelming need of the world for the effective and solvent operation of the United Nations.

For all these reasons we hope the apparently technical provisions of this legislation will not obscure its vital importance to the people of the entire world and that the Congress enacts the necessary enabling legislation without delay.

What the Congress is considering now is a proposal to lend the United Nations a sum that is less than the amount spent last year by some American corporations to advertise soap. It is less than one-tenth of the profits of certain other American corporations last year, a fifth of 1 percent of the cost of sending a man to the moon.

Actually, what the United Nations has requested and the President has urged on us is, in effect, that each American lend the United Nations approximately 55 cents, which the United Nations will repay.

We in the labor movement sincerely hope you will keep before you these two choices in the balance: one choice, 55 cents from each American for the United Nations; the other choice, serious impairment and possible destruction of one of the great pillars on which our hope for peace and survival rests.

Sincerely yours,

WALTER P. REUTHER,
President International Union, UAW.

Chairman MORGAN. The next witness is Dr. Francis O. Wilcox, Division of Peace and World Order, General Board of Christian Social Concerns of the Methodist Church. Dr. Wilcox was head of the staff of the Senate Foreign Relations Committee for many years,

and then went to the executive branch, and he is very familiar with both the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations.

It is a pleasure to welcome you back to this committee today. If you have a prepared statement, you may proceed.

STATEMENT OF HON. FRANCIS O. WILCOX, DIVISION OF PEACE AND WORLD ORDER, GENERAL BOARD OF CHRISTIAN SOCIAL CONCERNS OF THE METHODIST CHURCH

Mr. WILCOX. Thank you, Mr. Chairman. It is always a real privilege for me to appear before this distinguished committee. I shall not trespass long upon the time of the committee, because I am sure you are familiar with the issues and the details involved in the bill before the committee.

The testimony which I am presenting today is presented on behalf of the Division of Peace and World Order, which is the official agency of the Methodist Church assigned to work in the field of international relations. I happen to be a member of the Metropolitan Memorial Church here in Washington, and I am the chairman of the Christian Social Concerns Commission of that Church.

As you know, the Methodist Church is very deeply interested in the work of the United Nations, and it has consistently supported that Organization. It has not gone on record officially and specifically with respect to this particular bond issue, but I think from the resolutions which the General Conference of the Methodist Church approved at its last session in 1960, that the support of the leaders of the church for the Organization is quite clear, and one could certainly draw conclusions from those resolutions that the church continues to favor adequate support for the work of the United Nations.

There are a good many reason why I believe it is very much in the national interest for the Congress to support the President's request for the authority he needs to rescue the United Nations from its present financial crisis. While the bill before you is certainly not a perfect solution, it is the best the wit of man has been able to devise. It is an extraordinary step designed to meet an extraordinary situation. It would pull the United Nations back from the brink of bankruptcy and it would give the members a much needed breathing spell during which time we can assess the situation and lay plans for a longer range solution to an extremely difficult problem.

There are a good many advantages, it seems to me, Mr. Chairman, in approaching this problem in this particular way. I like the bond issue idea because it would reduce substantially our own contribution toward the cost of maintaining United Nations forces in both the Middle East and the Congo, and it would underline, it seems to me, the responsibility of the Soviet Union and certain other countries to help pay for important peacekeeping operations like the Congo.

It also has a very significant practical aspect in that in arranging for a 25-year repayment period it would encourage many smaller countries with very limited resources to shoulder their share of the burden.

There are, of course, a few people left in this country who think we ought not to continue to support the United Nations. This opposition to the Organization, it seems to me, is based more on fear than on fact, more on theory than on practice. It is based primarily on the fear which people have that the United Nations will become an uncontrollable organization in view of the admission of all the new countries from Asia and Africa. They could exercise a controlling influence in the General Assembly if they could agree upon a common program of action, but the divisive forces among them are very great indeed, and it is not likely they will be able to stand together on very many important issues.

Nor should we assume that they are going to vote against the interests of the free world. Certainly the United States has fared exceedingly well in the United Nations. This is partly because the great objectives which are outlined in the charter are virtually identical with the overall objectives of American foreign policy.

The last session of the General Assembly is a very good case in point. At that time a number of people were suggesting that the United Nations was about ready to collapse, and I think in view of the tremendously difficult problems that faced the Assembly, the members did a remarkably good job discharging their responsibilities with a good deal of restraint and moderation. The record, I think, was a surprisingly good one.

Also, I am quite impressed with the response of the smaller countries to the financial crisis which the United Nations faces. Four of the nonalined countries—Ethiopia, Malaya, Tunisia, and Yugoslavia—took the lead with Canada, Denmark, Norway, and Pakistan in sponsoring the resolution relating to the bond issue against the opposition of the Soviet bloc.

Also, of course, the response since that time has been very good, with more than $72 million in bonds having been purchased or pledged on behalf of 43 nations. Forty-five other states are currently considering the matter, many of them favorably. I think it is an excellent record.

Moreover, if the advisory opinion of the World Court, which probably will be handed down today or tomorrow, is favorable, the United Nations could make a great deal of progress in collecting past arrears. The Soviet Union, for example, by 1964 would be in arrears sufficiently to bring into play the penalty provisions of article 19 of the charter, which provides that a state shall lose its vote in the General Assembly if it is in arrears the equivalent of 2 years of its contributions.

May I say just a word, Mr. Chairman, about the two crises which gave rise to the present financial difficulties of the United Nations—the Middle East and the Congo. Since I served as Assistant Secretary of State from 1955 to 1961, I participated in the decisions which helped to launch the United Nations on these two very fateful ventures. I believed then and I believe now that they were right decisions, decisions which prevented world crises of a far more serious nature.

We supported United Nations intervention in the Suez crisis because we believed that the best chance of preserving world peace there was through collective action. The presence of U.N. forces made possible the withdrawal of foreign troops from Suez, and the continuing presence of the U.N. Emergency Force in the Middle East has

been the great contributing factor toward the preservation of peace and stability in that troubled region of the world. The tremendous value of U.N. efforts in the Middle East cannot be calculated, it seems to me, in dollar terms.

The decision with respect to the Congo was equally difficult and equally important. Our Government decided then that the aims of the non-Communist world would be best served by a U.N. presence in the Congo—a presence that would, hopefully, restore order out of chaos, keep the cold war out of the Congo, insure the political and territorial integrity of the country, and provide the know-how and training that would enable the Congolese to build their new nation.

I believed then, as I believe now, that the United States was helping to initiate a policy in accordance with its own best interests and the interests of the free world.

A brief glance at the record bears out this conviction. Over the past year the worst features of civil war with the omnipresent threats of international involvement have been avoided. The Congo today is governed by the moderate, pro-Western leaders, President Kasavubu and Prime Minister Adoula. Their chief rival, the bloc-oriented Antoine Gizenga, is in jail awaiting trial. The U.N. civilian operation in the Congo is providing unpublicized but effective assistance to the government in running the country. These results, in my opinion, more than justify our decision to rely on the U.N. to serve the best interests of the free world.

There are many difficult problems ahead, of course, in the Congo, but I believe the situation is much better than it would have been without United Nations participation.

I think, therefore, Mr. Chairman, in conclusion, that we have no workable alternative but to help the United Nations meet its financial crisis and move to more solid ground. The amount of money involved is relatively small. The stakes in terms of world peace are very high indeed.

In giving its approval to the President's request, I would hope that the Congress would make unmistakably clear that effective ways and means would be found to establish a sounder fiscal basis for U.N. operations in the future. It is a tragic admission of weakness when the Secretary General is compelled to go around with his hat in his hand begging contributions from the member states every time the Organization is confronted with an international crisis of serious dimensions.

Nine years ago, in a staff study which I prepared for the Senate Committee on Foreign Relations, I commented on the financial problems of the U.N. as follows:

> It is often said that the veto is the greatest single problem facing the United Nations. But money is the lifeblood of any organization. And the financial problems the U.N. has encountered, although less spectacular, have proven almost as difficult and, in some ways, even more complex than the veto.

I repeat now what I said then. The United Nations probably will not quit doing business because of the veto, but it could be wrecked on the shoals of fiscal insolvency. I hope the Congress will support the United Nations, as it has done so consistently in the past, and prevent this from happening.

Thank you very much, Mr. Chairman.

(Mr. Wilcox's prepared statement is as follows:)

STATEMENT OF FRANCIS O. WILCOX, TESTIFYING ON S. 2768 (U.N. BOND ISSUE) AT THE REQUEST OF THE DIVISION OF PEACE AND WORLD ORDER OF THE GENERAL BOARD OF CHRISTIAN SOCIAL CONCERNS OF THE METHODIST CHURCH

I am Francis O. Wilcox, a member of the Metropolitan Memorial Methodist Church in Washington and chairman of the Christian Social Concerns Commission of that church. I am the dean of the School of Advanced International Studies of Johns Hopkins University and served as Assistant Secretary of State from 1955 to 1961.

This testimony is presented in behalf of the Division of Peace and World Order, the official agency of the Methodist Chuch assigned to work in the field of international relations. This division, in cooperation with the Methodist Woman's Division of Christian Service, maintains an office with staff and a substantial program of education and liaison near the headquarters of the United Nations in New York City.

The Methodist Church has been deeply interested in the United Nations since its inception and has consistently supported strong and effective U.S. participation in the U.N. The following paragraphs were officially adopted by the General Conference of the Methodist Church at its last session in 1960:

"We give thanks to God for the United Nations and its agencies, and their continued efforts to create peace in the world. Particularly do we commend the United Nations for its direct approach, exploration and action on crucial problems that arise periodically throughout the world and pose a direct threat to the peace of the world.

"We believe there is a continuing and urgent need to use more fully the various agencies of international understanding and cooperation which are presently available in the United Nations. We believe the United Nations and its agencies should be supported, strengthened, and improved. Moreover, if these facilities are to become most effective, the United Nations, with membership open to all nations, must be given sufficient authority to enact, interpret, and enforce world law against aggression and war."

Although there are no official Methodist pronouncements on the issuance of bonds by the U.N. and their purchase by the United States, the statements I have quoted from the General Conference clearly favor adequate financial support for the United Nations, its regular and special programs and its related agencies.

At the present time the only method for financing the current heavy expenditures of the U.N. which has been approved by the General Assembly, with the support of the United States delegation, is the issuance of bonds. Other nations have already purchased or pledged some $72 million. Therefore, in the immediate future, our Nation's substantial support of the U.N. bond issue is essential to the financial undergirding of the continuing work of the U.N.

There are a number of reasons why I believe it is very much in the national interest for the Congress to support the President's request for the authority he needs to rescue the United Nations from its present financial crisis. Admittedly the bill before the Congress is not a perfect solution; but it is the best the wit of man has been able to devise. It is an extraordinary step designed to meet an extraordinary situation. It would pull the United Nations back from the brink of bankruptcy and it would give the members a much-needed breathing spell during which time we can assess the situation and lay plans for a longer range solution to an extremely difficult problem.

I am sure that members of this committee are well aware of most of the other arguments I have in mind. I am attracted to the bond issue idea because it would reduce substantially our own contribution toward the cost of the United Nations peacekeeping operations in both the Middle East and the Congo. Moreover, by providing for the repayment of the bond issue from the regular U.N. budget, it would underline the responsibility of the Soviet Union and certain other countries to help pay for important peacekeeping operations like the Congo.

Finally the bond issue idea has a very practical aspect which should not be overlooked. The repayment period is 25 years thus making it possible for many small countries, with limited resources, to shoulder their share of the burden. Anything that can be done to strengthen the principle of joint financial responsibility for U.N. activities is all to the good.

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I know that there are still a few people left in this country who believe we should not support the United Nations. They are fearful that it will fall under the control of the Afro-Asian countries and that we will lose our position of influence in the organization.

This opposition to the United Nations, it seems to me, is based more on fear than on fact; more on theory than on practice. Admittedly the countries of Asia and Africa could exercise a controlling influence in the General Assembly if they could agree upon a common program of action. But the divisive forces among them are very great indeed and it is not likely they will be able to stand together on very many important issues.

Nor should we assume that they are going to vote against the interests of the free world. Certainly the United States has fared exceedingly well in the United Nations. This is partly because the great objectives outlined in the charter are virtually identical with the overall objectives of American foreign policy. Even during the past few years, when a few of the Assembly resolutions have been objectionable to us, the great preponderance of them have been quite in harmony with the national interests of the United States.

The last session of the General Assembly is a good case in point. Some prophets of gloom, largely because of the influx of new members, were beginning to predict the collapse of the United Nations. But the Assembly, which was confronted with a great many difficult problems, discharged its responsibilities with a commendable amount of restraint and moderation. Its record was a surprisingly good one.

In general the response of the smaller powers to the U.N.'s fiscal crisis has been quite encouraging. At the General Assembly last fall, when they were confronted with the serious prospect that the United Nations might go bankrupt, they acted with vigor and imagination. Although they realized that, in the long run, the bond issue, as a means of financing the Congo operation, would cost them more than they would otherwise be required to pay, they accepted it realistically as an extraordinary step to keep the U.N. afloat. Four of the nonalined countries—Ethiopia, Malaya, Tunisia, and Yugoslavia—took the lead with Canada, Denmark, the Netherlands, Norway, and Pakistan in sponsoring the resolution against the opposition of the Soviet bloc.

Since that time the attitude of most U.N. members, and of the smaller states in particular, has been even more encouraging. Already more than $72 million in U.N. bonds have been purchased or pledged on behalf of 43 nations. Forty-five other states currently have the matter under consideration, many of them favorably. This is an excellent record in view of the fact that the leadership of the United States has not yet had an opportunity to make itself felt on this issue. The prospects of reaching our goal are very bright indeed.

As I pointed out above, I believe the bond issue is a very useful device to help nail down the responsibility of all members to shoulder their fair share of U.N. peacekeeping expenditures. Since the principal and the interest on the bonds will be paid from the regular U.N. budget it will be more difficult for states to avoid their obligations than it has been in the past.

Moreover, if the advisory opinion of the World Court is favorable, the U.N. might make real progress in collecting past arrears. The refusal of the Soviet Union to pay its just dues is a case in point. Article 19 of the charter provides that a member that is in arrears shall lose its voting rights in the General Assembly if the amount of its arrears equals the contributions due from it for the preceding 2 full years. If the Court should hand down a favorable opinion on this issue, and if the Soviet Union continues to refuse to pay its assessment for U.N. operations in the Congo and the Middle East, then it would be in a position to lose its voting rights as early as January 1, 1964. At that time its arrears would total more than $42 million—sufficient to bring into operation the penalty provided for in article 19.

The present financial crisis of the United Nations stems from its heavy involvement in the Middle East and in the Congo. Since I served as Assistant Secretary of State from 1955 to 1961 I participated in the decisions which helped launch the United Nations on these two fateful ventures. I believed then, and I believe now, that they were right decisions; decisions which prevented world crises of a far more serious nature.

We supported U.N. intervention in the Suez crisis because we believed that the best chance of preserving world peace there was through collective action. The presence of U.N. forces made possible the withdrawal of foreign troops from the Suez area. And the continuing presence of the U.N. Emergency Force in the Middle East has been the great contributing factor toward the preservation

of peace and stability in that troubled region of the world. The tremendous value of U.N. efforts in the Middle East cannot be calculated in dollar terms.

The decision with respect to the Congo was equally difficult and equally important. Our Government decided that the aims of the non-Communist world would be best served by a U.N. presence in the Congo—a presence that would hopefully restore order out of chaos, keep the cold war out of the Congo, insure the political and territorial integrity of the country, and provide the know-how and training that would enable the Congolese to build their new nation.

I believed then, as I believe now, that the United States was initiating a policy in accordance with its own best interests and the interests of the free world.

A brief glance at the record bears out this conviction: Over the past year the worst features of civil war with the omnipresent threat of international involvement have been avoided. The Congo today is governed by the moderate, pro-Western leaders, President Kasavubu and Prime Minister Adoula. Their chief rival, the bloc-oriented Antoine Gizenga, is in jail awaiting trial. The U.N. civilian operation in the Congo is providing unpublicized but effective assistance to the Government in running the country. These results in my opinion more than justify our decision to rely on the United Nations to serve the best interests of the free world.

In conclusion, Mr. Chairman, it seems to me that we have no workable alternative but to help the United Nations meet its financial crisis and move on to more solid ground. The amount of money involved is relatively small; the stakes in terms of world peace are very high.

In giving its approval to the President's request, however, I would hope that the Congress would make unmistakably clear its desire that effective ways and means be found to establish a sounder fiscal basis for United Nations operations in the future. It is a tragic admission of weakness when the Secretary General is compelled to go around, with his hat in his hand, begging contributions from the member states every time the Organization is confronted with an international crisis of serious dimensions.

Some 9 years ago in a staff study which I prepared for the Senate Committee on Foreign Relations I commented on the financial problems of the U.N. as follows: "It is often said that the veto is the greatest single problem facing the United Nations. But money is the lifeblood of any organization. And the financial problems of the U.N. has encountered—although less spectacular—have proven almost as difficult and, in some ways, even more complex than the veto."

I repeat now what I said then. The United Nations probably won't quit doing business because of the veto, but it could be wrecked on the shoals of fiscal insolvency. I hope the Congress will support the United Nations—as it has done so consistently in the past—and prevent this from happening.

Chairman MORGAN. Thank you, Dr. Wilcox.

Dr. Wilcox, I am sorry that our attendance is poor this morning, because I am sure your statement carries a great deal of information that other members would like to hear.

You served as Assistant Secretary of State for International Organization Affairs from 1955 to 1961.

Mr. WILCOX. Yes, Mr. Chairman.

Chairman MORGAN. How long was your service with the Senate Foreign Relations Committee before you went there?

Mr. WILCOX. I was there for 10 years.

Chairman MORGAN. So, you come here this morning well fortified with knowledge about the U.N. I wish to concur in your strong statement in support of this bond issue. I feel that the survival of the United Nations is endangered if we do not go ahead with this bond issue.

Dr. Wilcox, were you Assistant Secretary of State when the Gaza strip operation began?

Mr. WILCOX. Yes, I was, Mr. Chairman.

Chairman MORGAN. You feel that the presence of the U.N. forces in the Gaza strip has been very useful in maintaining the peace?

Mr. WILCOX. Yes, Mr. Chairman, I think the creation of the United Nations Force made possible a peaceful solution of that crisis in the first instance. Moreover, the continued presence of the United Nations Force in the Gaza strip area and the Sharm-el-Sheik area have been very useful in maintaining stability and peace in a region of the world which could very well be engulfed in all kinds of strife and hostility. That area, as you well know as chairman of this committee, is tremendously important to the United States in many ways.

Chairman MORGAN. Yes. I recognize that it is very important. I believe that you were also Assistant Secretary of State for International Organization Affairs during the start of the U.N. Congo operation.

Mr. WILCOX. Yes, Mr. Chairman, I was.

Chairman MORGAN. Do you feel that the U.N. move into the Congo was absolutely essential as a peacekeeping operation?

Mr. WILCOX. Yes, I do. When the Belgians moved out of the Congo on June 30, 1960, this inevitably left a political vacuum of very serious dimensions. The prospects were quite good, if that is the correct term to use, that there would be a serious great power confrontation in the Congo. There were indications at that time that the Soviet Union intended to move into that area of the world and to use the Congo as a base for operations in order to gain control of central Africa.

Our Government, of course, was invited by Prime Minister Lumumba to send American troops to the Congo. President Eisenhower and Mr. Herter certainly did not want to see the situation develop in such a way that American forces would be involved. There was every reason, in other words, for us to invite or to encourage the United Nations to move into that very dangerous situation in order to prevent possible outbreak of hostilities that could engulf the world.

Chairman MORGAN. There is a good deal of criticism—and some of the criticism has been voiced in these hearings—about the struggle or war going on between Katanga and the rest of the Congo and the conflict between the leaders, Prime Minister Adoula and the former Prime Minister Tshombe, of Katanga. I have noticed something about an international movement involving consultations by our own Government with the English and the Belgians to make use of the industrial power of Katanga for the benefit of a united Congo. Do you feel that the United Nations can bring about a united Congo?

Mr. WILCOX. This was a very difficult problem to invite the United Nations to help resolve. It seemed to me, however, that the policy which Mr. Hammarskjold elaborated, which had as its objective the peaceful reintegration of Katanga into the Congo, and the unification of the Congo, is the only one which is calculated to bring any semblance of peace to that area. I know that some people in this country are really quite concerned because they have felt that our policy toward the Congo tends to discriminate against Mr. Tshombe and the principle of self-determination, but the fact is that the members of the United Nations all felt, at least they voted this way, that only through the reintegration of Katanga into the Congo could you have a viable state there. My feeling is, if you are to keep communism out of the Congo, the best way to do it is to bring about unity between the two great anti-Communist forces there; that is, Adoula and Tshombe. If you can get some kind of teamwork and cooperation

between these elements in the Congo, then the followers of Lumumba and Gizenga just do not have a chance. Otherwise, I cannot see anything but continued strife and trouble and chaos in the Congo.

I have felt from the beginning that the United Nations policy was the correct one, that it was really the only alternative that made any sense, and our supporting that policy was sound.

Of course, we encouraged the United Nations to go in in the beginning, and it is my conviction we should support them in their efforts to bring peace to that area.

Chairman MORGAN. According to the press, there is a movement by some of the smaller nations of the Afro-Asian group to bring this problem before the Security Council. As a former delegate and former member of the executive who has worked closely with the United Nations over a period of 6 years, how do you feel we will fare in the Security Council if the Congo issue is presented?

Mr. WILCOX. I am not sure I am qualified to answer that question, Mr. Chairman. I just do not know. I have not followed closely enough the developments in New York the last few months on this problem.

Chairman MORGAN. One further question. I listened to the "Today" program this morning, and heard the Congo Ambassador. He pointed out it was not just the financial structure of the Congo that was involved, but that without a united Congo, part of it could not survive. On Tuesday, former U.S. Ambassador to the United Nations, Henry Cabot Lodge, testified before the committee, and gave testimony similar to what you have just given, pointing out that if we do have a Congo divided between Katanga and the rest, the other part of the Congo was in danger of going behind the Iron Curtain.

Is it your thinking there must be a united Congo?

Mr. WILCOX. I think it would be much preferable to have a united Congo. I think the strength and stability of the area and its capacity to resist the penetration and the undermining attempts of the Communists would be much better if there were a unified area there. I would not want to predict, if this does not happen, that everything would be lost, because I do not believe in giving up that way. But certainly from our point of view, from the point of view of the West, it seems to me to be much preferable to have integration and unification, rather than an atomization of the Congo with perhaps several portions of it going their own way.

Chairman MORGAN. Thank you, Mr. Wilcox.

Mr. Seely-Brown.

Mr. SEELY-BROWN. I would like to ask this question, sir. You have said that one of the big responsibilities we face in the future, if we want to keep the United Nations moving in the direction that all of us want, is that we must find a better way for it to finance itself. It must put its own financial house in order. Would you have any suggestions how that might be accomplished and what steps should be taken?

Mr. WILCOX. Yes, sir; it is. I would hope this committee would insist that something be done to pursue this question, once the bond issue problem is resolved, because unless steps are taken to put the U.N. on a sounder fiscal basis, we will probably have a recurrence of this crisis situation every so often. If the World Court decision is

favorable, this could be very helpful to the fiscal position of the United Nations, because it could then move in, presumably, and collect a lot of arrears. The Soviet Union has or will have an arrearage, as you know, of over $40 million.

Mr. SEELY-BROWN. Would you expect the Soviet Union to honor the decision of the World Court?

Mr. WILCOX. I do not know, but certainly it would be a test of the sincerity of the Soviet Union, and I think the smaller states who look up to the World Court and respect it would be watching the action of the Soviet Union with a good deal of interest.

Mr. SEELY-BROWN. It would be a propaganda weapon, in any case, on our side.

Mr. WILCOX. It certainly would be, and it would be a very effective one.

To pursue your question a little further, it is entirely possible to increase the amount of the regular budget of the United Nations and put it more on an assessment basis than we have done in the past. The collection of arrears will help. The bond issue will help. In addition to that, I certainly think we should look into other methods of providing the United Nations with a little more income.

Obviously I am not talking about selling Christmas cards. I do not think a world organization should have to depend upon the sale of Christmas cards for its financial resources. Suggestions have been made for the utilization of the riches of certain portions of the high seas, for example, which if it could be agreed upon, might be turned over to the United Nations for its use. You could impose a small tax on passports or visas of people going across state boundary lines. You might impose a small charge for the sending of mail across state boundary lines. There are many methods that one can think of, most of which tend to stir up the opposition of those who are fearful of supernational government in the world, but some of which might possibly be worthy of consideration in view of the need to put this institution on a more stable basis.

Mr. SEELY-BROWN. You think it must still be a government-financed operation basically.

Mr. WILCOX. No, sir. There have been suggestions made that individuals or foundations might contribute toward the work of the Organization, either by the purchase of bonds or by contributions. But the U.N. is basically an intergovernmental organization, and I hesitate to think that it must rely upon popular subscriptions and the contributions of individuals.

It has been suggested also that the proceeds of the World Bank might well be applied. The World Bank makes a very handsome net profit every year. Presumably that could be applied to help satisfy the financial requirements of the Organization. I cannot think of a more worthy purpose for using these funds, although I am sure the officials of the Bank might take a somewhat different view of this matter.

Mr. SEELY-BROWN. Do you know of any operations which are presently being undertaken by the United Nations which cost the United Nations money which might better be done by some other international agency?

Mr. WILCOX. No, sir; I do not. The United Nations has been really quite conservative in the way it has approached new problems. The aid program is really quite modest in scope. The work of the specialized agencies, of course, has increased somewhat, but when you realize there are now 104 members of the United Nations, one can appreciate why the expenses have gone up somewhat. But the total expenses of the United Nations for a year, I think—I do not have the figures with me—are somewhat over $400 million, which is relatively small when you think of the tremendous responsibilities which have been given the Organization.

Mr. SEELY-BROWN. Thank you.

Chairman MORGAN. Mr. Zablocki.

Mr. ZABLOCKI. Thank you, Mr. Chairman.

Dr. Wilcox, I am glad to see you again.

Some of the fears expressed in Congress and by the general public are that this U.N. bond purchase legislation will serve as a precedent which will be relied upon in the future. The fact that the financial problems of the United Nations have existed for years, and that no steps to correct them have been taken thus far, either in Congress or by the other governmental bodies of the world, would seem to give further credence to the assumption that this approach will establish a precedent and will be relied upon to meet other U.N. crises.

By your own admission, this legislation provides only a temporary solution to meet an emergency. It is also agreed that future U.N. emergencies will undoubtedly be forthcoming. If we have not as yet devised a permanent formula to meet these crises, is it not true that the fears I mentioned are well grounded?

Mr. WILCOX. This might be, Mr. Zablocki, and certainly if, after the passage of 2 years, emergencies arise which require action on the part of the United Nations for the maintenance of world peace—and for which funds are lacking—I, for one, would be very much in favor of launching another bond issue. I would not be too concerned about that if the purpose of the bond issue is justifiable, but I do not think this need create a precedent. I would hope the time we have between the present and July 1, 1963, would be utilized by the administration, by the United Nations Secretariat, by the Members of Congress, and by other interested people in this country who follow the work of the United Nations to find ways and means of meeting more satisfactorily this financial problem on a long-range basis.

This crisis has brought it to a head and, as you know, very often in this country we do not make progress on a problem until we are really confronted with it. Although we see it on the horizon or see it in the distance, until it is right before us, we have many other things to worry about so we do not tend to resolve it.

Mr. ZABLOCKI. Doctor, if we agree that the United Nations ought to continue and that it should in fact expand its peacekeeping operations, then shouldn't we meet this issue head on and tell each country to increase its regular contribution rather than rely on voluntary contributions? Inasmuch as 43 countries have already agreed to purchase U.N. bonds and 45 others have expressed a desire to do so, adding up to 88 countries, and since we will probably have a favorable decision by the World Court, I do not think we have to resort to this

proposed U.N. bond purchase, but could simply increase the regular contributions to resolve the U.N.'s financial problem.

Mr. WILCOX. You have a considerable indebtedness right now which is hanging over the United Nations which needs to be met. You have two things: You have this indebtedness, and then you have the costs, which will run to about $140 million, I think, for the two operations this next year. You have these two costs which are involved, and even though the World Court decision is favorable, I do not think the position of the United Nations would be solvent merely as a result of collecting the arrears. I think we really need to do both. If we can collect the arrears, if the World Court decision is favorable, then I think the United Nations position will be reasonably good and we could look forward to the future, in meeting some of these crises which may arise, with some degree of confidence.

I do not think we would have to resort to bond issues in the event the World Court advisory opinion is favorable.

Mr. ZABLOCKI. I am very happy that, a while earlier, you brought up the subject of the Congo. Although that particular issue is not up for discussion at this meeting, the difficulty in the Congo is the reason we find the United Nations in financial straits.

Dr. Wilcox, not only as a student of the Congo but as an expert on the Congo, can you possibly foresee a unified Congo without a greater role for Tshombe, who is apparently highly esteemed, even venerated, in Katanga? We have heard repeated reports that the United Nations position on the Congo lacks broad support. We see in the press reports of people violently opposing the U.N. forces there. If Tshombe will not be given greater voice in the Government of the Congo, how can you possibly expect peace and tranquillity in that country?

Mr. WILCOX. I am not in a position to suggest precisely what role he should play. That is the subject of the conversations which are supposed to be going on between Tshombe and Adoula now. I agree with you that he certainly should have some position of influence.

My understanding is that it is Prime Minister Adoula's intention to give him that. I do not think he should be the Prime Minister, but his position as the leader of Katanga would certinly justify a considerable amount of influence on his part. I would hope this could be worked out. I think there is plenty of flexibility there to work out something to permit a good deal of local autonomy on the part of the Katanga.

Mr. ZABLOCKI. In your opinion, has sufficient effort been made toward this end?

Mr. WILCOX. I have not been close enough within the last few months to know precisely what the United Nations has been doing in connection with these talks. I read the press reports, but I do not have any information which would enable me to answer that question with any degree of authority. From what I understand, the United Nations is trying its best to bring about the kind of reconciliation that would make a viable relationship between Tshombe and Adoula possible. These personalities are not always easy to accommodate.

Mr. ZABLOCKI. Thank you.

Chairman MORGAN. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

I should like to begin by apologizing to Mr. Wilcox for being somewhat late in getting to the committee this morning. I have been reading your statement, and I am inclined to agree with you, Mr. Wilcox, that there seems to be no workable alternative to the proposed bond issue. I certainly agree that we need to provide adequate financial support to the United Nations.

On the other hand, I would like to follow up Mr. Zablocki's point about whether we are meeting the problem head on by this particular proposal. You used fairly strong language with respect to this bond issue, that it will rescue the United Nations from its present financial crisis. You also said that as long as 9 years ago you pointed out that money was going to be a severe problem for the United Nations.

I am concerned how much of a rescue operation this is. Is this only a stopgap which in no sense will solve the United Nations financial problem? You point out that a bond issue need not establish a precedent, but unless we get more adequate supplies of money, we shall have new indebtedness, such as we presently have, which will create a crisis at a future date. It seems to me, if we are facing up to the problem of trying to get all the member nations to pay their fair share of the load, however great that load, we need to do more than just consider this particular problem of how to meet the present indebtedness.

I wonder whether you agree with me on these points.

Mr. WILCOX. Yes, sir, I do, very much. This is a kind of stopgap proposal, as I understand it. It is not designed to settle, and I do not think anyone claims it will settle or resolve the United Nations financial problems. It will give us all a breathing spell of a year and a half during which time very strenuous efforts ought to be made to find longer range solutions to this problem. As I point out in my statement, I think it is really a sign of inexcusable weakness on the part of an organization—you cannot blame the United Nations, you must blame the members—when the Secretary General must make special pleas every other day to try to scrape up enough money to discharge his responsibilities in connection with the world crisis that its members have placed upon him. It is not a very satisfactory situation for the Organization to be in.

I have encouraged my staff many times in the State Department to give further study to this problem and, having studied it in considerable degree myself, I realize its complexities. It is much easier to say this than it is to do it. I sympathize with those who are now in positions of responsibility trying to work out a solution that meets the financial limitations of many states, that meets the needs of the United Nations, that fits within the concept of sovereignty on which the United Nations is based, and which takes into account all the other factors which you must take into account in meeting a problem of this kind.

Mr. FRELINGHUYSEN. Have you any suggestions as to how that long-range problem could be met? Can you think of any major alternative to a bond issue?

Mr. WILCOX. Sir, I commented just a few moments before you came in the committee room, in response to another question, at some length on this.

Mr. FRELINGHUYSEN. I apologize. I do not want to cover ground you have already considered.

I am concerned, quite frankly, about the future problems, the future emergencies and the use to which the General Assembly might put its power. For example, suppose the World Court decision is favorable; would this not mean that the General Assembly by a two-thirds vote could undertake future activities that might not necessarily be desired by this country? Would we not have to make a contribution and have no choice as to whether or not it was a desirable one? This would create an obligation binding on all members.

Mr. WILCOX. I do not think this would create any new legal obligation, Mr. Frelinghuysen. The fact is that when the charter was drafted almost everybody seemed to agree that if states were free to determine the extent to which they could contribute to the Organization, then it would not have a sufficiently sound fiscal basis to operate satisfactorily. So the charter makes it quite clear that all members are bound—this is one place where the Assembly can make a decision—all members are bound by the decision of the Assembly with respect to the budget and the amount of money that is to be assessed. I will not use the word "appropriated," but that is the meaning of it. So, actually from a legal point of view, the Assembly could authorize a budget which we would vote against and which would call for the expenditure of, let us say, $20 billion with us paying 50 percent of that amount, and we would be legally bound to do that.

In practice, there has not been the slightest indication that this sort of thing would happen. States are not going to be inclined to kill the goose that lays the golden egg, and they know that most of the financial support for United Nations activities has come from the United States. They are not going to do, in my judgment, anything irresponsible of that kind.

The point is, the solution of this problem will not add to the capacity of the General Assembly to take action of this kind.

Mr. FRELINGHUYSEN. I grant that your hypothesis of a $20 billion budget will not be proposed or approved. I do not think that is the problem we face. The question, it seems to me, is in what way can we make obligatory an obligation on nations which do not want to make a contribution. In this case there are nations which do not want to support operations in the Congo or the Middle East. It might be in the future that the United States would not want to help finance an operation.

Mr. WILCOX. Yes, sir.

Mr. FRELINGHUYSEN. Is not the whole point of the present search for more adequate financing to find a method of making obligatory on all member nations a greater degree of financial obligation than they presently feel they must meet?

Mr. WILCOX. Yes; that is quite right. I think that in any situation of the kind which you have in mind the United States would find it possible to muster one-third plus one of the votes in order to be in control of the situation, particularly since our financial contribution is always by far the largest, and since we are the most influential member of the Organization.

I quite agree with you that we should strive to increase the obligatory nature of the financial responsibility of the members of the

Organization. I think this will happen in two ways—if the bond issue is approved this will tend to underline the collective responsibility of all the members of the United Nations for peacekeeping operations like the Congo and the Middle East.

Also, if the World Court's advisory opinion is favorable, as I hope it will be, then it will be on record in favor of the proposition that operations like the Congo do create a constitutional, a legal obligation, for the members.

Mr. FRELINGHUYSEN. If I might make a comment—perhaps I should phrase it as a question—part of the current criticism of the proposed bond issue is based on a fear that an instrument which up to now has been favorable to our own national interests might be used against what we consider our national interests. The argument is that we should be wary about proposing devices which will bind us when we will feel the need of freedom ourselves. It is not simply a question of paying the past debts, but of establishing perhaps some kind of precedent which will perhaps necessitate our pulling out of the United Nations as a method, the only available method, of protest against what we consider ill-advised action in some other part of the world.

Mr. WILCOX. I cannot conceive of that happening in view of the fact that our own national objectives virtually coincide with the great objectives of the charter of the United Nations.

We believe in peaceful settlement of disputes. We believe in the renunciation of the use of force in bringing about and settling differences among nations. We believe in cooperation to help raise the standard of living of peoples. We believe in these great things which the charter outlines.

I think that as long as we continue to support the United Nations, then the smaller countries who are inclined to lean on it for protection and help will be impressed by the fact that we are the ones who support it, whereas the Soviet Union does not.

In these circumstances we should not have too much difficulty securing the voting support we need on important issues before the Assembly.

We will have to work at it, of course, because there are 104 countries in the U.N. But the fear that many people have about the countries of Asia and Africa ganging up on us is not a very justifiable one because, as I point out in the statement I submitted to the committee, there are many divisive forces among these states that are far more potent than the forces which tend to pull them together.

There is a great deal of difference between Burma and Nigeria. There is a tremendous amount of difference between Indonesia and Somaliland—language, culture, tradition, history, economics, politics. Up to this point practice would suggest that there are very few things on which all these countries can come to agreement. They may agree on certain fundamental, general principles such as "We are against colonialism. We are opposed to racism. We are in favor of economic development." But they will not find it possible to agree upon any really concrete program of action which would help them achieve their goals in the international community.

I do not think that these countries are in fact going to be united to the point where they will constitute a serious threat to our position in the Assembly, except on perhaps a question such as colonialism.

Also I do not think we can assume, or should assume, that they will consistently vote against the interests of the United States and the free world. In the long run their interests and ours will coincide somewhat more than will the interests of the Soviet Union and the underdeveloped countries.

Mr. FRELINGHUYSEN. I wish I could be equally optimistic.

I would like to make one further observation. Obviously many individuals, and Members of Congress, too, feel that perhaps the United Nations has bitten off more than it can chew in the Congo and that the intervention has undesirable aspects, even though it may not be an altogether undesirable operation.

Looking at a future problem, say in Algeria, or Angola, is it not conceivable that the United Nations might decide to intervene in a situation which might embroil that Organization in a very considerable effort from a financial, perhaps from a military, point of view? Might, also, such an intervention not be advantageous from our point of view although we would be obligated to make firm, and very substantial, support regardless of our views on the situation?

Your suggestion is that the small nations would not be motivated in such action unless there was pressure from big ones. Presumably, for example, pressure from the United States encouraged the United Nations to intervene in the Congo.

I am wondering whether such a situation might not be one which would be inadvisable from our point of view. Is this not a possibility that we should be worrying about right now, as we face up to this particular problem of how to handle the immediate debts of these present peacekeeping operations?

Mr. WILCOX. It is true we have always been confronted with the possibility in the United Nations that the Assembly might take action which we did not agree with.

In the last few years there have been some resolutions of which we have not approved. I think by and large the great preponderance of the resolutions passed by the United Nations have been in accordance with our own national interests and we have been quite able to agree with them and work for them.

If the kind of situation which you suggest arises, it seems to me what we should do is to oppose it. We should do in the United Nations what is in our national interest to do.

I should think if we have a good case we could muster a one-third plus one vote in the Assembly, which is enough to block any important action of that kind.

I doubt if two-thirds of the Assembly would take a very important step of the kind you suggest which would bind us to the expenditure of large sums of money unless the United States were willing to go along with it.

Mr. FRELINGHUYSEN. Thank you very much.

Chairman MORGAN. Mr. O'Hara?

Mr. O'HARA. Thank you, Mr. Chairman.

Mr. WILCOX. I think you epitomize everything in your statement at the top of page 8—

It seems we have no workable alternative but to help the United Nations meet its financial crisis and be on more solid ground.

You know of no better method than this proposed bond issue?

Mr. WILCOX. I do not know of any other solution which would carry with it the same advantages that the bond issue carries with it.

Also I think we must keep in mind that the Assembly has gone on record in favor of this position. Many states already have taken action in connection with it.

It would seem to me to be not only prudent but highly desirable that we accept this particular method of handling the situation.

We could, of course, finance the whole thing if we chose to do so. I think this would be most unfortunate because I have always been in favor of spreading the financial responsibility of the Organization among the states as widely as possible. This gives it a democratic basis which we have always favored, certainly here on Capitol Hill.

Mr. O'HARA. I was much interested in your suggestions of possible ways to finance the United Nations in the future, but that is a problem for the future. At the present time if this bill were defeated in the Congress would it mean practically the end of the United Nations?

Mr. WILCOX. I am not sure that I should attempt to answer this question because I am not in a responsible position where I would have to help decide what our next steps would be.

Certainly I can see all kinds of complications if we had to try to call a special session of the General Assembly into being in order to present them again with this very complex and thorny issue. It would present almost insurmountable obstacles.

Mr. O'HARA. What is the membership of the Methodist Church in the United States approximately?

Mr. WILCOX. You have asked me an embarrassing question, sir. I think it is about 10 million.

Mr. O'HARA. Ten million people is a lot of people.

Mr. WILCOX. It is quite a few.

Mr. O'HARA. In any church or any organization there are dissenters, of course, but would you say that 90 percent of the 10 million members of the Methodist Church in general approve the resolution adopted by the General Conference of 1960?

Mr. WILCOX. Mr. O'Hara, I have no way of measuring that. My impression from the polls I have seen is that between 80 and 90 percent of the American people favor the work of the United Nations and our support for it. I wouldn't say the Methodists are any better than the Baptists, Lutherans, or Catholics of this country, but I would think from what I know that a very large portion of our church-going people in this country do favor the work of the United Nations.

Mr. BROOMFIELD. I would like to ask this: You say favor the work of the United Nations. I think that is a true statement.

The question is, though, do 80 or 90 percent of the people favor this proposal?

Mr. WILCOX. As I pointed out, this is something that is impossible to measure because they have not been confronted with this specific proposal.

My impression is that if they were presented with it and were aware of all the complexities and implications, because of the general principle that they have agreed to—that is, strong support for the United Nations and adequate financial support so the Organization can go

on with its important work—my guess would be the great majority would approve.

I am not in a position to say that with any degree of finality before the committee.

Mr. O'HARA. I have followed the position taken by the Methodist Church in this matter and in other matters connected with our foreign policy, and I have thought it conformed pretty much with the thinking of most informed Americans.

You state on page 4, and you discussed this with my friend from New Jersey, that there is a fear that in some quarters—

it will fall under the control of the Afro-Asian countries and we will lose our position of influence in the Organization.

I think I know Africa fairly well. I am chairman of the African Subcommittee. It is my special interest. I know many of the African leaders.

I find that as members of the General Assembly they wish to be independent to use their judgment, that from their consciences they can make their contribution. They do not wish to be pawns.

Do you quarrel with that attitude?

Mr. WILCOX. Not at all, and I would indeed encourage it. I like to feel that member states will vote according to their national interests on issues before the United Nations, and I was very much interested in the result of the votes on the Red China problem in the Assembly last fall.

The Soviet Union, as you know, put in a resolution which called for the expulsion of Nationalist China and the seating of Red China.

On that resolution, as I recall the figures, the African countries voted 9 for, 9 against, with 11 abstentions.

You could not have had a more fragmented vote on an important issue than that. They were not all against us, and they certainly were not all for us.

It illustrates the point you made, that on important issues we can expect a considerable amount of support but we can also expect some abstentions and perhaps votes the other way.

Mr. O'HARA. And there may be times when our thinking is a bit confused and we would welcome the clarifying reasoning of the people from the smaller countries. That is possible, is it not?

Mr. WILCOX. Yes, sir; and my impression is that the creation of the new disarmament group to which eight smaller countries have recently been added has been a helpful experiment. It is a helpful thing to have these new members. They have injected new ideas, and a certain amount of urgency into the deliberations and it has been a very important educational process for them to find out what our policy in detail really is. In other words, from our point of view, from the point of view of the West, it has been a useful thing to have these people added.

Mr. O'HARA. The only forum we have to get these nations together and swap ideas is the General Assembly of the United Nations. Is that not true?

Mr. WILCOX. Yes, sir.

I want to say I share Mr. Frelinghuysen's concern here that the entry of all these new countries does create certain problems. It makes

the Assembly more unwieldy. It is a much larger body than it formerly was. It is not as easy to win full support for our policies as it used to be.

I look upon that as an opportunity and a challenge, as well as a threat or a danger.

I think there are certain things we must do to improve our position in the United Nations but that may be all to the good.

Mr. O'HARA. Doctor, you have been a splendid witness. I want to compliment you.

Mr. WILCOX. Thank you very much, sir. I appreciate it.

Chairman MORGAN. Mr. Broomfield?

Mr. BROOMFIELD. I also would like to thank Dr. Wilcox and apologize for not being here earlier.

Did I understand you correctly in your colloquy with Mr. Frelinghuysen that you thought it was a healthy situation that the United States was contributing to the extent we are in support of the United Nations?

Mr. WILCOX. Yes, sir. I think in view of our productivity and our national income, our capacity to pay, we should be contributing about what we are contributing to the regular budget of the United Nations, and also to the special operating programs to which we have traditionally contributed somewhat more. Actually we have gained a great deal of good will and influence in the world because people do realize that we are contributing more, perhaps, than we might otherwise be called upon to contribute because of our population or even because of our national income.

We have voluntarily contributed a considerable amount of money to the Organization, and I do not think that has hurt us one iota in terms of good will and world public opinion.

Mr. BROOMFIELD. Do you think it has been advisable that we have agreed to take in these new countries as quickly as they have won their independence without some kind of a period of trusteeship before they are admitted to the United Nations?

Mr. WILCOX. Well, sir, this is a very difficult problem. As a Member of Congress, I think you would subscribe to the proposition that politics is the art of the possible. This is true in international affairs. I think it would have been better if an agreed time limit might have been set during which time the underdeveloped, or the non-self-governing territories, could have worked toward a time when they might stand on their own feet more satisfactorily. But as Mr. Zablocki knows from his experience in the United Nations, there was a tremendous amount of emotion in the Organization about this problem, just as you find a tremendous amount of emotion throughout Africa and throughout Asia today. These countries wanted their independence. They did not want it 10 years from now, but tomorrow; and they wanted the right to make their own mistakes.

This has been a political problem of great importance for the United States.

We have tried to go down the middle of the path, encouraging our allies among the NATO powers to move as rapidly as they could toward the liberation of their non-self-governing territories, and at the same time encouraging the anticolonialist forces in the world to be moderate in their demands so we would not have too many nonviable

states ushered into the international community too soon. So this has been a terribly difficult problem for the United States to face.

I do not think the United Nations is responsible for this. It would have happened, anyway. The United Nations may have offered an opportunity for a fuller discussion of the issues and perhaps created favorable opinion for the non-self-governing territories.

It has been one of our very difficult problems, as you know.

Mr. BROOMFIELD. One further question, and I wish we had much more time. I enjoy your honesty and candor in responding to these questions.

Is it the position of the Methodist Church that the United Nations continue the peacekeeping operations as a permanent operation of the United Nations?

Mr. WILCOX. I don't know that this question ever has been specifically put to the leaders of the Methodist Church or to the general conference, but certainly the resolutions which have been adopted in the past, and the support which the church gave to the United Nations at the time of its creation, would suggest they are very much in favor of strengthening the work of the United Nations both in the social and humanitarian field and in its efforts to help keep world peace.

Mr. BROOMFIELD. It is one thing to have a forum and to participate in many of these special programs and it is another thing when you get involved as we have in the Congo.

I can visualize there could be areas, as Mr. Frelinghuysen pointed out, which could be quite embarrassing to the United Nations, especially if we were called upon to financially support some of these possible developments.

Has your organization given any consideration to possible further bond issues? Do you believe this would establish a precedent, and do you believe we should use this method of financing the United Nations?

Mr. WILCOX. I don't subscribe to this as a method which ought to apply in the future. I don't think this should create a precedent necessarily.

I would want to look at any situation which might arise in the future. It would depend upon how serious the crisis was and how badly in need the United Nations might be of financial assistance.

On that I think one would have to formulate an opinion at the time.

I believe this is an extraordinary step to meet an extraordinary situation. It would give us time to help evolve a longer range solution to the financial problem of the United Nations.

Mr. BROOMFIELD. I agree with you on that position, but I was trying to develop your thoughts on possible further legislation which might be considered.

Mr. O'HARA. Would the gentleman yield?

Mr. BROOMFIELD. I would be delighted to yield.

Mr. O'HARA. Earlier in the hearings Dr. Wilcox set forth possible methods of financing in the future, more exhaustively and more intelligently than I have ever heard them set forth.

I think the gentleman might be interested in reading that portion of his testimony.

Mr. BROOMFIELD. I certainly will and that is why I came here as soon as I answered the rollcall. I understood we had an excellent witness.

Chairman MORGAN. Mr. Monagan?

Mr. MONAGAN. Dr. Wilcox, I want to congratulate you, too, on this fine statement, and I will preface my remarks by saying that I propose to support any reasonable proposal for the U.N. bond issue.

Mr. WILCOX. Thank you.

Mr. MONAGAN. However, I think we do make a mistake if we do not recognize that there is, as Mr. McCloy said when he testified before us the other day, a feeling of disillusionment in the country about the way the United Nations has worked out, and if we do not recognize that the problem we face here is not entirely or exclusively a financial or procedural one, but one which has to do with public support in the country. Don't you agree with that?

Mr. WILCOX. Yes, I do. There has been a concern about the future of the U.N. I think Mr. Frelinghuysen expressed that a moment ago. There has been a growing concern partly because of the crisis in the Congo, partly because of the bitter Soviet attacks upon the Secretary General, the pressure about the seating of Red China, and now more recently the financial crisis. Also a very important factor is the admission of the many new states from Asia and Africa.

These situations have created in the minds of the people of this country a growing concern about the future of the Organization. I think it is a healthy thing that we should stop and consider the problems which are involved here.

In my judgment the presence of difficult problems is no reason for us to lose confidence. Rather it should underline the need for us to continue to give strong support to this Organization which stands for the same things we stand for in the world and which can help, and which has helped, achieve our national objectives on many important occasions.

Mr. MONAGAN. I agree with you that the Organization in its statement of principles stands for the same things for which we stand.

Chairman MORGAN. Will you yield to me, Mr. Monagan?

Mr. MONAGAN. Yes.

Chairman MORGAN. I have just received word that the International Court of Justice has reached a decision. The vote was 9 to 5, favorable to the U.S. position.

Mr. WILCOX. This gives us a little better position to work on. I am happy to hear this news.

Mr. MONAGAN. I was going to suggest, however, that perhaps the problem is in the fact that in some of these instances these countries are not so much actuated by principle as you have stated, Dr. Wilcox, as by concern about what one of the greater powers is going to feel about the positions that they take.

There is one example which concerns me, and I think it concerns many of us. There is a great sensitivity in the U.N. to the problem of colonialism, in Africa, for example. At the same time we have another type of colonialism which is practiced in what we know as the captive nations. To be tremendously concerned about Northern Rhodesia, which is a fine thing from the point of view of principle, but not to be concerned about exactly the same problem in Lithuania

because of fear of reprisals, seems to me to be a repudiation of principle and failure to act on the principles on which the United Nations Organization is based and therefore to be responsible to some degree, at least, for the feeling of disillusionment which I mentioned before.

Mr. WILCOX. This is a hard thing for most Americans to understand. I think if we were in the shoes of Africans or Asians, who had been under colonial rule very recently, and for a long period of time, we might be somewhat more sympathetic to their position.

We believe strongly that Soviet imperialism or colonialism is just as bad or worse than anything the Western Powers have imposed on the underdeveloped areas of the world. However, these newly emerging nations have not had very much firsthand experience with Soviet colonialism. They are far away from Rumania, Czechoslovakia, Bulgaria, and Hungary.

They have had firsthand experience with the other kind of colonialism. It is an evil they think they can help remedy, and therefore they want to do something about it.

I had a little personal experience with this problem 2 years ago. I was reminding the General Assembly of the very point that you are making when I was rudely interrupted on a point of order by the delegate from Rumania and by vigorous shoe pounding on the part of Mr. Khrushchev. This response convinced me that Soviet colonialism is the most sensitive part of the Soviet anatomy. They obviously have a feeling of guilt which they are reminded of frequently in the United Nations, about the territories which they control; even though they are nominally independent and are members of the United Nations, they are still really colonies of the Soviet Union.

As the problem of Western colonialism reaches its liquidation stage—and the independence of Algeria moves us hopefully on toward the end—I think we will be in a much better position to get a more sympathetic response on this problem from the new countries.

Mr. MONAGAN. That is all.

Mr. BARRY. Dr. Wilcox, it is certainly a pleasure to have you here before us. I am glad to see you continuing the work you did so well when you were Assistant Secretary of State for International Organization Affairs.

Mr. WILCOX. Thank you very much. It is a great pleasure to be here.

Mr. BARRY. I think you have made a most excellent witness in solidifying and strengthening some of the ideas many of us have had. I was interested in reading your statement.

There are one or two things which have occurred to me in the last few minutes during this discourse.

The last idea you referred to, the African use of the word "colonial" represents a degree of definition peculiar to the African powers. Their idea of colonial power is white man over the black.

We hear among the captive nations complaints that the new independent nations of Africa are not responsive to their plight, and very often they get this kind of rejoinder when they speak to a native of the African countries.

"Well, this is among your white brothers, one over another. There is no colonialism there." They do not see it. Their view is a white master over the Negro.

Would you care to comment on that at all?

Mr. WILCOX. I think there is very much to what you say. Also, there is the fact that these countries are nominally independent—at least they are full members of the United Nations. This fact tends to discourage attempts on our part to do away with that kind of colonialism. It is colonialism of a very different type, something with which the new countries are not very familiar.

Certainly the point you make is absolutely essential to keep in mind if one is to understand the feeling and the emotion these people have about colonialism.

Mr. BARRY. So we have a selling job to do. We cannot take for granted, because they have recently gotten their independence, that they are sensitive to the plight of the captive nations.

Is it your feeling that in time we can present this matter in such a way that the African peoples will be firm in their resolve to be of some help?

Mr. WILCOX. I think so. Certainly our Government has not lost any opportunity to present our point of view about Soviet colonialism to the United Nations. I think they are going through an important educational process now. They are learning a great deal about the nature of Soviet imperialism.

Mr. BARRY. Do you think it would be opportune for the United Nations to put this on the agenda at the next session of the General Assembly?

Mr. WILCOX. I wouldn't want to say now whether it would be. Tactically many of these countries would prefer that we not stir up the problem of Soviet colonialism now because they see that as a complicating factor in their desire to rid the world of Western colonialism.

If they can keep the eyes of the United Nations on this objective—getting finished with Western colonialism—for a time, and that job is done, then I think perhaps the chances of our getting more support for our objectives in connection with Soviet colonialism will stand a better chance.

Mr. BARRY. With the possible exception of one or two or three countries, is that not almost completed?

Mr. WILCOX. Yes; we are moving along very well toward completing the liquidation of the Western colonial system.

Mr. BARRY. The other point which came up: You mentioned something to the effect that you felt it was favorable to the United Nations foreign policy that we pay a preponderant amount with regard to the special assessment to the United Nations.

Did you refer particularly to the 47 percent which was a proper amount or do you favor the 32 percent which we are striving to achieve and which we now insist upon in Congress?

Mr. WILCOX. I would favor moving toward the 32 percent. I do not think it is realistic, however, to expect that the United Nations can pay all of its bills in the foreseeable future if our contribution is that low.

Certainly with respect to these operational activities of the United Nations we have expected to pay somewhat more, and we have paid more.

For example, with respect to the Palestine refugee problem we have paid 70 percent.

In connection with the Children's Fund we have paid, and we are paying now, some 44 or 46 percent. In the past it has been considerably higher.

Mr. BARRY. A great deal of this in the form of loans?

Mr. WILCOX. No; these funds, these programs to which I refer, are operational programs to achieve certain objectives, and toward which we have paid substantially more than the general membership.

We pay 40 percent, for example, for the technical assistance program of the United Nations.

I do not think it is feasible to expect to come down to 32 percent for all United Nations activities at this stage in world history.

Mr. BARRY. As you know, there may be a contribution from Germany. I think they have bought $10 million worth of the bonds.

Mr. WILCOX. Yes, sir.

Mr. BARRY. With the rise of the Common Market and the hope within 10 or 15 years there will be a productive power in the Common Market as great as ours, do you feel we should continue to think in terms of the size of contribution we have been making in relation to what they should contribute in the future?

Mr. WILCOX. I am very much in favor of increasing their contributions as their capacity to pay develops in a favorable fashion.

I think the countries of Western Europe can and should do more now to help, both in connection with our efforts in the United Nations and in the development of a satisfactory program of economic development for the newly emerging countries.

We need more teamwork and unity and cooperation on a number of these problems, including our position in the United Nations.

Mr. BARRY. You referred to the fact that the General Assembly already had approved of the present bond indenture.

It is a fact, is it not, that even though $72 million may have been subscribed that some of this money has actually already come into the United Nations, bonds actually have been bought, and that money has actually been disbursed, so in fact the bond indenture is in being. Is that so?

Mr. WILCOX. Yes, sir; some $24 million already having been purchased and paid for.

Mr. BARRY. The last thing I wanted to mention is this, because I think it goes somewhat to the heart of some of the doubts which people have with regard to the United Nations:

One, I do not believe that the United Nations, perhaps because of some of the reasons you already expressed here today, has been as forceful in advancing the American national interest as we see it, specifically on this last question.

We are vitally interested in the freedom of people in Eastern Europe as we are in the people in Asia and Africa. Indeed, if we had to take our past efforts as an indication of our initial interest, our efforts have really been over Europe.

Since we are basically a country of European ancestry, we have even a greater interest, and for us indefinitely to postpone putting on the agenda something which might offend a few of our newly emerg-

ing and independent countries I think is a mistake. I think we should be out there in the forefront of it.

Perhaps we do not get adequate hearing, maybe we don't get support today, but we should work on it. At least we keep showing this as a principle rather than as a strategy.

If we use it as a strategy to beat Russia I can well understand why at a later date they would not be behind us.

If we stick to a principle, and stay at it, and never yield from that principle, then I think ultimately this principle will survive in the world.

If we give up on principle for the sake of placating, in effect it is admitting we haven't the principle and we are only being strategic.

Just a last statement in furtherance of this. There have been grave doubts raised by people throughout the Nation that the United Nations is attempting to do more than it was designed to do. We have had people come before us in this hearing where they have made suggestions of taxing of passports throughout the world to help finance the United Nations, which gives a semblance of a world government having authority over the entire world with regard to revenue.

A thing like this is repugnant to certain people. You can see how fears do develop in the minds of people about surrender of sovereignty.

Would you comment on that?

Mr. WILCOX. Yes, I would. With respect to your earlier statement, however, I would like to say that I agree with you we should not lose a single opportunity in the Assembly to keep before the United Nations the evils of Soviet colonialism.

Whether that is done by the formal introduction of an item on the agenda of the Assembly or whether it is done by concerted efforts on the part of certain delegations in connection with speeches and other items on the agenda, I would leave that to the executive branch and to the delegation to be worked out in the light of the situation which prevails there. It is a matter of tactics, it seems to me.

Mr. BARRY. I am glad to hear you say that because I think this changes the record a little bit from the way it read originally.

Mr. WILCOX. I didn't mean to leave the impression I am against making every effort to keep this matter before the Assembly. This is very important.

With respect to the tax problem, I commented at some length before you came into the room on that question and I shall not go into detail now except to say that generally I would agree with you that we ought not to expect the United Nations to do more than it can do. But I would remind you that the United Nations can do only what its members want it to do.

We tend to criticize the United Nations. Actually we should criticize the members because the United Nations cannot rise above its source and it cannot do any more than its members want it to do at any given time.

If we attempt to endow it with supranational capacities to collect taxes I am sure it would create a lot of criticism and dissension in this country.

I think, however, that all possible avenues should be explored, looking into various ways and means of strengthening the fiscal posture of the organization.

I do not think you could bestow upon the U.N. any extensive taxing authority or anything of that kind.

Mr. BARRY. I have concluded my questioning. I would like, however, to inquire about a matter unrelated to the bond issue. Having been the chairman of the building fund drive for world housing in the United Nations, I think I was in touch with you in your office a few years ago when you were Assistant Secretary. Do you think there is adequate housing for members of missions of United Nations personnel and meeting places for them so they do not have to live at great distances inconvenient to the United Nations?

Mr. WILCOX. This is a real problem in New York. It is such a large city and many new people come from many new countries.

The question of hospitality and suitable housing arrangements, club facilities, all these things are exceptionally important and they are all being considered.

Something is being done by our mission in New York, by the U.N. Secretariat, and by the authorities of New York City.

I think the authorities there are very conscientious in looking into this problem and trying to do something about it.

Mr. BARRY. I know Dr. Hammarskjold was very interested in this at the time of his death.

Is there a continuing interest and is there anything the Government should do?

Mr. WILCOX. I don't know of anything right at the moment but I know there is a good deal of interest in this Government and in the Secretariat and in New York City as a whole.

Mr. BARRY. You would agree that a group of men working for peace is only as good as their morale. Is that so?

Mr. WILCOX. That is correct.

Mr. BARRY. To the extent we let down on morale and permit the Soviets to build houses for some of the new ambassadors of emerging nations where they cannot find suitable housing we have suffered a psychological blow that might last for many years to come.

Mr. WILCOX. I couldn't agree with you more.

Mr. ZABLOCKI. One additional brief question.

Chairman MORGAN. We still have one more witness.

Mr. ZABLOCKI. This will add an additional observation on the testimony we heard yesterday.

Dr. Wilcox, you have suggested among other means of supplementing the revenue of the United Nations, the purchase of bonds by individuals.

A colleague of mine from Wisconsin, the Honorable Robert Kastenmeier, has a proposal calling for the sale of peace bonds.

The United Nations can and does accept gifts, and it has arranged for loans through the purchase of bonds by governments.

Has the United Nations the machinery for arranging the issuance and sale of bonds to individuals and private organizations?

Mr. WILCOX. Has there been any arrangement?

Mr. ZABLOCKI. I presume that if the member states agree, the United Nations could issue bonds for sale to individuals?

Mr. WILCOX. Yes. sir.

Mr. ZABLOCKI. Therefore, the proposal that the U.S. Treasury issue United Nations peace bonds and sell them to individuals or corporations is not really necessary?

Mr. WILCOX. I should think—this is something I have not given any careful study to, and it involves certain legal and financial problems——

Chairman MORGAN. Mr. Zablocki, I think I remember that early in the hearings there was discussion of the possibility that it would require a revision of the charter in order to do what you suggest.

Mr. ZABLOCKI. To issue bonds?

Chairman MORGAN. To issue bonds to individuals.

Mr. ZABLOCKI. To individuals and organizations? The United Nations has agreed to borrow money by selling bonds to governments. Why was it not necessary in that instance to revise the Charter?

Chairman MORGAN. As I recall it the matter was developed through questions to Ambassador Stevenson.

Mr. ZABLOCKI. I think the idea of having U.N. bonds purchased by individuals and organizations is an excellent one, but I do not feel that the U.S. Treasury should arrange and administer the sale of these bonds for an international organization.

Mr. WILCOX. I do not object to the idea of individuals contributing, if they wish, but I look on this as an intergovernmental organization, and I look upon the functions of the United Nations as being so important that we ought to be able to find ways and means of having the governments make adequate contributions to take care of the job the United Nations has to do.

Mr. ZABLOCKI. Thank you.

Chairman MORGAN. Thank you, Dr. Wilcox. We are grateful to you.

Mr. WILCOX. Thank you, Mr. Chairman.

Chairman MORGAN. Our next witness is Mrs. Catherine Senf Manno, representing the Women's International League for Peace and Freedom.

Mrs. Manno, you have a prepared statement, and you may proceed.

STATEMENT OF MRS. CATHERINE SENF MANNO, U.S. SECTION OF THE WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM, WASHINGTON, D.C.

Mrs. MANNO. Thank you, Mr. Chairman.

It is difficult to follow such an able witness, but I appreciate the opportunity of making a statement for my organization, giving some of the reasons that we support this bill.

My name is Catherine Senf Manno, and I am testifying for the U.S. section of the Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington 2, D.C. I am a member of the legislative committee of that organization and was formerly a statistician in the U.S. Department of Agriculture and later in the Food and Agriculture Organization of the United Nations. I am now doing graduate work in international relations at the American University.

The league supports the proposal that the U.S. Government purchase up to $100 million in United Nations bonds to help alleviate the financial crisis of the United Nations. We base our support on the purposes for which our organization was founded 47 years ago, and for which our U.S. section delegates have met earlier this month in the 15th Triennial International Congress in Asilomar, Calif., with delegates of the other national sections from all parts of the world. Members of the league have always believed that effective international organization and world law are essential to peace, since war can be eliminated, and disarmament secured, only when there are fair and effective methods available for the adjustment of international disputes. The United Nations has shown that it can evolve into such an effective organization. Hopes for world law have been greatly encouraged by an event that occurred last month, bearing on the legislation we are considering. The United States and the U.S.S.R. contended over an important question, and did so in a court. It was the International Court of Justice, and the question was of vital concern to the growth of world order: The question of whether certain peacekeeping operations of the United Nations impose binding financial obligations on members of the Organization.

The Court's decision should strengthen the United Nations, but meanwhile and until the decision can take effect, the Organization must be kept alive and allowed to continue its work of pacification when called upon, especially in the areas now emerging under new national sovereignties. The Women's International League believes that the United Nations is the best medium through which the current transformations in world politics can be directed with least danger of violence. Indeed, it is the only medium. Military alliances are either collapsing of their own weight, as with SEATO, or they are hardening the tensions that plague us, as with the NATO and Warsaw pacts. The United Nations sustains what hope there is for smaller countries against the arrogance of nuclear powers. And it offers the only hope for protection of the great powers against their fears of each other and against the resulting ever-present danger that the continuing arms race will result in accidental or intentional nuclear war.

Polls have repeatedly shown that the overwhelming majority of Americans support the United Nations. It is fortunate that the United States can afford so easily the assistance that can mean so much in support of an Organization now widely cherished by the American people. Many Americans do not know the straits to which the United Nations has been reduced during the long months in which the United States has deliberated over the question of its participation in this emergency loan. They would be deeply distressed if they knew the desperate decisions pending, and only delayed from week to week while the smaller countries have come to the rescue.

I do not wish to minimize the great contribution our country has made and is making to the United Nations. We have paid as much as 40 percent of the regular budget and are still paying nearly a third. We have paid more than half of some voluntary programs, and nearly half of peacekeeping operations in the past. Actually, the U.N. bonds, which will be serviced from the regular budget, will entail a

reduction of the U.S. contribution for peacekeeping functions to 32 percent, and put the financing on a sounder basis.

The league therefore hopes that, when this committee has satisfied itself as to the facts and possible alternatives, its recommendation will go at least as far as that of the Senate, for the purchase of up to $100 million in bonds by the United States.

I would like to attach the league's resolution on the United Nations bond issue, which follows:

The national board of the U.S. section of the Women's International League for Peace and Freedom, meeting in Philadelphia February 9–11, 1962, recognizes that the issue of $200 million United Nations bonds, as voted by the United Nations General Assembly, became a necessary step to take because of the serious deficit in the present United Nations funds caused by unforeseen burdens in meeting threats to peace, particularly in the Middle East and in the Congo, and also by the failure of some member nations to accept their financial responsibilities.

The league urges that the U.S. Congress accept $100 million of this $200 million bond issue as proposed by the administration.

Chairman MORGAN. Thank you, Mrs. Manno.

Your organization has been in existence 47 years?

Mrs. MANNO. Yes, sir.

Chairman MORGAN. What is your membership?

Mrs. MANNO. Our membership in the United States is a little over 6,000. I do not know the figure worldwide, but let us say it is about 50,000. That is as close as I could estimate it.

Chairman MORGAN. In how many countries?

Mrs. MANNO. I think the number is something like 22. Mrs. Stewart has just returned from the 15th international congress in California, and might be able to answer that better than I.

Mrs. ANNALEE STEWART (legislative secretary). I am Mrs. Annalee Stewart, legislative secretary. We have members and sections in 42 countries; 23 countries were represented at our recent triennal congress. It includes countries like Japan, India, three of the African countries, European and Scandinavian countries, Canada, and some Latin American countries.

Chairman MORGAN. Have you membership in any countries in the Soviet bloc?

Mrs. STEWART. No; because under our constitution we believe that the organization should be free to support the policies of the government when we think they are right, and to protest and offer constructive alternatives when they are not, according to our principles and policies. Therefore, since a country like the Soviet Union would not permit that kind of action because they do not have that kind of government, it would not be possible at this stage to have a section in any of those countries.

We have had contacts with them. In cooperation with the State Department, last fall, as you probably know, there was a conference between 10 Soviet women and 12 American women to discuss some of the questions that are facing us, both in the realm of disarmament and related questions. It was the first time a nongovernmental group of Soviet women had come to participate in such a conference.

Chairman MORGAN. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. I have two very brief questions.

Mrs. Manno, you referred to the importance of protecting smaller countries against the arrogance of nuclear powers. Do you consider the United States as arrogant because it has nuclear power?

Mrs. MANNO. No, sir; not because it has nuclear power, but because of the way it has used it. I am thinking particularly of the recent high-altitude tests and the fact that they are quite contrary to the principles that our Government stands for normally, and which is exemplified right here, the fact that people should participate in important decisions affecting them. In the case of the high-altitude tests, we not only did not allow anyone outside our country to participate in that decision, but we went contrary to recommendations of scientists and statesmen all over the world in doing that. So, I feel the term "arrogant" is properly applicable to that sort of activity.

Mr. FRELINGHUYSEN. So you feel the United Nations should be in a position to forbid the United States to conduct atmospheric tests?

Mrs. MANNO. I would certainly hope that they will acquire such power eventually. If they do not, I am afraid a nuclear arms race can only lead to catastrophe for all of us. I do not feel that right now the United Nations can have that power. I think there must be gradual evolution toward it. For the present, I think all that the United Nations can do is to express its opinion, with the hope that countries will conform to this opinion; and they have expressed themselves very strongly against the tests. We have not conformed to that opinion.

Mr. FRELINGHUYSEN. In your support of the proposed bond issue, you point out that the U.S. contribution for the peacekeeping functions will be reduced to 32 percent and will put the financing of the United Nations on a sounder basis. Why do you feel this bond issue will put the basic problem of providing funds for peacekeeping operations on a sounder basis? Does not the bond issue apply primarily to meeting the past expenses of peacekeeping operations in the Congo and the Middle East? This will do nothing much to solve the financial problems arising from future U.N. operations, which I gather you consider will be important to continue.

Mrs. MANNO. Yes, sir; I would agree with your former characterization of this step as a "stopgap" step. It is sounder, but it is not a complete solution of the problem by any means. Mr. Wilcox suggested several other possible ways. There is also an additional possibility under consideration which he did not suggest this morning, although he himself has offered an illustrative proposal to show what might be done along this line in a staff study 8 years ago. That is the possibility of some change in the voting procedures of the General Assembly under the heading of "Weighted Voting," which would bring about a closer relationship between the voting power and the contribution or capacity of the members.

My own organization has not taken a stand on this subject, except to urge study of the possibility of it.

Mr. FRELINGHUYSEN. I am still not quite sure why you feel approval of this purchase of bonds will put the U.N. on a sounder financial basis, except to eliminate the problem of current debt. It does not affect the basic financial problem at all, does it?

Mrs. MANNO. It spreads the emergency costs over a longer period, a period in which the members——

Mr. FRELINGHUYSEN. Is that a sound thing to do? If that is true, all the problems of the U.N. might be handled by a bond issue, and none of us would pay except over a course of time. We would not have as immediate a burden of paying. That does not necessarily mean it is wiser to finance it through bonds, does it?

Mrs. MANNO. I think in government operations and in personal operations, it is often considered sound if an emergency debt is paid for over a period of years rather than trying to pay for it all at one time.

Mr. FRELINGHUYSEN. Are you considering the peacekeeping operations emergency operations only? I thought you said these were very essential and a vital part, and perhaps not in the nature of an emergency, because there surely will be continuing demands for such actions.

Mrs. MANNO. I think there are likely to be continuing demands, but they may not be of as great magnitude as those that are now faced by the U.N.

Mr. FRELINGHUYSEN. Thank you very much.

Chairman MORGAN. Mr. Zablocki.

Mr. ZABLOCKI. Thank you, Mr. Chairman.

Mrs. Manno, on page 2 of your statement you say:

Many Americans do not know the straits to which the United Nations has been reduced during the long months in which the United States has deliberated over the question of its participation in this emergency loan. They would be deeply distressed if they knew the desperate decisions pending, and only delayed from week to week while the smaller countries have come to the rescue.

Would you care to elaborate on this?

Mrs. MANNO. I am referring to stories which have appeared in the press over the past months in which, for example, there was the report that the Secretary General is considering recalling the Congo operation, cutting back on the Congo operation, because of the lack of funds. Then a few days later, I think June 15, Australia purchased $4 million in U.N. bonds, which saved him from doing that.

There was talk of the need of another emergency loan of several million dollars to carry them through a few weeks. I have clippings of that time about it which I will be glad to put in the record, if you think it helpful.

Mr. ZABLOCKI. I think that would be helpful.

Chairman MORGAN. Without objection, it is so ordered.

(The material is as follows:)

[From the New York Times, Mar. 28, 1962]

THANT HINTS CUT IN FORCE IN CONGO

(Special to the New York Times)

UNITED NATIONS, N.Y., March 27.—U Thant, Acting Secretary General, indicated today that he would recommend cutting down the United Nations force in the Congo if the United Nations did not sell enough bonds by the end of May to solve its financial crisis.

Mr. Thant recalled at a news conference that the General Assembly had authorized the sale of $200 million in bonds.

Mr. Thant said that, not counting the United States, 20 members had bought United Nations bonds or pledged to buy them, for a total of $49,515,000. He added that, under a bill recently approved by the Senate Foreign Relations Committee, a total bond sale of approximately $125 million would be insured.

Under the bill the United States would buy $25 million in bonds and match purchases by other members up to $75 million.

WASHINGTON, March 27 (UPI).—Senator Richard B. Russell offered tonight a substitute bill that could cripple the United Nations bond issue plan.

The Georgia Democrat's substitute is aimed at holding down United Nations operations such as those undertaken in the Congo. Instead of proceeds from a U.S. bond purchase, Senator Russell's plan would give the United Nations financial relief through forgiveness of current debts to the United States. The amount of forgiveness would be treated as a credit against any future assessment for United Nations military operations.

[From the New York Times, June 13, 1962]

U.N. FORCED TO BORROW $2 MILLION TO MEET BILLS

(By Thomas J. Hamilton)

(Special to the New York Times)

UNITED NATIONS, N.Y., June 12.—Reliable sources said today that the United Nations would have to borrow $2 or $3 million in the next few days to help meet bills for its Congo force, its emergency force in Egypt and routine activities.

Since January the Organization has been able to operate without short-term borrowing because it has sold $20,880,000 in bonds to member nations. In 1961 the United Nations borrowed $21 million from its Special Fund for Underdeveloped Countries and $10 million more from the Children's Emergency Fund, but paid them back in full at the end of the year.

No difficulty over raising the new loan is expected, since the General Assembly already has authorized borrowing from the Special Fund and other custodial accounts.

UNITED STATES OWES $52 MILLION

However, the organization's cash position will be difficult if the United States delays paying its assessments after July 1, the start of the new fiscal year.

Under assessments voted by the Assembly last year, the United States owes $23,617,329 for the 1962 regular budget, $25,616,000 for the Congo force and $3,121,950 for the Middle East emergency force.

The Congo force now is costing the United Nations $9,500,000 a month and the emergency force $1,625,000 a month. Although no assessments for either force have been voted beyond June 30, reliable sources believe that the payments by the United States will enable the United Nations to keep both in operation until the fall, when the 17th General Assembly will take up the financial problem. However, this optimism is based on the expectation that the United States, which originated the plan to issue $200 million in United Nations bonds, will buy a substantial amount late in the summer. The Senate has passed a bill authorizing the United States to match total bond purchases by other members of the United Nations and buy an additional $25 million.

On the basis of $65,576,175 thus far bought or subscribed, the United States will buy $90,676,175, making a total of $156,352,350.

However, there are indications that Japan and several other members will pledge the purchase of a considerable amount in a few days. Since the United States will buy an additional dollar of bonds for each dollar bought by other members, it is hoped that the bond issue will yield at least $175 million, thus meeting the accumulating deficit with a margin to spare.

The House of Representatives has not yet started hearings on the authorization bill, however, and it is expected in Washington that the bill will meet greater difficulties in the House than it did in the Senate.

After congressional action is completed, it will still be necessary for Congress to vote the actual appropriation, and most authorities here believe that this will take until the end of August, at the earliest.

The gravity of the financial crisis confronting the United Nations was emphasized by a Secretariat report today. It showed that, as of May 31, a total

of $51,496,695 was owed on 1960 and 1961 assessments for the Congo force and $25,336,970 on assessments for the emergency force from 1957 until the end of the last year.

Including unpaid assessments for the current year, there is a deficit of $112,232,920 for the Congo force and $31,347,411 for the emergency force.

The report disclosed that the refusal of the Soviet Union and other members of the Soviet bloc to pay their assessments for either the Congo or the emergency force was only part of the problem. The Soviet Union, the Eastern European nations and Cuba owed a total of $43,342,010 for the Congo force up to last year and $19,586,014 for the emergency force.

France, South Africa, Belgium and Portugal have refused to pay assessments for the Congo force and the Arab members have refused to pay for the emergency force. French unpaid assessments on the Congo force up to last year totaled $9,439,414.

[From the New York Times, June 17, 1962]

MENZIES BRINGS TO U.N. A NEEDED $4 MILLION

(Special to the New York Times)

UNITED NATIONS, N.Y., June 15—Australia purchased $4 million in United Nations bonds Friday, making it unnecessary for the world organization to borrow up to $3 million to meet current expenses. * * *

Reliable sources said that unless further bond purchases were made or members' assessments paid, borrowing of a similar amount from the accounts of one of the specialized agencies might be necessary next week.

Mr. ZABLOCKI. No further questions.

Chairman MORGAN. Mr. Barry.

Mr. BARRY. Thank you, Mr. Chairman.

It is very nice to have you before us, Mrs. Manno. I, too, would like to ask a question with regard to the statement you made.

I note in the bottom paragraph on page 1, you say that—

> Military alliances are either collapsing of their own weight, as with SEATO, or they are hardening the tensions that plague us, as with the NATO and Warsaw pacts.

This might be misinterpreted when it is put in the committee hearings which are published, and I should like to ask whether you favor NATO or whether you favor SEATO.

Mrs. MANNO. Sir, I do not favor the military operations of NATO or SEATO. My organization feels that these regional military groupings are contrary to the basic principles of the United Nations for a global type of collective security. They tend to make more difficult that kind of security.

Mr. BARRY. You spoke earlier about not having arrived at that point yet, referring to another matter. Do you think it would be advisable for us to let down our military guard, as it were, in these various groupings such as SEATO, and the Organization of American States, and in NATO, until such time as there was an organization sufficient to maintain independence of the peacekeeping people over the world?

Mrs. MANNO. Sir, my organization is opposed to these military groupings, but realistically we cannot expect more, perhaps, of the Government than a gradual reduction of these things. We have been in favor of a reduction of defense expenditures because, if you look at the trend of these expenditures, you can see no conclusion except disaster if the arms race continues as it has been going.

Mr. BARRY. In other words, if it is our foreign policy to keep our military might undiminished, to keep it first in the world, and if it is our foreign policy to unite with other peace-loving peoples throughout the world in pooling our military might, you would be opposed to this, according to what you indicated here. Is that correct?

Mrs. MANNO. Actually, our organization has never come out for unilateral disarmament, but we have come out for unilateral steps toward disarmament. In other words, some small steps that would begin to relieve tensions in the hope this would set up a new kind of equilibrium with reciprocation from the other side.

Mr. BARRY. I imagine you are a real student of the charter. You certainly referred back 8 years ago when Dr. Wilcox had another idea with regard to financing it. You are familiar with article 52, under chapter VIII, entitled "Regional Arrangements," and I quote from the paragraph 1:

> Nothing in the present charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations.

I would like to ask if you do not feel that SEATO and NATO and any alliance which the United States has or has had has not been basically in accordance with the principles of the United Nations.

Mrs. MANNO. Sir, I feel that the Organization of American States comes closest to that, because it is an organization of all the countries in that region, intended to protect them against any one of their members who might aggress against another.

These other groupings you have mentioned generally are not made up of all the countries of the region—for example, SEATO at present has only Thailand which is really strictly a part of southeast Asia. The Philippines is marginal, Pakistan is marginal. So, it is not in accordance with this principle, I believe.

The same is true of NATO. It is not directed against aggression by one of the members of that region but, rather, against the outside.

I would agree with conclusions reached quite a few years ago by the Commission to Study the Organization of Peace, that this type of military grouping is not in accordance with the principles of the charter and does not further the main aims of the charter in the field of peacekeeping.

Mr. BARRY. My final question would be to ask you this: Do you not feel that NATO has been basically the deterrent to Russian aggression in Europe?

Mrs. MANNO. It may have had some such effect for a time, but we would not base our policy on the principle of deterrence, because we feel that this is not a sound basis for peace.

Mr. BARRY. In other words, if I properly interpret what you say, it is that you have an ideal, a dream, and a hope, and that military strength does not fit within that hope or dream; that you feel that we do not actually stop Communist aggression through such things as our military forces on the spot in Europe and our alliances with other powers to do certain things in the event of further aggression.

Mrs. MANNO. Sir, I feel that all this is based on the idea of a two-world concept, and the world is now too small to be two worlds. It must become one world or it will not survive.

Mr. BARRY. You believe in a world government with surrender of our sovereignty to the extent they would have police power solely?

Mrs. MANNO. I believe we will have to come to some measure of surrender of sovereignty with respect to the power to make war. I do not believe that the world is ready for world government beyond that point.

Mr. BARRY. Until it was, you would not, then, give up your military power, would you?

Mrs. MANNO. As I say, we have favored a gradual reduction. We favor making unilateral steps in hope of reciprocation. The goal of our organization is general and complete disarmament under U.N. control.

Mr. BARRY. I am glad to get clarification of the policy. I must say I sharply differ with it, even though I think your ultimate objective might be the same.

Thank you, Mr. Chairman.

Chairman MORGAN. Mr. O'Hara.

Mr. O'HARA. Thank you, Mr. Chairman.

Mrs. Manno, I would like to set the record straight in regard to your organization. It was founded in 1914 or 1915, was it not?

Mrs. MANNO. Yes; 1915, during World War I.

Mr. O'HARA. Who was the founder?

Mrs. MANNO. Jane Addams was quite active in the founding.

Mr. O'HARA. She was one of the founders and a great leader.

Mrs. MANNO. Yes, sir.

Mr. O'HARA. I was very close to Jane Addams in that period. I knew of her motivation, her great dream of peace. That was at a time, was it not, when in Europe they were having an arms race that alarmed us in the United States? We were far away, but we could see if it continued there would be war. Your organization came into being about that period.

Mrs. MANNO. Yes, sir.

Mr. O'HARA. Then World War I followed. Our fears in the United States proved to be true. This arms race in Europe resulted in war. Then there was an interlude of peace. Then we had another devastating World War, the worst war in history. That is right, is it not?

Mrs. MANNO. Yes, sir.

Mr. O'HARA. Certainly nobody regarded Jane Addams as anything but a patriotic American woman. That is right, is it not?

Mrs. MANNO. That is right.

Mr. O'HARA. And all the women gathered around her in this and other countries of the world were held in highest esteem, dedicated women, striving to bring peace to this world of ours. Is that right?

Mrs. MANNO. That is right.

Mr. O'HARA. That is what you are doing today, is it not?

Mrs. MANNO. That is what we are trying to do.

Mr. O'HARA. You are not quarreling with what is being done by our Government in the way of meeting the threat of arms. That you leave to the proper people in Government, the military people. However, you do say that you think there is a better way of getting peace on earth than resorting to arms?

Mrs. MANNO. That is right.

Mr. O'HARA. Do you see at the present time any other agency of peace that we have in the international field, where we have an international forum, any other than the United Nations?

Mrs. MANNO. No, sir, I do not.

Mr. O'HARA. You have studied this bond proposal and you have reached the conclusion that there is no alternative other than this bond issue to meet the immediate situation?

Mrs. MANNO. Yes, sir.

Mr. O'HARA. Thank you very much.

Mrs. MANNO. Thank you.

Chairman MORGAN. Thank you, Mrs. Manno.

The committee stands adjourned until 10:30 Monday morning.

PURCHASE OF UNITED NATIONS BONDS

MONDAY, JULY 23, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, at 10:50 a.m., in room G–3, U.S. Capitol, Hon. Thomas E. Morgan (chairman of the committee) presiding.

Chairman MORGAN. The committee will come to order.

The committee meets this morning in open session for a continuation of the hearings on S. 2768, the purchase of U.N. bonds.

Our first witness this morning is Mrs. Alison Bell, staff associate, legislation, American Association of University Women.

Mrs. Bell, do you have a statement?

Mrs. BELL. Yes, I do.

Chairman MORGAN. You may proceed.

STATEMENT OF MRS. ALISON BELL, STAFF ASSOCIATE, LEGISLATION, AMERICAN ASSOCIATION OF UNIVERSITY WOMEN

Mrs. BELL. Mr. Chairman and members of the committee, the AAUW welcomes this opportunity to appear before the House Committee on Foreign Affairs to express its continuing strong support for the United Nations and to endorse the purchase by the U.S. Government of up to $100 million of the proposed $200 million United Nations bond issue.

This position of support is fully in keeping with AAUW's historical belief in and work for the United Nations. Ever since 1944 when the association enthusiastically approved full U.S. participation in the new international organization and carried on an extensive educational campaign to inform its membership about the Dumbarton Oaks proposals, AAUW has consistently adopted at its national membership conventions resolutions and legislative items reaffirming the membership's belief in the importance of the United Nations to world peace and U.S. security.

At the present time we are having an opinion poll on our legislative program and as the returns come in, this I can say, this support is continuing as it has in the past, although we haven't finished the poll.

At its most recent convention here in Washington, D.C., in June 1961, the following resolution and legislative item were unanimously adopted:

Resolution: We reaffirm our faith in the United Nations as a flexible and viable institution for the achievement of international cooperation. We will continue to support measures to make the U.N. and its affiliated agencies more

effective, and will oppose measures which would impair their present strength.

Legislative item: Support of measures for effective participation in and operation of the United Nations and its affiliated agencies.

In February of this year, three official bodies of the association, the international relations committee, the legislative program committee, and the association's board of directors, meeting in that sequence, discussed the United Nations bond issue at length. Each urged that the AAUW membership not only support full and favorable congressional action on the $100 million bond issue but also undertake extensive community education about the importance of the United Nations to the United States.

An essential part of this education program has been stress upon the need to insure the United Nations' continued financial security and stability.

In coming to the decision to support the bond issue, these AAUW groups considered two fundamental questions:

First, what would failure to resolve this financial crisis in the United Nations mean to the United States?

Second, what would the effect of such failure mean to the United Nations itself?

After consideration of the alternatives, these AAUW officers concluded that each of these questions leads back to the same basic considerations: One, the continued existence of the United Nations itself; two, the importance of the United Nations as an instrument for the implementation of U.S. foreign policy; three, the critical role of the United Nations as an organization to foster and maintain world peace.

We recognize that the United Nations has not achieved total world peace in its short existence, a goal which seemed more easily attainable at the time of the San Francisco Conference in 1945 than it does in 1962. At the time of Dumbarton Oaks and San Francisco we could not predict the many crises or vast changes which have so altered the world in these 16½ years.

The onslaught of the cold war, the advancement in the technological sciences, the emergence of many new and independent countries in Asia and Africa, and the increasing economic interdependence of all nations have created new problems after new problems for the United Nations. In the opinion of the AAUW, the United Nations has met these challenges creatively and often with amazing success.

If, as was estimated earlier this year, the debts of the United Nations for the UNEF and Congo operations were approximately $140 million on June 30, emergency steps must be taken to preserve the United Nations. As a bankrupt body incapable of action, the United Nations would immediately lose its effectiveness, or in the words of the New York Times, "deteriorate into an ineffectual debating society."

As an initial step in establishing fiscal stability for the United Nations the association favors the bond issue proposed by U Thant as more equitable than outright grants made by only a few nations.

Since the repayment schedule approved by the General Assembly provides for annual payments from the general budget of the United Nations, this financial responsibility will be placed upon all the member nations.

In the face of the many erroneous impressions which appear to exist about the nonpayment of regular member assessments, we would like to take notice at this point of what appears to us to be a commendable record of payment to the general budget of the United Nations.

As this committee is aware, at the beginning of this year only $53,000 of the $61.5 million assessed in 1959 remained unpaid. A little over $3 million was then owed for the 1960 assessment of $58.4 million and only $9.8 million remained to be paid of the assessment of $69.4 million for 1961.

We realize that the lack of payment by many nations of the "special" assessments has caused the present crises. If similar future crises are to be avoided we can only hope that the advisory opinion handed down by the International Court of Justice—this was typed up before the good news last Friday—will be to the effect that such special assessments are mandatory and that article 19, which provides for loss of voting rights by those 2 years in arrears, is applicable to those nations refusing the responsibility of these special assessments; or that studies now reported to be underway in the United Nations will offer new solutions to its financing.

Because we believe that the United Nations has been effective in spite of the fundamental problems it has faced in its short life, and because we can foresee chaos if the United Nations is weakened by the danger of bankruptcy, we in the AAUW urge that the United States reiterate its faith in the United Nations through acceptance of the $100 million United Nations bond issue now under consideration in this committee.

We thank you for the privilege of appearing before this committee for the purpose of presenting the viewpoint of the AAUW.

Chairman MORGAN. Thank you, Mrs. Bell.

Mrs. Bell, what is the total membership of the AAUW?

Mrs. BELL. It is roughly 150,000, slightly over. We are in all 50 States.

Chairman MORGAN. When did you meet here in Washington? Was it in June of 1961?

Mrs. BELL. That is right, last year.

We have had two board meetings in the interim period. At the last one we discussed at length the bond issue, I think, for about 3 hours.

Chairman MORGAN. And the board meeting made a recommendation to go on record endorsing the purpose of the $100 million for the U.N. bonds?

Mrs. BELL. That is right.

Chairman MORGAN. Mrs. Bell, has your organization always supported the U.N.?

Mrs. BELL. Always, ever since the original idea was proposed.

Chairman MORGAN. You think you speak then for your 150,000 membership in endorsing the purposes——

Mrs. BELL. Of course we have people who don't agree with the overall program. I think our opinion poll and convention vote show it runs between 80 and 90 percent, usually 93 or 94 approving the actions we have taken.

Chairman MORGAN. You would say over 90 percent of your membership endorses——

Mrs. BELL. I would say that is right. This is not a membership poll. It is a branch poll that we conduct, and the program is submitted to and adopted biennially by our convention delegates.

Chairman MORGAN. Thank you, Mrs. Bell.

Dr. Judd.

Mr. JUDD. Thank you, Mr. Chairman.

It is nice to see you here again, Mrs. Bell. Your organization always presents a well thought out and well reasoned statement, which is helpful.

I am sure you know that the opposition to this bond issue, or so it seems to me at least, comes largely from two groups. There are a lot of people in our country who have never been for the U.N. Of course, they are opposed to this or anything else that would support it.

There is a more disturbing one: There are a lot of people who have been for the U.N. and are for the U.N. but they aren't for its actions in the Congo.

I think almost everybody supports the UNEF operation where the U.N. has been holding forces apart that probably would otherwise have gotten into armed conflict. But many feel strongly that the U.N. action in the Congo was not in accordance with the charter of the U.N., but rather in violation of the charter.

We get a lot of mail from genuinely sincere people who feel the U.N. itself is being endangered when it mobilizes armed forces and sends them into areas which are not attacking anybody else. That is, when the U.N. mobilizes forces to go to the assistance of South Korea which is being attacked by North Korea, they approve. But if the U.N. had mobilized forces in South Korea to invade North Korea, they would have opposed. This is the way they interpret the Congo operation.

You know my position all these years in favor of the U.N., but the public is not convinced that it is wise or proper for the U.N. to try to impose its will on people who are not actually breaking the peace.

Tshombe and his regime were not breaking the peace by attacking the rest of the Congo. Apparently he was trying only to run his own show.

I must say that if I had been in a position where my area was solvent and able to maintain order, and I was asked to underwrite an outfit which was not able to get along economically and was full of disorder, it would have been pretty hard to persuade me as the head of a going concern to consent to being put under an ungoing concern, that could survive only by being shored up from the outside.

I am appealing to you for help on this point, because I have not found an adequate answer to these people.

Mrs. BELL. Dr. Judd, we were terribly concerned when the international relations committee met for 2½ days. The legislative committee met for 2½ days after that, and then our board met.

I told Dr. Morgan before you came in that we discussed this matter for something between 2 and 3 hours in the board meeting.

I think you know from your experience with our organization that our committee, the international relations committee and the legislative program committee is made up of many types of people. Women of such stature as Prof. Gwendolen C. Carter, Smith College; Dean Meribeth E. Cameron, Mount Holyoke; Prof. Louise W. Hol-

born, Connecticut College for Women; Prof. Mary Oliver Clabaugh Write, Yale; Prof. Isabel Ross Abbott, Western College for Women; Mrs. Edwin P. Jordan, University of Virginia; Prof. Dorothy H. Veon, Pennsylvania State University; Dr. Marian Spector, Seattle, Wash.; Dean Eunice Roberts, University of Indiana, and Dean Jean Brownlee, of the University of Pennsylvania, make up these committees. So these women have of course varying viewpoints. I sat and listened to a discussion that went on for a good part of 1 day on the Congo. There is reason to wonder about it all, as you suggest.

The international relations committee made a recommendation that in their best and considered judgment the operation in the Congo, that we had to support the United Nations, that there must be factors that we didn't know about, and that your committee and the other committees, the State Department, must know best what to do about it. So we had decided to support the U.N. bond issue.

As an additional step, after these committees reported, the board took a most unusual action, and asked that we do a special education job on the United Nations bond issue in the communities in which the AAUW has branches.

We have had spring workshops and we have discussed the issue in these workshops. I don't say we have been entirely successful in 1,500 branches. It depends on the quality of our leadership in our branches whether we have been, or not, getting our story over. We have been trying because we think it is vital to the life of the United Nations to have some security and financial stability.

Mr. JUDD. I hope that we keep the difference clear. There is opposition from those who oppose the United Nations; there is also opposition from those who support the United Nations but oppose this particular operation. The latter are the more serious. It is a disturbed group.

Mrs. BELL. It is very disturbed and serious. We can't afford to offend them and get them alienated. That is why we are attempting to explain the best we can. I don't know how good a job we are doing, but we try.

Mr. JUDD. You mentioned the bond issue proposed by U Thant. Actually it was proposed by the United States. This is our own baby. We can't put the blame or the credit on somebody else.

The fact that this is an American proposal, not somebody else's proposal which the United States is being asked to support is, in my opinion, an additional factor on the side of support of the proposal by this committee and the Congress.

Thank you very much.

Chairman MORGAN. Mr. Selden.

Mr. SELDEN. Thank you, Mr. Chairman.

I am glad to see you here again, Mrs. Bell.

If this special assessment problem is not solved as a result of the court's recent ruling and the action that will follow in the U.N., do you foresee the necessity of recurring bond issues?

Mrs. BELL. I would hope not more than one more would be necessary. The members of the organization I represent did in the sessions that I have been speaking of hope that some way would be found of financing this kind of operation because I think we can anticipate crises.

So something must be done to make other member nations, all of the member nations be in support of them.

I can foresee what the Soviet Union will do from my experience in analyzing Russian propaganda in military intelligence.

Nonetheless, I think the victory last Friday was a substantial one, psychologically, for us. I should think we could get a two-thirds vote in the General Assembly.

Mr. SELDEN. While we all recognize that the decision by the World Court was an advisory opinion, certainly it should influence to some extent the vote in the General Assembly.

However, if this financial dilemma is not solved as a result of the Court's decision, will additional bond issues be necessary?

Mrs. BELL. I hope only one more if any is necessary.

Since we have been told that there are studies going on at the present time, surely someone can come up with some solution to this problem which will recur.

Mr. SELDEN. I hope a final solution can be found as I foresee the possibility of it not being solved as the result of a single bond issue and sooner or later the matter having to be brought to a head. I am sure the American people are not going to continue to support recurring bond issues to pay the delinquent assessment of nations that refuse to cooperate when it doesn't suit their fancy.

Mrs. BELL. I think we might be well advised to consider that the possibility may come up where we will need another bond issue. I hope not, but I think——

Mr. SELDEN. Do you think there is such a possibility in the not too distant future?

Mrs. BELL. There is not too much space of time in which we have to work for a solution .

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. No questions, Mr. Chairman.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. No questions.

Chairman MORGAN. Mr. O'Hara.

Mr. O'HARA. Mrs. Bell, it has been very nice having you with us again.

Mrs. BELL. It is a pleasure, Mr. O'Hara.

Mr. O'HARA. I feel you have made a contribution, as you always do when you appear before this committee. It strengthens my faith in this proposal that you too are with it.

Mrs. BELL. We are very much with your proposal.

Mr. JUDD. Mr. Chairman, may I make an additional comment on the point which you and I have discussed earlier. You must recognize, Mrs. Bell, and I am sure you do, that this advisory opinion of the International Court helps in certain respects and it probably hurts in other respects. Because some are saying, as they said before, that if the advisory opinion is that all members must pay their regular share of special assessments made for whatever purpose by a two-thirds vote in the General Assembly, we can easily be outvoted and be called on or compelled to support U.N. projects or operations to which as a nation we are completely opposed.

I have said many times that I am convinced from my work in the U.N. that if the United States has a good cause and we are effective in

presenting it, there will never be a two-thirds vote for something that we fundamentally disapprove. But it is a possibility, and a careful legislator has to consider possibilities as well as probabilities.

The argument goes, "Should we approve a plan under which countries which altogether pay less to the U.N. than we do, can vote operations of whose costs we have to pay 32 percent, though the operations may be even directed against ourselves?"

This advisory opinion has a good side—it makes the bonds a better investment; but from the standpoint of practical politics, it perhaps increases the difficulties facing the bond authorization here in the Congress in the next few weeks. The opinion can be a rallying point for opposition.

Mrs. BELL. We will have to stay aware of it too. Thank you.

Chairman MORGAN. Thank you, Mrs. Bell.

Mrs. Brown.

Our next witness is Mrs. Donald Brown, representing the National Council of Jewish Women.

It is nice seeing you again, Mrs. Brown. We remember when you were here on the mutual security bill.

Mrs. Brown, you have a prepared statement and you may proceed.

STATEMENT OF MRS. DONALD BROWN, REPRESENTING THE NATIONAL COUNCIL OF JEWISH WOMEN

Mrs. BROWN. I am Mrs. Donald Brown, member of the National Public Affairs Committee of the National Council of Jewish Women. I appreciate the opportunity of appearing before your committee in support of the United Nations bond issue.

The United Nations and its relationship to U.S. foreign policy is a longstanding concern of the National Council of Jewish Women, an organization established in 1893, with a current membership of 123,000 in 329 communities throughout the United States.

For more than half a century council members have worked actively for the attainment of world peace through international understanding. From the time of Dumbarton Oaks, the council has taken an active part in stimulating popular support for the formation of the U.N.

We have maintained an official accredited observer at the United Nations since 1945 who reports regularly to our membership on the programs and decisions of the General Assembly, the Security Council, and the agencies of the U.N.

It has long been the conviction of our organization that a sound U.S. foreign policy has to be based on support of the U.N. and use of its resources. A national resolution to this effect, adopted by the National Council of Jewish Women in 1946 and reaffirmed every 2 years since then, urges the United States—

to work to strengthen the United Nations, its specialized agencies and the International Court of Justice, as the media through which the conditions of peace are achieved by the adjustments of the national interests of the member nations.

Our faith in the U.N. is neither unrealistic nor based on wishful thinking. The work and progress of the Organization is frequently restudied and reappraised by our membership. We sponsor an annual U.N. Institute at the seat of the United Nations with some sessions

conducted at U.N. headquarters. Our members from all parts of the United States attend these institutes for the purpose of securing first-hand information from those who are responsible for the conduct of U.N. affairs. As a result of these frequent reevaluations, we have come to the following conclusions:

(1) The United Nations has successfully contributed to maintaining world peace through its mediation in international disputes.

(2) The United Nations has successfully contributed to international welfare through the achievements of its specialized agencies and its technical assistance program.

(3) The United Nations has in the past and does now serve the national interests of the United States and should be used as a valuable instrument in the promotion of our foreign policy.

I will not at this time attempt to substantiate these statements by going over the record. The record has been very ably presented by more expert voices than ours.

It is our firm conviction, however, that the United States must maintain active leadership in the organization and that by expressing our confidence in the U.N. at the present time, we can encourage other nations to do likewise.

We believe it is imperative that the United Nations be assisted in its present financial crisis, in the most expedient and practical manner possible, so that it may carry on its peacekeeping operations and gain enough time to develop a sound, effective system of permanent financing.

After careful consideration of the various proposals made to meet this crisis, we have come to the conclusion that the proposed bond issue is the most realistic and practical solution to the problem.

The response to date by the other members of the U.N. has been heartening and indicates that the bond issue will stimulate a feeling of collective responsibility among the various nations.

We would fear that a disavowal of this method by the United States might be equated in the minds of our friends and of the unalined nations to a disavowal of the Organization itself.

Substitution of a unilateral method of relief would destroy the sense of responsibility already expressed by the 43 nations which have made commitments to participate in the bond issue.

In conclusion I should like to read a recent statement by the executive committee of the National Council of Jewish Women:

> The need for legislation to permit the United States to subscribe to the United Nations bond issue offers an opportunity for the American people to reiterate their support for the United Nations. Today, when the United Nations is under fire from the Communist countries and when the task of keeping the peace is constantly becoming more difficult, the United Nations needs the full backing of the free world. The United States can indeed be proud of the leadership we have taken to strengthen the ability of the United Nations to keep the peace and enable the emerging nations to develop in freedom.

The National Council of Jewish Women urges the House of Representatives to reiterate its support of the United Nations by authorizing the purchase by the United States of $100 million of United Nations bonds.

Thank you, Mr. Chairman.

Chairman MORGAN. Thank you, Mrs. Brown.

Mrs. Brown, referring to this statement you have read to us, was this taken up by the executive committee?

Mrs. BROWN. The executive committee is voicing the results of national policies which are in our national resolutions which are voted by our delegates biennially.

Chairman MORGAN. Then you think most of your delegates support the bond issue?

Mrs. BROWN. The majority.

Chairman MORGAN. Have you used a poll to poll your members?

Mrs. BROWN. We haven't had an individual membership poll. However, in February of this year we had a meeting of our members from all over the United States here in Washington and during this meeting our national committee on public affairs met to study and discuss the proposed U.N. bond issue. They endorsed the measure and authorized strong support for it. The participants in the meeting urged support for it in visits with their Representatives and Senators.

Chairman MORGAN. The previous witness, Mrs. Bell, testified she has a membership of 150,000. You testify that you have a membership of 123,000. As far as my district is concerned, I do not recall receiving any mail in support of this bill.

Do you ask your membership to write to the individual Members of Congress in support of your position?

Mrs. BROWN. We do on various issues. We call them "call to actions."

Chairman MORGAN. Have you had a "call to action" on the bond issue?

Mrs. BROWN. It seems to me we have. We did during the Senate hearings and subsequently.

Chairman MORGAN. Have you had any information as to the response to your "call to action"?

Mrs. BROWN. From past experience our members have responded well to "call to actions."

Chairman MORGAN. What I am trying to make clear, Mrs. Brown, is this: I feel the organizations that are supporting the bond issue have not been successful, because my conversations with individual members indicate that their mail in support of this bond issue is not what they expected it to be.

I feel, especially on the House side, that those of us who support this bond issue are going to need all the help we can get from organizations like your own that support this bond issue.

Mrs. BROWN. We plan to send another "call to action" right now.

Chairman MORGAN. Thank you, Mrs. Brown.

Dr. Judd.

Mr. JUDD. Thank you, Mr. Chairman.

It is good to have you here, Mrs. Brown, and your clear and objective statement. That is in accord with my experience with your organization.

I would merely like, in line with what the chairman has said, to add that while you apparently put out a productive "call to action" during the Senate hearings, it didn't get your members to flood us in the House with mail and so on; because it hasn't come, at least to my office.

It may merely be that the people in opposition are even better organized. Many of their letters are the regimented kind; they all say the same thing and are not influential. But there is also a large number of letters from thoughtful people, opposing the U.N. bonds. They are questioning it.

This proposal is in trouble in the House of Representatives. As I said earlier to Mrs. Bell, it needs all the help it can get.

Mrs. BROWN. Our "call to action" on the bond issue was in the form of a very eye-catching miniature bond with a printed form attached to it.

Mr. JUDD. They were asked to write to their Congressmen as well as their Senators?

Mrs. BROWN. Yes.

Mr. JUDD. How long ago was this?

Mrs. BROWN. We sent out two "calls to action." We have had some responses. In fact, when we sent out this little bond, we had a little questionnaire attached to it and asked them to write to us and tell us what they wrote and the response they received.

Unfortunately, Dr. Judd, when we send out all these communications which go all over the country, we don't always have a way of knowing the results. This was during the discussion of the issue in the Senate, and I am quite certain we will send something else as it is about to come before the House.

Mr. JUDD. We must report to you today that the response hasn't been as good, at least in my office, as I would have expected.

For example, when any organization sends out things like that little bond, what frequently happens is that some who receive it will take the bond or whatever the device is, and they will write across the bottom, "Hope you get busy on this. I favor this. I want you to support it, and so forth," and send it to us.

I have seen at least one of the miniature bonds that you sent out. I can't remember whether it came into my office, but I haven't seen any large numbers and there are a good many of your members in my State whom I know and who ordinarily write me on matters about which they are concerned.

Mrs. BROWN. I am kind of glad that our mail has been missed——

Mr. JUDD. I think it is going to require considerable mobilization of public sentiment.

That is all.

Chairman MORGAN. Would you yield to me?

I was interested in the question that you asked Mrs. Bell, and I had the staff look up Ambassador Lodge's answer when he was here Tuesday. As I remember it, you weren't here. Here is what he said:

> As far as the Congo, that was the most ambitious, the most novel, the most difficult, the most widespread activity that any international organization has ever engaged in. When the Belgians left, you had over 200 Soviet agents in surrounding African countries ready to move in when the Belgians moved out.
>
> You can all imagine what would have been the situation had that been allowed to happen. Either we would have lost the heart of Africa to the Communists or else the United States would have had to go in there and prevent it.
>
> We can say all we want about the United Nations forces in the Congo, but there isn't any single American boy in it. That is an impressive fact.
>
> Of course, some mistakes have been made, but the situation in the Congo today is very much better than it was in 1960, when, as the U.S. representative in the U.N., I introduced the resolution setting up the force. It is better than I think we have any right to expect it to be.

Mr. JUDD. Mr. Murphy and I were talking here a moment ago, following my question to Mrs. Bell, and he asked if I was opposed to the original action taken by the U.N. I said "No." That is the action the Ambassador is talking about where, as I recall, the Congo asked the U.N. to come in to maintain order.

It was some of the things that happened after they got in which caused the reaction against it in our country and obviously in some European countries. There is opposition from the British today, as you know.

Mrs. BROWN. The consideration of what the alternatives would have been if the Congo operation hadn't occurred are frightening.

Chairman MORGAN. Mr. Selden.

Mr. SELDEN. Thank you, Mr. Chairman.

I would like to join with you in welcoming Mrs. Brown before the committee today. I have no questions.

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. No questions.

Chairman MORGAN. Mr. O'Hara.

Mr. O'HARA. Mrs. Brown, I am well acquainted with the fine work of your organization. Its members are effectively active in my own district in Chicago.

I would like to make one comment. I have received a large mail on the U.N. bond issue. Some of the letters have been violent. Some tell me that voting against the U.N. is my last opportunity to prove that I am an American. Curiously, these letters come mostly from two States, none from my own district in Illinois. I would say the sentiment among my constituents is favorable to the U.N. bond issue as the only feasible method of saving the U.N. from collapse.

Mr. BROOMFIELD. Dr. Morgan——

Chairman MORGAN. Do you yield to Mr. Broomfield?

Mr. O'HARA. Surely.

Mr. BROOMFIELD. I would like to say, Mr. Chairman, I have publicly stated that I am going to support this legislation. I would like to point out, however, that I respect the views of many of the people who are opposed to this bill.

I am not ready now to scuttle the U.N. That is why I think it is important to see them through this financial crisis. But I think it is also very important that they work out their financial problems on a long range and a sound basis.

Thank you, Mr. Chairman.

Chairman MORGAN. Mr. O'Hara, are you through?

Mr. O'HARA. Yes, Mr. Chairman.

Mrs. BROWN. May I take the liberty of assuring you that we will make great efforts to see that "calls to action" are sent out, now that this is at a critical point in the House of Representatives. And also to assure you that we do not give testimony or have opinions or state opinions particularly on things which either we have not studied thoroughly or considered very carefully both pro and con.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. Mr. Chairman, in the event the legislation for the purchase of the U.N. bonds fails to pass in the Congress, what would be the status of the U.N. thereafter? In using the expression "history repeats itself," I would like to compare the aforesaid U.N. status with the failure of the operation of the League of Nations. I do not believe

that World War II would have occurred if the League had been in operation, and if there had been an international body to discuss the disputes between the nations that arose in the 1920's and 1930's leading to World War II.

Following World War II the nations of the world found it necessary to create another world organization for peace and to consider the world's disputes, and this body was the United Nations.

I believe if the United States fails to purchase the $100 million worth of bonds, the U.N. will undoubtedly collapse.

In the future we will find many controversies arising between the nations of the world and they will find it imperative to organize or to create another international organization to consider these problems as they found it necessary to do after World War I and World War II.

When Governor Stevenson appeared before the committee, I called his attention to a possible crisis that may arise in Ruanda-Urundi. Here the two major tribes, the Batutsi and the Bahutu, were in conflict as late as 3 years ago. The Batutsi have 15 percent of the population and have held the Bahutu with 85 percent of the population in subjugation. What will happen in these two states when the Belgians withdraw? Who will maintain the peace; and if there is not a body like the U.N., who would arbitrate the differences?

Chairman MORGAN. Thank you, Mrs. Brown.

Mrs. BROWN. Thank you.

Chairman MORGAN. Our next witness is Mr. A. H. Parker, Jr.

Mr. Parker.

Mr. PARKER. Thank you, Mr. Chairman.

Chairman MORGAN. Mr. Parker is the first vice president of the United World Federalists.

Mr. Parker, you have a prepared statement and you may proceed, sir.

STATEMENT OF A. H. PARKER, JR., FIRST VICE PRESIDENT, UNITED WORLD FEDERALISTS

Mr. PARKER. Thank you, Mr. Chairman.

Mr. Chairman and committee members, I am A. H. Parker, Jr., of Sherborn, Mass. I am president of the Old Colony Trust Co. in Boston and have flown to Washington for the express purpose of testifying before your esteemed committee. I appear on behalf of United World Federalists, Inc., of which I have the honor to be first vice president. We appreciate this opportunity to testify.

I might say I have been a member of the United World Federalists virtually since its organization, and that was not long after I was mustered out of the Navy as a lieutenant commander, following a little more than 4½ years of active duty in World War II.

Our organization has worked to support and strengthen the United Nations and to increase its ability to preserve the peace since our incorporation in 1947. We have long recognized the financial problems inherent in the operation of the United Nations.

Careful consideration was given to the matter before this committee prior to making our decision. We finally came to the unanimous conclusion that the well-being of the United Nations and of its vital peacekeeping operations in the Gaza strip and the Congo require approval of a loan to the U.N. through the purchase of U.N. bonds.

We testified on February 19, before the Committee on Foreign Relations, in favor of S. 2768, which was then identical to your chairman's bill, H.R. 9982. We are, however, well impressed by the Dirksen-Mansfield substitute and support S. 2768 as passed by better than a 3-to-1 vote by the Senate.

At the heart of the matter before you is the question of whether it is in the national interest of the United States of America to support the United Nations and its peacekeeping operations. Let me address myself to various aspects of this question which have been raised by this legislation.

(1) Do the American people support the United Nations?—Since we became the first nation to ratify the U.N. Charter by a vote of 89 to 2 in the Senate, there has never been a time when the United Nations has not had the support of a substantial majority of Americans.

This support has been growing. In February this year, the Gallup poll released the results of its latest U.N. poll with these words: "The United Nations has won a big vote of confidence from a great majority of Americans." The figures showed that 83 percent feel it is "very important" that the United States "try to make the United Nations a success," 78 percent feel the U.N. has been doing a "good or fair job," and 90 percent feel that we "should not" give up membership in the United Nations.

(2) Has the rapid growth in the membership of the U.N. been detrimental to U.S. national interest?—The United Nations is a parliamentary institution. Its charter incorporates much that we value and respect. As Secretary Rusk said, "The charter itself is the product of American leadership and bipartisan endeavor." We should, therefore, welcome the fact that almost every new nation has immediately sought membership in the United Nations.

Contrary to the belief of some, the newer nations have not operated as a voting bloc to side with the U.S.S.R. against the United States. Let us look at the record of several key votes during the last General Assembly:

On the Russian-sponsored resolution calling for the seating of Red China in the U.N.: The final vote was 47 against, 37 for, 19 abstentions. Of the Afro-Asian nations 15 voted with us against, 20 for, 19 abstained. Earlier the same day, December 15, 1961, the Assembly endorsed the U.S. position that the issue of Chinese representation was an "important question" requiring a two-thirds majority. The vote was 61 for, 34 against, 7 abstentions, and 2 absent.

On the Anglo-American resolution setting forth the "urgent need" for a treaty to ban nuclear weapons tests under effective international control. (The United States was in favor, the U.S.S.R. against. The resolution stated that only an "effective and impartial system of verification" could guarantee a permanent nuclear test band, that international control machinery should preclude self-inspection and a veto, and that a single administrator should be in charge; that is, not the Soviet "troika"): 71 voted for, 11 against, 15 abstentions, 6 absent. Only the Soviet bloc and Cuba voted against.

The record will show many other examples. As Ambassador Stevenson has said:

> In all the history of the United Nations, I know of not one case in which the U.N. has injured the vital interests of the United States.

(3) Has the United Nations operation in the Congo been detrimental to the national interest of the United States?—All indications are the UNOC prevented a confrontation of the major powers in the Congo and a bloody civil war, starvation, and chaos. The United States has supported this operation to the fullest. U.N. troops supplied by other member nations have made it unnecessary for any American servicemen to endure the hardships and the uncertainties of life in today's Congo.

In any operation involving large numbers of servicemen in a highly volatile situation, there are bound to be some unfortunate occurrences. In view of the conditions in the Congo upon the arrival of U.N. personnel, the remarkable fact is that there have been so few.

Moreover, it should be clearly remembered that the U.N. is in the Congo to maintain peace and some semblance of law and order, not to take military action.

At his London press conference on July 7, Acting Secretary General U Thant said:

> The United Nations forces in the Congo have never been authorized to initiate any military action. I think it is clear from all the relevant Security Council resolutions, of course, that in a situation when the United Nations is attacked I have authorized our people there to retaliate as an exercise of the right of self-defense, but it is not my intention, it has never been my intention, it will never be my intention to use any military initiative. I have no such mandate, so the question of the use of force does not arise.

This recent statement should serve to allay any fears that the U.N. is merely awaiting money from the sale of its bonds before it takes military action in the Congo.

I turn now to the method of stopgap financing adopted by the General Assembly last December, the issuance of $200 million of U.N. bonds to be repaid over 25 years at 2 percent interest.

Our organization believes that this temporary method represents a significant improvement over the system of assessments previously used. The provision that the bonds shall be repaid from the regular budget, where there has been no question as to legal responsibility for payment, is a major step forward.

The 25-year repayment period reduces the annual cost of the present U.N. operations in the Gaza strip and the Congo to a level which it is reasonable to expect all members to be able to meet. It should be remembered that the annual cost of these two extraordinary operations has been almost double the amount of the U.N.'s regular budget.

We welcome the 9–5 decision of the World Court last Friday which supports the case so ably made by Abram Chayes, Legal Adviser of the Department of State, for our Government. If this advisory opinion is now accepted by the U.N. General Assembly, which will require a two-thirds vote, the legal foundation will have been laid on which the U.N. can seek payment of unpaid past assessments for its peacekeeping operations.

The provisions of article 19 of the charter will also become a more immediate force in prodding delinquent members to pay up.

That is the provision, as I am sure the committee is well aware, that provides you lose your vote in the Assembly if you don't pay after a couple of years.

The U.N. bond issue will, meanwhile, keep the U.N. functioning and solvent.

Mr. Chairman, we regard the U.N. bond issue as a temporary measure and not a permanent solution. If the decision of the World Court and the present provisions of the U.N. Charter do not provide a satisfactory means for assuring collective financial responsibility for collective political decisions henceforth, we most earnestly urge that this committee devote its resources and wisdom to find the right answer.

It is our belief that so long as the U.N. has no peace force of its own, no agreed regulations governing the use of such a force, and no budgeted funds to finance it on a continuing basis, U.N. peacekeeping efforts will be subject to the political passions aroused by each future crisis and financial default will remain a political tool in the hands of the disaffected.

We firmly believe that answers to much of the current concern of responsible persons with the United Nations lie in the direction of strengthening and improving its machinery and its capacity to provide worldwide law and law enforcement.

We hope that this committee will address itself to this objective which is of such paramount significance to our country and our world.

Mr. Chairman, United World Federalists believe in the United Nations, not merely as the expression of mankind's best hope for peace but as practical, hard-working, day-to-day machinery by which those hopes can be fulfilled. Without financial fuel this machinery cannot run.

The U.N. clearly needs the United States, but for the sake of our children's future, we also need the U.N. We urge your prompt and favorable action on S. 2768 as the best present means of assuring the proper functioning of this machinery for international peace, in the highest national interest of the United States.

Thank you very much, sir.

Chairman MORGAN. Thank you, Mr. Parker.

Mr. Parker, I think your statement is very good and very helpful to the committee. You deal with many of the questions that have been bothering members of the committee.

Mr. Parker, on page 2 of your statement quoting some of the Gallup poll figures, you say that 90 percent feel we should not give up our membership in the U.N.

My mail seems to indicate that the 10 percent who do feel we should give up membership in the U.N. are concentrated, as Mr. O'Hara said, in two States—southern California and Texas.

Mr. PARKER. I think the 90 percent is clearly right myself.

Chairman MORGAN. It is not unusual to get many telegrams from those parts of the country opposing not only purchase of the U.N. bonds but opposing our membership in the U.N.

Mr. PARKER. I might add, Mr. Chairman, if I may, that we have pretty good World Federalist chapters in southern California. There is an active one in Santa Barbara and one in Los Angeles.

Chairman MORGAN. Thank you, Mr. Parker.

Dr. Judd.

Mr. JUDD. Thank you, Mr. Chairman.

Mr. Parker, I particularly want to call your attention to the next to your last paragraph, because that is the nubbin of it. The thing that has been most disappointing all these years, is that we haven't

succeeded in strengthening and improving the basic machinery of the U.N. so it can deal in a predictable, orderly way with problems which are bound to arise as long as human beings are human. We wait until we have to come up with ad hoc provisions, as you say, temporary, and that doesn't make for fundamental solutions.

In 1948 when we were debating the Marshall plan, I made a speech in which I said there were about five conditions it seemed to me we had to meet if the Marshall plan was to succeed in its long-range objectives.

We met three and a half of them pretty well. The fifth we didn't meet at all. It was that we use the time bought by the Marshall plan to develop the U.N. into an organization which could make, interpret, and enforce world law among nations so that the U.N. could meet whatever crises arose under law; that the United States had neither the resources nor the wisdom to carry this whole world burden indefinitely.

We had to move in the immediate situation. We were the only one which had the blood available for transfusions, but other countries **couldn't live off our transfusions indefinitely.**

We held hearings in May 1948 in the "terrible" 80th Congress on this very point. I wish people would read them because they are like the Book of Isaiah in predicting what was bound to happen if we didn't develop the U.N. But in those days we couldn't get the support of the administration. General Marshall and Ambassador Warren Austin, representing both parties, came before us and threw cold water on it, counseling that we wait and take things slowly.

I am going over this to point out that when, for example, it is said that we couldn't see in 1945 what would happen, there were people who did see and who pleaded and bled for action then, in vain. However long and hard it may be, you still have to work for this cause. It has been always completely bipartisan. As you know, Brooks Hays and I introduced the same resolution in every Congress for years, trying to get our country to take the lead in developing the United Nations into an organization that could make and interpret and enforce world law between nations.

I have been opposed, for example, to repeal of the Connally amendment under present circumstances because the first thing is to have a body of world law, with the majesty of law, and machinery by which to use it.

To say "Oh, we have to do it to show how we feel about international relations," and to commit ourselves now to a nonexistent body of law, is putting the cart before the horse, it seems to me.

It isn't because I don't want the objective of world order under law; it is because I do want it that I feel we have to get first the thing that the United World Federalists have been pioneering in pointing out.

Mr. PARKER. Thank you, Dr. Judd.

I might add on that subject of the Connally reservation, there is great force to what you say. My only answer is as an ex-lawyer—and I was a practicing lawyer for 5 years before going into the Navy—the only partial answer—and it is only a partial answer—is that law is developed by a series of Court decisions.

If the existence of the Connally reservations on the part of the United States and the various other nations prevent the Court from being used and thus prevent the Court from building up a long series of binding precedents and traditions to become a body of international

law, then I think perhaps it is not putting the cart before the horse to repeal the Connally reservations and make more use of an existing international tool.

Mr. JUDD. The point is that people don't ordinarily move out into new fields when they are in the midst of a life-or-death war. We are in such a war now, the only war we were ever in danger of losing. We are not really fighting it in earnest. Why? Because it is called peace.

As long as it is called peace we don't regard it as war; we don't consider it necessary to tighten our belts and do the things that we would in a moment if it were the old-fashioned classical shooting war. I don't think there will ever be another major war of that kind.

This is academic as far as the Connally amendment is concerned because it doesn't come before our body.

But when people ask me my view, I say, "I would hesitate to repeal it until we can have some idea of the kind of situation into which we will be placed."

One needs first a body of law that commands respect everywhere—like in the Anglo-Saxon world, the old English common law. It was a body of precedents and accepted standards by which to judge whatever situation came along. We simply don't have that for the world. We have English common law, we have Moslem law, Mosaic law, Communist dogma, Chinese family law. We have theocratic or religious law in some parts of the world. Tribal law here and there.

I feel that you are on the right track. You are working at the first thing. We may have to do the other if we don't succeed in improving the U.N. in this direction; and we haven't succeeded the last 14 years——

Mr. PARKER. We have made progress.

Mr. JUDD. I think so, but not as rapidly as the kind of world we live in needs.

Mr. PARKER. I agree.

Chairman MORGAN. Mr. Selden.

Mr. SELDEN. Thank you, Mr. Chairman.

Mr. Parker, I have listened to your statement with a great deal of interest. Certainly I can agree with you that the issuing of U.N. bonds is just a temporary measure and not a permanent solution.

As a matter of fact, even after the decision of the World Court, I foresee a great deal of difficulty in securing the necessary two-thirds vote in the U.N. to make a nation such as Russia pay up. I foresee additional bond issues unless some permanent solution is reached.

I hope that you who have testified here today will pass on any suggestions you may have to this committee as far as a permanent solution is concerned.

The issuance of bonds is not the answer. It is simply a stopgap measure, as I think most of the committee recognizes. If some permanent solution isn't reached, we will have continuing difficulties, and the position of the United Nations will be further weakened.

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. Mr. Chairman, I would like to ask Mr. Parker the total membership for the United Federalists in the United States.

Mr. PARKER. It is around 15,000; not numerically a very large organization. We think we have the brains even if we don't have the numbers.

Mr. BROOMFIELD. You cite in your testimony on page 2 in question 2:

Has the rapid growth in the membership of the U.N. been detrimental to U.S. national interest?

And then you go on by saying:

The United Nations is a parliamentary institution. Its charter incorporates much that we value and respect. As Secretary Rusk said, "The charter itself is the product of American leadership and bipartisan endeavor." We should, therefore, welcome the fact that almost every new nation has immediately sought membership in the United Nations.

The question I would like to ask you, Mr. Parker, Do you think this has been a good thing for the United Nations to take these nations as they get their independence and immediately take them in without giving them some period of putting them under trusteeship?

I would like to get your personal comments about that.

Mr. PARKER. I would have liked to see with some of these nations a greater political maturity before they became members of the U.N. On the other hand, I think it is better that they come in rather than that they stay out.

I think it would be very difficult. They are terribly proud, these people. We may think they are politically immature. They don't think so. They are terribly proud and would be terribly hurt and insulted if they were subjected to some sort of trusteeship.

It would be saying to them "You are second-class nations. You are not good enough."

Mr. BROOMFIELD. Don't you believe that the United Nations would be stronger, as far as the entire world situation, if it meant something to become a member rather than saying "You get your independence and you are automatically a member."

Mr. PARKER. U.S. aid I think is somewhat of a different subject. My own feeling is that the ultimate objective must be universality of membership in the U.N.

Just when a nation ought ideally to become entitled to membership I agree with you it would be better if it were—if there were some standards or goals or something of that sort.

But it is awfully difficult to devise, and you would run into great opposition if you tried to set such a thing up.

Mr. BROOMFIELD. What position does your organization take as far as Red China? Do you believe they should be seated?

Mr. PARKER. We have taken no position on Red China. At our general assembly in Philadelphia this spring, I was chairman of the policy committee. We passed only one resolution, which was that Red China should be a member of all conferences seeking worldwide disarmament without taking a position on U.N. membership at the moment.

I see great danger—not "danger"—difficulty in supporting the position that Red China should be a member.

The charter says right at the beginning that they must be a peace-loving nation. Golly, from everything we have seen so far, it is pretty hard for Red China to live up to that.

Mr. BROOMFIELD. There are a lot of people throughout the United States, and I respect them for their opposition to some of the phases of the U.N. They are critical primarily on the amount of money the United States has to put in either through their assessment or

voluntary contribution, which actually is a fairly good-sized part of the overall budget.

Do you feel that this is something we should continue or should we work toward, making these new countries when they become a member pay a reasonable amount to the operation of the U.N. fund?

Mr. PARKER. Of course we can all agree on the general principle of fairness in each nation bearing its fair share. But the difficulty comes of course when you try to decide what the exact fair share of each nation is; that is when we get into the hassle. Of course, they should pay their fair share.

But I am not wise enough or well informed enough to sit here and say what the share of Nigeria or any other——

Mr. BROOMFIELD. The point is, if they don't pay, should they continue to be a member in the United Nations? I am talking primarily not of dues but the special assessment when it gets into peacekeeping operations.

Mr. PARKER. That issue is still to be resolved in the General Assembly. And it may be difficult, as the Congressman said, to get the two-thirds vote it requires. If the General Assembly does accept this World Court decision by a two-thirds vote, that issue will be behind us. Then they will have the sanctions of article 19 and will have to continue to pay up their special assessments.

Mr. BROOMFIELD. Thank you very much.

Chairman MORGAN. Mr. O'Hara.

Mr. O'HARA. Thank you, Mr. Chairman.

Mr. Parker, I congratulate you on a very fine statement.

Mr. PARKER. Thank you, sir.

Mr. O'HARA. And commend you for taking the time to come down here to testify.

I am impressed with the fact that you are the president of the Old Colony Trust Co. in Boston. Is it your judgment as a banker that this is a sound proposition that is envisioned in the U.N. bond issue.

Mr. PARKER. Yes, sir, I do. I think as the "Street" would put it, "These bonds are money good." I think they will be repaid.

You can talk about the fact that the interest rate on them is not competitive. But that is a minor point.

Mr. O'HARA. Do you feel that unless this bill is passed the United Nations will be in danger of destruction?

Mr. PARKER. That is it. That is the real trouble.

Mr. O'HARA. I have one observation to make. I don't know that I am in agreement with you or my friend from Michigan that the new emerging nations should serve a period of apprenticeship, should prove their maturity before they are given a voice in the General Assembly of the United Nations.

I have traveled extensively in Africa. I am chairman of the African Subcommittee. I think I know reasonably well the thinking of the Africans. I find that they want to make their contribution with us from the from the older nations to our big task, of making this a better and safer world. They want to contribute their thinking, and they find in membership in the General Assembly of the United Nations the opportunity for participation in a forum for a free exchange of ideas.

I am not so sure that it isn't beneficial that they are immediately given their seats in the General Assembly of the United Nations.

One other matter. I think I am speaking with some knowledge of the subject. The Africans do not wish to be members of any bloc, not even an African bloc. They want only the opportunity to make their own individual contributions.

Wouldn't you say with me that membership in the General Assembly of the United Nations gives them a sense of partnership as well as participation in the solving of world problems? Would you agree with me on that?

Mr. PARKER. I would, Mr. Congressman.

Mr. O'HARA. Thank you very much.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. No questions.

Chairman MORGAN. Any further questions?

Mr. JUDD. I think the record ought to include here some of the language of the charter of the United Nations. Mr. Parker says, "You have to have standards of membership."

You mentioned "peace loving." There are others:

All members shall fulfill in good faith the obligations assumed by them in accordance with the present charter.

One of the problems of Red China is that she is not even willing to assume the obligations. We don't exclude her from U.N. membership; she keeps herself out. We have had 105 negotiations trying to get her to agree to accept the commitments of the charter, in which case we could sponsor her membership. She announces regularly that she intends to use force.

Another standard:

All members shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered.

The next standard:

All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state—

and so on.

The standards are clear. The reason that some countries are not in is because they have been unwilling to accept the standards.

There are other countries which have accepted the standards and not lived up to them. That is true. But there is no reason why we should pull the U.N. down to the level of the violators rather than try patiently to get the conduct of the violators up to the level of the charter.

Certainly it would be a cynical abandonment of and would lead to inevitable destruction of the U.N. for us with our eyes wide open to bring in a government which is blatantly announcing that it intends not to live according to these standards, but to live in violation of them.

I would like to ask one question. Some of us have looked with favor upon the proposal—it came to me through some women in my own city who have worked on this for a long time—that the U.N., in

addition to the bonds bought by governments, issue what we might call peace savings bonds as we had war savings bonds, that individual people could buy. You remember we had stamps; people could save a dollar at a time, a quarter even, until they had enough to buy a $25 war savings bond, or they could buy a bond outright.

Do you have any comment as a banker and a man in the investment business and a man interested in international relations on, No. 1, the financial practicability, the wisdom from a fiscal standpoint of the U.N.'s issuing bonds for public purchase; and on, No. 2, the wisdom from a political standpoint of such a proposal?

Mr. PARKER. Of course, that brings up the bill which has been filed. My chief quarrel with that bill is that it requires that the Treasury Department not give any publicity to this, at least that was a clause in it as originally filed. With that, I don't see how they are ever going to sell very many of them, because people aren't going to buy them if they don't know about them.

Leaving that issue aside, I think it is a good device whereby people can at some financial sacrifice to themselves express their support of the U.N., because these bonds carry a lower rate of interest than the E bonds and other U.S. savings bonds.

If people are willing to buy them in spite of not getting paid as much for the use of their money as they would through savings bonds, I think it would be quite a tremendous tribute to the U.N. and the faith of the American public in the U.N. if any substantial quantity of them were sold.

Mr. JUDD. I can't see any sound argument against it. It would supplement. It would not be the main means of raising funds.

I think there are millions of Americans—and I use the word "millions" carefully—who would be willing to put in $25 and thousands who would put in $100 or $500. This would be a real vote of confidence in the U.N.

I should think such bonds would be made available to people all over the world, Englishmen, Frenchmen, Scandinavians, all who are dedicatedly devoted to this whole concept of getting world peace by establishing world order. It would give them a feeling of direct, personal participation.

All they can do now is write a letter to a Congressman. They would like to feel, "Here I have a chance with my own money to vote my confidence in it."

The more I think about this proposal, the more I think that the U.N. ought to do it on its own.

There would be a much better response than most of us imagine. I would like to be the first guy to buy a U.N. bond.

Mr. PARKER. I have often said in community chests and charitable circles, Dr. Judd, the best way to make a friend for an agency is to get him to give you some money.

Mr. JUDD. Everybody in politics knows that. If they put even $1 into your campaign they have a stake in you. They will take the trouble to vote and follow through on that dollar.

Mr. O'HARA. I do not think the gentleman from Minnesota desires his comments—and I agree with him in what he says, I would like to

join with him as among one of the first to buy one of these bonds—but he wouldn't want it to be construed as a reason for defeating this bill.

Mr. JUDD. No.

Mr. O'HARA. That could come later, a bond issue for public subscription, for future financing.

Mr. JUDD. I said it is to be supplementary; not the main means.

I think they would get more votes for the bond issue in Congress if they were also using other methods, giving people an opportunity to support the U.N. directly, as I think they would. If it had people's support along with governmental support, it would be a stronger organization.

Mr. BROOMFIELD. Would the gentleman yield?

Mr. JUDD. Yes.

Mr. BROOMFIELD. Since you brought that point up, it's interesting, because one organization in the country apparently is using this in their mail to Members of Congress.

They say "Write your Congressman and ask him if he would be willing to buy a bond in the U.N." That is the strategy they are using.

I thought that was an interesting comment, and I agree with the gentleman.

Mr. O'HARA. Would you buy one?

Mr. BROOMFIELD. Maybe $25.

Chairman MORGAN. Any further questions?

Thank you, Mr. Parker.

The committee stands adjourned until 10:30 tomorrow morning.

(Whereupon, at 12:12 p.m., the committee was adjourned, to be reconvened at 10:30 a.m., Tuesday, July 24, 1962.)

PURCHASE OF UNITED NATIONS BONDS

TUESDAY, JULY 24, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, at 10:40 a.m., in room G–3, U.S. Capitol, Hon. Thomas E. Morgan (chairman of the committee) presiding.

Chairman MORGAN. The committee will come to order.

The committee meets this morning for the continuation of the hearings on S. 2768, purchase of United Nations bonds.

Our first witness this morning is Gen. Pedro del Valle, representing the American Coalition of Patriotic Societies, Inc.

General, you have a letter here which you wish to read and then to proceed with an oral statement?

STATEMENT OF GEN. PEDRO DEL VALLE, REPRESENTING THE AMERICAN COALITION OF PATRIOTIC SOCIETIES, INC.

General DEL VALLE. That is all the statement I want to make right here. I am representing the coalition. I am president of the Defenders of the American Constitution, which is an associate of the coalition. The president of the American Coalition of Patriotic Societies not being here, I am taking his place.

Chairman MORGAN. You may proceed, sir.

General DEL VALLE. The American Coalition of Patriotic Societies, Inc., of about 100 patriotic, civic, and fraternal organizations, at its 33d annual convention meeting at the Mayflower Hotel, Washington, D.C., February 1, 1962, adopted the following resolution in opposition to the purchase of United Nations bonds by the United States:

RESOLUTION NO. 8—UNITED NATIONS BONDS

Whereas the United Nations proposes to issue bonds in the amount of $200 million; and

Whereas the President of the United States has declared himself in favor of the purchase by the U.S. Government of at least one-half of the aforesaid bond issue and has stated his intention to recommend to the Congress that this purchase be approved; and

Whereas the soundness of such an investment has been questioned by many informed citizens, including the chairman of the Senate Finance Committee, who has declared that the purchase of these U.N. bonds "would be unsound under any and all tests for prudent financial investment"; and

Whereas the American Coalition of Patriotic Societies is convinced that the United Nations, having failed to adhere to the principles set forth in its charter, should receive no further financial aid in any form from the American people whose interests it has so badly served;

Resolved, That the American Coalition of Patriotic Societies, petitions the Congress of the United States to reject the recommendation of the President to purchase United Nations bonds.

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MANHATTAN KANSAS

In our financial system bonds are only issued when there are assets to back them. The United Nations has no assets. For it to issue bonds is a fraud. For the Congress of the United States to agree to buy these bonds of the United Nations would be compounding a fraud on the American people by the representatives of the sovereign people, who must earn every dollar that the Congress loans or gives away. Our debts and obligations are already enormous as the committee and the Congress well know.

The United Nations is a failure on the record. The United Nations is already bankrupt morally as well as financially. Let us not try to rebuild it on the same old sand foundation on which the leagues of history have failed. Only a free, solvent United States can hope to light the way for ourselves, our posterity, and the world's oppressed people.

For these and other reasons that have already been brought out in debate and by other witnesses, the American Coalition of Patriotic Societies opposes the purchase of United Nations bonds by the United States.

Chairman MORGAN. Thank you, General.

General, you show on the top of your letterhead "American Coalition of Patriotic Societies." How many societies belong to this coalition?

General DEL VALLE. I will let Mrs. Leetch furnish that.

Chairman MORGAN. We can put that in the record.

(The list referred to is as follows:)

SOCIETIES COOPERATING WITH THE AMERICAN COALITION OF PATRIOTIC SOCIETIES, INC., WASHINGTON, D.C.

Alliance, Inc., The.
American Coalition of New York.
American Institute, The.
American Public Relations Forum, Inc.
American War Mothers.
Anti-Subversive League of South Dakota.
Associated Farmers of California, Inc.
Better Government Forum.
Catholic War Veterans of the U.S.A., Queens County Chapter.
Constitutional Study Group of South Dakota, Inc.
Dames of the Loyal Legion of the United States.
Dames of the Loyal Legion of the United States, District of Columbia.
Dames of the Loyal Legion of the United States, Pennsylvania.
Daughters of America, National Council.
Daughters of America, Clara Barton Council No. 71.
Daughters of America, Pride of Baltimore Council No. 14.
Daughters of America, District of Columbia Council.
Daughters of America, New Jersey Council.
Daughters of the Revolution, National Society.
Daughters of the Revolution, New Jersey Society.
Daughters of the Revolution, New York Society.
Daughters of the Revolution, Commonwealth of Pennsylvania.
Daughters of the Revolution, Ex-Officers Club.
Defenders of the American Constitution, Inc.
Defenders of State Sovereignty and Individual Liberties, Arlington Chapter.
Defenders of State Sovereignty and Individual Liberties, Virginia.
Delaware Defenders of the Republic, Inc.
Descendants of the Signers of the Declaration of Independence.
Farmers Liberty League.
Florida Coalition of Patriotic Societies.
Fraternal Patriotic Americans, State of Pennsylvania, Inc.

General Society of the War of 1812.
General Society of the War of 1812, District of Columbia Division.
General Society of the War of 1812, New York Division.
Grass Roots League, Inc.
Junior Order United American Mechanics, New Jersey.
Junior Order United American Mechanics, New York.
Junior Order United American Mechanics, Pennsylvania.
Ladies of the Grand Army of the Republic.
Ladies of the Grand Army of the Republic, Department of the Potomac.
Louisiana Committee of Correspondence.
Marine Corps League Auxiliary, Inc.
Massachusetts and Rhode Island Committees of Correspondence.
Michigan Coalition of Constitutionalists.
Military Order of the Loyal Legion of the United States, Commandery-in-Chief.
Military Order of the Loyal Legion of the United States, Commandery of the District of Columbia.
Military Order of the Loyal Legion of the United States, Commandery of the State of New York.
Military Order of the Loyal Legion of the United States, Commandery of the State of Pennsylvania.
Military Order of the World Wars.
Minnesota Coalition of Patriotic Societies, Inc.
National Huguenot Society, The.
National Service Star Legion, Inc.
National Society, Congress of States Societies.
National Society for Constitutional Security.
National Society for Constitutional Security, Chapter I.
National Society for Constitutional Security, Chapter II.
National Society for Constitutional Security, Chapter III.
National Society, Daughters of the Union, 1861–1865.
National Society, Magna Charta Dames.
National Society of New England Women.
National Society of New England Women, New York City Colony.
National Society, Patriotic Women of America, Inc.
National Society, Patriotic Women of America, District of Columbia Council.
National Society, Patriotic Women of America, New York Council.
National Society, Sons and Daughters of the Pilgrims.
National Society, U.S. Daughters of 1812, State of New York.
National Society, Women Descendants of the Ancient and Honorable Artillery Company.
National Sojourners, Inc.
National Women's Relief Corps.
National Women's Relief Corps, Department of Potomac.
Naval and Military Order of the Spanish-American War, National Commandery.
Network of Patriotic Letter Writers.
New Jersey Coalition, Inc.
Ohio Coalition of Patriotic Societies.
Order of Fraternal Americans, Grand Council.
Order of Independent Americans, Inc., State Council of Pennsylvania.
Order of the Founders and Patriots of America, California.
Order of the Founders and Patriots of America, District of Columbia.
Order of the Founders and Patriots of America, Massachusetts.
Order of the Founders and Patriots of America, New Jersey.
Order of the Founders and Patriots of America, New York.
Order of the Founders and Patriots of America, Rhode Island.
Order of Washington.
Patriotic Order Sons of America, National Camp.
Patriotic Order Sons of America, State Camp of Pennsylvania.
Philadelphia Chapter, Council for Individual Freedom.
Society of Old Plymouth Colony Descendants.
Sons and Daughters of Liberty, National Council.
Sons and Daughters of Liberty, State Council Connecticut.
Sons and Daughters of Liberty, State Council District of Columbia.
Sons and Daughters of Liberty, State Council Maryland.
Sons and Daughters of Liberty, State Council Massachusetts.
Sons and Daughters of Liberty, State Council New Hampshire.

Sons and Daughters of Liberty, State Council Pennsylvania.
Sons and Daughters of Liberty, State Council Rhode Island.
Sons and Daughters of Liberty, State Council Virginia.
Sons of the American Revolution, National Society.
Sons of the American Revolution, California Society.
Sons of the American Revolution, Empire State Society.
Sons of the American Revolution, Iowa Society.
Sons of the American Revolution, New Jersey Society.
Sons of Union Veterans of the Civil War Commandery-in-Chief.
Sons of Union Veterans of the Civil War, Massachusetts Department.
South Dakota Anti-Subversive League.
Sovereignty Preservation Council of Delaware.
Taxpayers, Inc.
Texas Voters for the Constitution.
United States Day Committee, Inc.
United States Flag Committee.
Watch Washington Club.
Wheel of Progress, The.
William Thaw Council of Americans, Inc.
Women of Army and Navy Legion of Valor, U.S.A.
Women's National Defense Committee of Philadelphia.
Women's Patriotic Conference on National Defense, Inc.

Chairman MORGAN. General, your 33d convention was here in Washington, was it?

General DEL VALLE. That is correct, the Mayflower.

Chairman MORGAN. In 1962, not long after the President announced his message to Congress, about the same time?

General DEL VALLE. That is right.

Chairman MORGAN. Your convention had representation from all these organizations at your convention?

General DEL VALLE. Yes, sir.

Chairman MORGAN. This was the resolution——

General DEL VALLE. Adopted by the resolutions committee and then submitted to the whole, whereupon it was voted unanimously.

Chairman MORGAN. Was the resolution adopted unanimously?

General DEL VALLE. Yes, sir.

Chairman MORGAN. Most of these organizations were represented there?

General DEL VALLE. Yes; a large number of them—large percentage.

Chairman MORGAN. I have no further questions.

Mr. Murphy.

Mr. MURPHY. No questions.

Chairman MORGAN. Thank you, General. It is very nice to see you.

Our next witness is Mr. Ferwerda. Mr. Ferwerda represents the National Council of Churches, Department of International Affairs.

Mr. Ferwerda, you have a prepared statement, and you may proceed, sir.

STATEMENT OF VERNON L. FERWERDA, MEMBER OF DEPARTMENT OF INTERNATIONAL AFFAIRS, NATIONAL COUNCIL OF CHURCHES OF CHRIST IN THE U.S.A.

Mr. FERWERDA. My name is Vernon L. Ferwerda. I am testifying here in behalf of the National Council of Churches of Christ in the U.S.A. by the authorization of its appropriate officers. I am currently chairman of the government department at Trinity Col-

lege, Hartford, and a member of the Department of International Affairs of the National Council of Churches.

While I am here as a designated representative of the National Council of Churches, Department of International Affairs, I obviously cannot and do not presume to speak for each of the 40 million members of the 33 Protestant and Eastern Orthodox denominations in the National Council. However, I am presenting policies and views adopted after careful study, discussion, and deliberation by the council's policymaking bodies composed of official representatives of the denominations.

May I also call attention to the fact that the Council for Christian Social Action of the United Church of Christ wishes to associate itself with this testimony.

The churches in the United States helped to create public opinion favoring the establishment of the United Nations, and church leaders contributed significantly to the shaping of the United Nations Charter.

Since that time churchmen have critically, constructively supported the United Nations and have come to its defense when it has been under attack. Consistently the churches and their leaders have been prominent in support for increased use of the United Nations and for strengthening its peacekeeping capabilities.

At its most recent meeting in December 1960 the highest governing body of the National Council of Churches, its general assembly, adopted a resolution on "Christian Responsibility for World Community" containing the following significant sections:

STRENGTHENING THE UNITED NATIONS BY USING IT

Since goodwill is made effective only with organization and practical processes, such as the United Nations provides, Christians should vigorously resist attempts to weaken or bypass it, from whatever source they may arise, and should support efforts to strengthen the United Nations and its specialized agencies and programs.

FULFILLING MORE POTENTIALITIES OF THE UNITED NATIONS

Thus, we believe it is part of our responsibility as Christians to encourage our own Nation to fulfill its share in the present and future life of the United Nations with a more vigorous leadership in partnership, bringing to the organization all the imagination and sensitivity it can summon, for the sake of the United Nations, and even more for the purposes and principles for which it stands.

During its present period of tribulation the United Nations has been vigorously supported by eminent churchmen throughout the United States. Dr. O. Frederick Nolde, former dean of the Graduate School of the Lutheran Theological Seminary, Philadelphia, and a recognized world leader in international affairs, speaking to an outstanding group of national leaders of the churches, recently asserted:

The United States should help to meet the financial emergency of the United Nations by purchasing a substantial number of the bonds which the United Nations is authorized to issue. This plan for immediate financial relief seems to be the best political expedient now available to forestall the operation of a financial veto. President Kennedy's proposed figure of $100 million (one-half the total issue authorized) is reasonable and should be supported. It represents a fantastically minimal extra expenditure in behalf of world peace and justice when compared with the enormous amounts expended or loaned to other countries for military purposes.

It is not the policy of the National Council of Churches to endorse specific legislative bills, per se. However, it is appropriate, and particularly so at this time to indicate the council's continuing support for the United Nations and its principles.

It is our hope that the United States can always be counted among those nations which actively seek to work through and give leadership in the United Nations for more justice, freedom, and peace on earth, and to give it every legitimate support to this end.

Chairman MORGAN. Thank you, Mr. Ferwerda.

Mr. Ferwerda, you say the council has 40 million members, approximately?

Mr. FERWERDA. This is the membership of our 33 constituent communions, of which the largest is the Methodist, something over 10 million Methodists. I believe you have heard from Dr. Wilcox in their behalf.

I was asked also to represent the United Church of Christ, which is about 3 million, formerly Congregationalists and Evangelical and Reformed. We also have the American Baptist Convention, United Presbyterian Church, and a number of others, with a total membership of 40 million people.

Chairman MORGAN. Do you have a department of international affairs in this council?

Mr. FERWERDA. Yes; the chairman of that department for the past 7 years has been Ambassador Ernest Gross, our former Ambassador to the United Nations. If I recall correctly, he succeeded the late John Foster Dulles as chairman of that department.

Chairman MORGAN. Mr. Gross is very well known to this committee. He appeared before the committee many times on behalf of the Department of State.

Did the department of international affairs meet and determine your support of this bond issue? How do you arrive at the position of your membership on such an issue?

Mr. FERWERDA. Normally, certain continuing concerns are referred to the general assembly, our highest body, when it meets every 3 years. Since the bond issue problem has come up since the last meeting of the general assembly in December 1960, we have no general assembly statement that specifically refers to the United Nations financing.

We do refer here, however, to what we feel are very pertinent parts of the general assembly's resolution on Christian responsibility for world community. We feel this refers particularly to the situation in the United Nations as it is now, in which clearly we need to strengthen it by using it and fulfill more of its potentialities and so on.

This specific testimony related to that general assembly statement. It has been based on further analysis of the problem within the department of international affairs, has been cleared by Mr. Gross and other officers of the department and further referred to the president of the National Council, Mr. J. Irwin Miller, and others, to get their finding that it also reflects basic National Council of Churches policy.

We have been, particularly of late, especially careful on this. I think you can appreciate that, so there are no pronouncements on the part of the National Council of Churches which does not accord with National Council policy.

Chairman MORGAN. Thank you, sir.

Dr. Judd.

Mr. JUDD. Thank you, Mr. Chairman.

Mr. Ferwerda, it is nice to see you and have your testimony.

In the first paragraph of the resolution adopted by the National Council of Churches governing body, you say "Christians should vigorously resist attempts to weaken or bypass the United Nations."

Do you know what they had in mind when they used the word "bypass"? It just caught my eye. You didn't write it, but I wondered what they had in mind.

Mr. FERWERDA. I wasn't at San Francisco when this was adopted. As I recall the circumstances, this was a reference to the fact that on occasion there have been problems which to many people suggested use of the United Nations for their more effective solution, and where other solutions instead have been used.

Looking at the world today, for example, I would say clearly the Indians, if they feel as strongly as they seem to, that their situation vis-a-vis Communist China is a dangerous one, and they should refer this as a threat to the peace to the United Nations.

There are many other such situations.

For her own reasons India chooses not to bring this to the United Nations.

There have been other situations where it could be argued in the past that the United States has also not referred situations to the United Nations where it would appear this would be a useful reference.

Mr. JUDD. Is it the suggestion that as the first court of resort nations ought regularly to refer problems first to the United Nations?

Mr. FERWERDA. If reference to regional organizations or other instrumentalities for keeping the peace is not effective. As you undoubtedly know, Dr. Judd, there is in chapter 6 of the charter itself, well, more than a suggestion, a requirement—although I must say it hasn't always been lived up to—that regional organizations and other such instrumentalities be used before reference to the United Nations.

So we are in a peculiar state of affairs.

Looking at the history of the U.N., sometimes people have rushed to the U.N. too often. And there are cases I would have to say which have been brought to the U.N. which might better have been brought to the Organization of American States or other regional organizations.

You recall those instances in which the United States has argued "No, this should not yet be brought to the U.N. It can be settled here within the hemisphere."

We would certainly support the use of those other regional organizations, and these too are part of what we would feel to be building the institutions for world community—not complete total and exclusive reliance on the United Nations, but the United Nations plus those other agencies which may on occasion be more effective for peaceful settlement.

Mr. JUDD. That is what I wanted you to say. I thought you had that in mind.

I presume you are also saying that where there are conflicts or disagreements that can be worked out by private negotiations between the immediately affected parties, that is the ideal way to do it, if it can be done.

When you look back at Trieste, Austria, and so on, most of the main successes in gaining peaceful settlements, and the Lao agreement, if it turns out to be a success, were not worked out through the United Nations. They were worked out by the countries most immediately affected, who tried to find some common ground on which they could get agreement.

The difficulty is that when you get into the United Nations on something that can be exploited by one side or the other for purposes entirely apart from the immediate dispute, the discussion generally takes off into the acrimonious atmosphere of controversy and sometimes delays rather than promotes the peaceful settlement we would like.

I merely want to say that we ought to keep the U.N. in its proper place for it to be most useful. As I recall, Jesus said if you have something against a fellow, see if you can't work it out with him privately before you go to the judge. But the judge ought to be there if the parties can't work it out privately.

In the next to the last line, you say "with a more vigorous leadership in partnership." Do you feel that our Nation hasn't supported the U.N. right down the line vigorously and wholeheartedly?

The statement is that Christians ought to "encourage our own Nation to fulfill its share in the present and future life of the United Nations with a more vigorous leadership in partnership."

If you say we should try to do better; yes. If you suggest that our country, under whatever administration, hasn't vigorously and wholeheartedly supported the U.N., I would like some documentation on that, because I am under the impression that we have really gone all out, as we should, in supporting the U.N.

There has been time after time after time, I must say of my personal knowledge, that if it hadn't been for the insistence of the United States in using the U.N. and supporting it, it would have been on the sidelines.

We were the ones who kept disputes there when some countries, including important allies, preferred to use methods outside the U.N.

You will recall the Suez incident and a few other cases.

Mr. FERWERDA. I would have to respond with the suggestion that what is involved here as I interpret this statement is that we introduce, as this expression puts it, the leadership in partnership.

On occasion some of us have felt that in the United Nations we have not always exerted our leadership in quite as subtle a fashion as we might. At one time you recall we were able to roll up those 40-to-6 votes and the votes always seemed to be going our way.

There was, if you recall some of the conversations in the corridors of the U.N., there was a feeling that the United States here was being perhaps a little less subtle than it might have been in exercising what was then a strong numerical leadership.

The expression here of "leadership in partnership," carries also with it the expression of bringing all the imagination it can summon,

suggesting that it is perhaps just as important to exercise our leadership on a continuing basis where we are not trying to get votes.

I won't say that the votes are unimportant. Sometimes I would suggest that what is familiarly known, as you know, in the U.N. as arm-twisting has been a little less subtle than it might have been.

I think what we need is more of a continuing effort to put our view across and to determine what the attitude of other countries is.

I can recall situations where the United States, for example, made proposals rather suddenly at the time of an emergency special session, that 15 new members from Africa be seated. Their delegates weren't even there, and the delegate from Ghana got up and immediately denounced this.

I haven't been able to find what all the circumstances were. But it sticks in my mind as one instance in which we didn't sufficiently pave the way. There may have been reasons why we wanted these 15 new members in quickly in 1960, although actually the regular session was to convene within a week or so.

This occasion suggests that we haven't always worked through other missions to let them know what our plans were. On occasion there has been somewhat less coordination even with some of our closest allies, some of the most important leaders, I might call them, of other countries.

This I think is what in part is involved here, to put on a continuing basis a comprehensive approach to the U.N. that shows an appreciation of other positions.

I think this is particularly important where we are likely to see now some votes going against us. We even had, you recall, some of those peculiar votes last year in which we and a few of our friends, along with the Soviet Union and its bloc, were on the negative end.

I recall one vote of 70 to 20 on one of the technical issues of nuclear testing, in which the 70 included neither the United States nor the Soviet bloc. We happened to be on the short end.

At this point I think that again we had, one might suggest, not in a real sense done our homework. I think if that voting, for example, could have been delayed, if we could have been more aware of the strong tide running against us, we might have been saved that possible embarrassment.

I am not saying that a 70-to-20 vote against us is a defeat. I am saying it is not even in today's U.N., which no one can literally control, a necessary situation.

I don't like to see resolutions of this sort because of the short-run effect they have on American opinion. The idea that we are losing in the U.N. seizes the popular imagination and something like disenchantment can set in.

Mr. JUDD. That overdoing of things is an American fault. It is true also in our foreign aid program. With all good and benevolent intentions, we are too sure that we know all the answers. We want to be helpful. Maybe our answer is the best, but nobody likes to be told.

Thank you very much.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. No questions.

Chairman MORGAN. Mr. Johnson.

Mr. JOHNSON. No questions, Mr. Chairman.

Chairman MORGAN. Thank you, Mr. Ferwerda.

The next witness is Dr. Paul Cooke, vice chairman of American Veterans Committee.

Dr. Cooke, you have a prepared statement, and you may proceed, sir.

STATEMENT OF DR. PAUL COOKE, VICE CHAIRMAN, AMERICAN VETERANS COMMITTEE

Dr. COOKE. My name is Paul Cooke. I am national vice chairman of the American Veterans Committee (AVC), an organization in which I have held voluntary elective offices for the past 15 years. At the District of Columbia Teachers College, Washington, D.C., I serve as acting dean and professor of English.

The American Veterans Committee appreciates this opportunity to express its views on the subject of the U.N. bond issue, including the question of permitting individuals to purchase bonds.

Our executive director, Mr. J. Arnold Feldman, has appeared before the Senate Foreign Relations Committee to express the vigorous support of our organization for the proposed purchase of $100 million worth of United Nations bonds by the United States. We are pleased that the U.S. Senate approved the resolution.

I have also testified before the Senate Foreign Relations Committee, Thursday, July 19, to urge that American citizens be permitted to buy the bonds from the U.S. Treasury.

AVC, which is an organization composed of honorably discharged veterans of World Wars I and II and the Korean conflict, has steadily supported the United Nations. Beginning with our first national convention in Des Moines, Iowa, in 1946, our platform has always contained a platform plank of strong support for the concept of peace through the United Nations. At our 14th national convention in Atlantic City last month, we unanimously adopted the following platform plank:

> **The United Nations continues to be man's best hope for peace, and support of the United Nations must be an essential part of our foreign policy.**

At the same convention AVC'ers from many parts of the country approved a resolution entitled "The Purchase of United Nations Bonds by Private Individuals and Nongovernmental Institutions and Organizations."

Part of this resolution, which in full is appended to my statement—I call to the attention of the committee the complete resolution here as an attachment. The last two pages of this statement are this attachment. It is entitled "AVC Resolution on 'The Purchase of United Nations Bonds by Private Individuals and Nongovernmental Institutions and Organizations.' "

We adopted this resolution at our convention last month at Atlantic City. The full resolution states a number of positions that we take on matters precisely before the committee and other aspects of this whole U.N. bond issue, especially with respect to nongovernmental organizations purchasing bonds directly from the U.N. and in turn selling them to individuals.

We are trying to say that it is not an either/or concept or proposition, that the bonds must be bought by the U.S. Treasury, or by the nongovernmental institutions. It can be done by both. That is our position on this particular phase of the question.

I return to my statement, Mr. Chairman.

Part of this resolution, which in full is appended to my statement, supports the position that "the opportunity be given to the American public to subscribe to such bonds."

We have supported the U.N. bond issue for we consider adequate funds for the United Nations absolutely necessary to the success of its program of peace among the nations of the world. We have supported the U.N. bond issue because this means of providing money for the U.N. operation is a reasonable proposal.

We have also supported the legislation to make it possible for the individual American citizen to purchase peace bonds. Such action is evidence of further support for the U.N., is similarly a reasonable and practical financial proposal, and gives the U.N. a broad base foundation and support not only from member states but from many individual persons who treasure this means to peace.

This bond issue has become necessary because of the failure of some member nations to pay their share of the United Nations' peace-and-security operations. Since the bonds are to be repaid through the regular assessed budget of the United Nations, the repayments are thus a binding obligation on all members under the charter, and subject these countries to the 2-year arrearage rule. What they have failed to pay as a contribution, they will pay as an obligation under the U.N. bond issue legislation.

The American Veterans Committee believes that a weakening of the United Nations would serve the interest of the Communist bloc of nations. The Communist bloc does not want the United Nations to oppose its aggressive intentions in Korea. They want the U.N. to bring stability neither to the Middle East nor to the Congo.

The Soviet bloc attempted to cripple the Secretariat by imposition of a "troika" head. It attempted to limit U.N. activities by refusing to pay its share of special assessments for peace-and-security operations in the Congo and the Middle East.

The Communist bloc recognized, by its opposition, the value to the Western allies of the United Nations. Eleven of the thirteen votes cast in the U.N. General Assembly against the bond issue were cast by Communist bloc nations.

We believe that it is in the national interest of the United States to support the United Nations. It is not alone because the United Nations is a roadblock to Communist takeover that we urge support for this bond issue. AVC urges your support because of the positive and constructive role the U.N. has played in our chaotic world and because the United States must continue to show unflagging support for the U.N.

There have been frustrating moments for the United States. There will be more. There have been frustrating moments for the United Nations. There will be more. On balance, the United Nations has been, and will continue to be a positive force for progress, peace, and stability.

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The American Veterans Committee respectfully urges the members of the U.S. House Foreign Affairs Committee to give their wholehearted support to the proposed purchase by the United States of $100 million worth of the $200 million United Nations bond issue.

PURPOSE AND USE FOR THE BOND MONEY

The problem of adequate financing for the U.N. has arisen out of the peace-and-security projects. We are especially interested in the bond issue money being used to pay for these costly but necessary projects.

We are vitally interested in the continuation and expansion of U.N. health, education, science, food, culture program. And, of course, the organization must be guaranteed the money to run from Monday through Friday.

THE NONPROFIT ORGANIZATION PROPOSAL

AVC does not believe that we must make a choice between the U.S. peace bond proposal and the possibility of sale of bonds by a nonprofit organization which may be authorized to purchase bonds from the U.N. Both are possible and must become, we have resolved in convention, a reality.

The United States can purchase bonds and sell them to citizens who want to buy them. Other persons can organize the nonprofit organization to sell U.N. bonds. The United States need not wait for the nonprofit organization; the latter need not sit back for the Government to act.

In summary, for the American Veterans Committee (AVC) I urge the House Foreign Affairs Committee to approve and recommend legislation to authorize the $100 million bond purchase.

This represents a statement of position, a spirit of support of the U.N., of the U.N. bond issue, of the belief and the necessity of it, but at the same time the practicality of it. And where the AVC may not bring the expert views on the whole international situation that the State Department can or even the staff, of course, of the House Foreign Affairs Committee, we bring a view and spirit and a feeling in support of the U.N. and of the U.N. bond issue proposal.

That completes my statement, sir.

(The AVC resolution referred to is as follows:)

AMERICAN VETERANS COMMITTEE RESOLUTION ON "THE PURCHASE OF UNITED NATIONS BONDS BY PRIVATE INDIVIDUALS AND NON-GOVERNMENTAL INSTITUTIONS AND ORGANIZATIONS"

(Adopted at the 14th annual convention in Atlantic City, June 1962)

The resolution by which the United Nations General Assembly authorized the creation and sale of United Nations bonds—Resolution 1739 (XVI) adopted December 20, 1961, authorizes the Secretary General to issue United Nations bonds in accordance with the terms and conditions set forth in the annex to that resolution.

Paragraph 7 of the annex to Resolution 1739 (XVI) reads as follows:

"The bonds shall be offered to states members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency, as well as to the official institutions of such members and, if the Secretary General, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions shall so determine, to nonprofit institutions or associations."

While at least one of the proposals relating to purchase of United Nations bonds presently before the Congress includes a provision that the opportunity be given to the American public to subscribe to such bonds, there is no certainty that such a provision will survive the legislative process. If such a provision is incorporated in the final legislation, the American Veterans Committee welcomes the provision, and urges the American public to subscribe, on whatever terms may be contained in the legislation.

The American Veterans Committee calls attention to the circumstance that, despite the activities of many groups whose aims include support of and strengthening of the United Nations, there has been as yet no concerted move to open the possibility of participating directly in the important activity of financing the United Nations to interested American private individuals, and nongovernmental institutions and organizations.

The American Veterans Committee therefore calls for the necessary planning and negotiation with the office of the Secretary General of the United Nations so that, if there is no provision for public subscription in the legislation, a nonprofit association which will meet the criteria set forth in paragraph 7 of the annex to Resolution 1739 (XVI) may be promptly established, and so that interested individuals, institutions and organizations may be able to subscribe to the United Nations bonds.

The American Veterans Committee urges that the Federal Government take whatever action may be appropriate so that United Nations bonds in the hands of private individuals or corporations receive the same freedom from Federal income tax now granted to certain municipal securities, so that the 2 percent interest payable on the United Nations bonds may be tax free.

The American Veterans Committee announces its willingness to participate actively and to cooperate with other interested groups in the establishment of such a nonprofit association.

Chairman MORGAN. Thank you, Dr. Cooke.

Dr. Cooke, when was action taken by the American Veterans Committee in adopting the resolution?

Dr. COOKE. June 3, 1962, sir.

Chairman MORGAN. Is that in your annual convention?

Dr. COOKE. Yes, sir, the 14th annual convention. The international affairs platform came before the convention on the third day of our convention, June 3.

Chairman MORGAN. Was there any objection to the adoption of this resolution in your convention?

Dr. COOKE. No; this has wholehearted support. The U.N. has had fairly consistent support these 14 years. We have had some real battles on international affairs I assure you, but not on this resolution.

Chairman MORGAN. Dr. Cooke, what is the membership of the American Veterans——

Dr. COOKE. We have about 12,000.

Chairman MORGAN. Do the members of the other major veterans organizations like the Legion, Veterans of Foreign Wars, the AMVETS, belong to your organization?

Dr. COOKE. No; the AMVETS came out of World War II essentially. But they are a separate organization. We work together in what is known as WVF, the World Veterans Federation. We are, with the AMVETS, two of the 78 organizations that make up the WVF.

All these are separate: The Legion, Veterans of Foreign Wars, Purple Heart, Blinded Veterans, and the one you just mentioned, the American Veterans of World War II.

We are AVC—American Veterans Committee. We pride ourselves on the membership of the Secretary of Labor, Arthur Goldberg; the Secretary of Agriculture, Mr. Freeman.

We have had any number of Members of the Senate, Senator Javits, Senator Douglas; Members of the House, Congressman Fitts Ryan, Congressman Barratt O'Hara, all who have been members of the AVC.

I know the Congressman, Representative Barratt O'Hara, will speak for himself as to the AVC.

Our group is a non-Communist group of veterans. We are a smaller group than the others I have mentioned. We have consistently supported U.S. policy, United Nations. And this represents one of our positions.

Chairman MORGAN. Thank you, Dr. Cooke.

Mr. JOHNSON. Did you say how many members there are in your organization?

Dr. COOKE. Yes; 12,000.

Chairman MORGAN. Dr. Judd?

Mr. JUDD. I have one major revision to suggest in Dr. Cooke's testimony. He said that the AVC consisted of veterans of World War I and World War II and the Korean war. He should have included also the Spanish-American War, to cover our colleague from Illinois.

Dr. COOKE. We welcome any members. I don't believe we have any Spanish-American War veterans, Dr. Judd. We do have World War I veterans.

I think personally, Mr. Judd, that your commencement address at our college a few years ago was greatly appreciated. We would appreciate your coming again one day.

Mr. JUDD. Thank you very much.

The question I want to ask is, Do you have an opinion on whether the U.N. itself ought to make bonds available for private purchase by citizens of the United States and other countries?

Dr. COOKE. Not directly. That is a position we took. I believe that is the right position.

Mr. JUDD. Will you explain why?

Dr. COOKE. I don't believe the United Nations can work directly with individual citizens in 104 nations or member states around the world; that it would have to work through an organization in those member states and those organizations in the member states that would be nongovernmental and nonprofit, which would then in turn sell directly to citizens in the country.

But I can't conceive of the United Nations attempting to work individually with selling bond purchases to individual citizens in 100-some member nations. It seems to me just the enormous bookkeeping of it would make it almost an impracticality and burden on the sale. Whereas, if we had a nonprofit organization in our own country, Mr. Judd, and the United Nations were to sell the bonds to that organization, and that organization in turn would sell to me, sell to you, that organization would be responsible for the individual sales, the bookkeeping, and the United Nations would be dealing then with 100-odd member states and maybe a hundred-odd nonprofit organizations.

Mr. JUDD. I see that it would be simpler that way. On the other hand, there is a possibility that the U.N. would be a great deal stronger if more of its financial support came from direct contributions or purchases of bonds by persons rather than through governments.

It was set up as an association of free governments, as the United States was set up as a confederation of free States, but the United

States now depends largely on direct support by individual citizens and businesses, and not by the States. Whether that change is good or bad, some people disagree; but it is a fact.

Perhaps the U.N. might have greater influence and greater independence if it had a considerable body of its financial support from people who favor it and who may not even be in complete agreement with their own government on given issues.

I don't think what you suggest should be opposed. I think it is a proper method. But I don't know that it ought to exclude——

Dr. COOKE. The direct purchase.

Mr. JUDD. Yes; making such purchase available. I don't see what harm it would do. It might result in a real outpouring of popular support for the U.N. that would astonish many people and greatly strengthen its efforts in the most important fields.

Thank you very much.

Dr. COOKE. May I add, our national executive committee meets Thursday, August 9. I would like to carry that view to them, Mr. Judd, and have them consider whether it is just as feasible to sell directly to the citizens by the U.N. as to sell through the nonprofit organizations.

Our main point this morning though was not to have anyone reach the conclusion that either the U.S. Treasury must do the sale in the United States or the nonprofit organization, whereas actually you are bringing a third choice. We have three ways of doing it.

Chairman MORGAN. Mr. O'Hara.

Mr. O'HARA. Thank you, Mr. Chairman.

Dr. Cooke, your statement is one I would expect in its content from a national officer of the AVC, and also in its presentment, in its diction, one I would expect from a professor of English.

Dr. COOKE. Thank you, sir.

Mr. O'HARA. Dr. Cooke, I agree with Dr. Judd. It would be a fine thing if the American people were accorded an opportunity of proving their faith in the U.N. by buying bonds as their own personal investments for peace. Yesterday when the subject was brought up, three or four members of this committee said they would buy bonds. So we could write our constituents that we were putting our own money back of our preaching.

But we don't want the suggestion to lead to confusion. A bond issue open to public subscription is supplemental to the issue contemplated in the pending bill. It is not an alternative. If the present bill should be defeated, what repercussion would you expect?

Dr. COOKE. I think they would be serious, Mr. O'Hara. They would redound against the United States seriously. I think though, if it came to a choice between the U.S. Treasury purchasing $100 million worth of bonds and selling it to the citizens, and the nonprofit organizations, I believe the AVC would support the purchase by the U.S. Treasury and the resale through the peace bond proposal to the citizens.

If it comes to absolutely an either-or, and I don't think it is an either-or, and I don't think it is an alternative, and I don't think Congressmen should use this alternative method to defeat it, but I just express a hope they don't.

If it came to a choice, I believe our organization would make its first choice with the support of the U.S. Treasury buying the $100 million worth of bonds and then strongly urging our American citizens to buy the peace bonds from the Treasury.

Mr. O'HARA. And the defeat of this bill would amount to giving notice to the world that the United States had turned thumbs down on the United Nations, would it not?

Dr. COOKE. I think so, Congressman. I think it would mean that.

Mr. O'HARA. I want to stress your statement which I interpret as implying that the defeat of this bill would be regarded as a victory for the Communists.

Dr. COOKE. It comes close to being that.

Mr. O'HARA. And would be so interpreted.

Thank you, Dr. Cooke, for a very fine statement. The support coming from your fine organization is a real contribution.

Dr. COOKE. It is our pleasure to testify and our privilege.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. No questions.

Chairman MORGAN. Mr. Johnson.

Mr. JOHNSON. Dr. Cooke, I was concerned about your last statement, about buying bonds from the Treasury. It is a little different from your proposal of setting up a nonprofit institution to purchase the bonds. If you proceed with your thought of what you term "peace bonds" being purchased from the Treasury, that is tantamount to purchasing the regular bonds the Treasury issues, and there would be of course nothing accomplished, because it would be a regular Treasury bond issue, would it not?

Dr. COOKE. We would not certainly abandon our bonds that we have, our present bonds. We wouldn't abandon them at all, Mr. Johnson. It would simply be an additional kind of bond that a person could buy, a peace bond. It is all going into the Treasury.

Mr. JOHNSON. What disturbs me, if you follow what is permitted under the resolution of the U.N. as to how the nonprofit institutions are allowed to purchase these bonds, do you feel there is any possibility of a deception on the American people as to the repayment of the principal obligation?

As you know, under the U.N., while it is a bond, it has no security other than the dues that would be collected toward the repayment, whereas in a Government bond we do have the security of our own Government.

Do you feel there could be possibly some deception, thinking they were buying an American or a U.S. Government Treasury bond?

Dr. COOKE. I don't think so, Mr. Congressman, for this one precise fact, and that is our regular bonds return 3¾ percent interest. The proposal for the peace bond, at least as it appeared before the Senate, was a 2 percent interest return.

I think anyone buying these bonds is going to be quite clear that he is buying a bond yielding only 2 percent interest, and he is going to be clear because of that reason of the whole picture, and he is buying not to make money, not as an investment on which he expects a security that is ironclad and will return to him his full $25 or $500, but he is buying it, knowing first of all it is yielding a lower rate of return,

secondly of all, it is a 25-year bond as contrasted to the 10-year savings bonds that we have, and third, he is going to know, I believe, the risk involved.

I think he knows all of that when he buys these peace bonds. I don't think there will be any deception in this, Mr. Johnson.

Mr. JOHNSON. Would you care to say for the record, if there was a nonprofit organization, the aggregate amount that could be sold among your members?

Dr. COOKE. I don't know.

Mr. JOHNSON. Could you estimate or would you care not to?

Dr. COOKE. I would care not to at this moment.

If you would like to get an answer, I would like to try to follow up and give you an answer. We will take it up August 9 to see what we might buy.

We are looking at, of course, millions of American citizens who believe in the U.N. and who would be buying. I wouldn't estimate that out of $100 million worth of bonds that we would be selling anywhere near $100 million or $75 million through the peace bonds.

I think still there would be a substantial amount that the U.S. Treasury is buying. But if we subscribe, Mr. Congressman, to half of that $100 million through the sale to the citizens, I think that would be a substantial support for the financial, and spiritual, and conceptual form of the U.N.

I don't mean to sit here and say we are going to sell $100 million worth of peace bonds. I wouldn't want the committee to think I am saying that.

Mr. JOHNSON. Thank you.

Thank you, Mr. Chairman.

Chairman MORGAN. Mr. Monagan.

Mr. MONAGAN. Thank you, Mr. Chairman.

Dr. Cooke, since you have already referred to the discrepancy between what an individual might earn if he were to make an investment, as compared to other Government bonds, and since presumably there would be some administration expense involved in the nonprofit agency, even though there was no profit, essentially this would amount to a contribution, wouldn't it?

Dr. COOKE. It would come close to that. But a person could expect after 25 years the return of his investment. He can expect that. It is not wholly a contribution. It is a financial operation.

Mr. MONAGAN. Would the peace bonds carry the same terms as the U.N. obligation, both as to repayment and as to interest?

Dr. COOKE. You will have to ask—I don't follow that. The same obligation——

Mr. MONAGAN. If the Government issued peace bonds that were tied in with the U.N. bonds, would these bonds carry the same terms as the U.N. bonds; that is, they would——

Dr. COOKE. They would be 25-year bonds.

Dr. MONAGAN. At 2 percent?

Dr. COOKE. Yes.

The American citizen who buys a peace bond from the U.S. Treasury obviously has far greater security and promise of return on his purchase and something from his investment possibly than the citizen who buys from the nonprofit organization.

Mr. MONAGAN. It is a method of enabling interested citizens to sort of allocate their support of this particular issue.

Dr. COOKE. I think it is.

Mr. MONAGAN. And is an alternative to the other proposition of the resale.

Dr. COOKE. Yes.

Mr. MONAGAN. Is there any indication of support—widespread public support for this?

Dr. COOKE. There are some indications, Mr. Congressman. For one, as I heard the testimony in the Senate week before last, the State Department had received many contributions toward foreign aid programs from individual citizens. This is our own State Department here.

No. 2, that the United Nations had received contributions over the years—checks and cash directly sent by citizens around the world, including many citizens from the United States, directly to the U.N., directly in support of the U.N. programs.

These seem to me to be indications of the support about which you are asking.

Mr. MONAGAN. Has your organization given any consideration to a permanent solution of the problem that is attempted to be met in a temporary way by this bond issue?

Dr. COOKE. No, sir. I think we must come to that, because I believe the whole problem is probably not simply a matter of the sale of bonds or whether the United States should buy bonds of the U.N., but it is a solution to a longstanding problem: How do you finance the U.N.; how do you make the U.N. work financially?

That is the real problem, the ultimate problem we must all examine, instead of possibly just in this instance a bond issue and another time it is an assessment, another time it is a contribution. It is a big problem: how do you finance the U.N.?

I promise you we will turn to that.

Mr. MONAGAN. I think we would be glad to have your assistance, because I am sure we will turn to it as well.

Thank you very much.

Chairman MORGAN. Any further questions?

Thank you, Dr. Cooke.

Our last witness this morning is Mr. Reuben L. Johnson, director, Legislative Services Division, National Farmers Union.

Mr. Johnson, I see you have a prepared statement and you may proceed.

STATEMENT OF REUBEN L. JOHNSON, DIRECTOR, LEGISLATIVE SERVICES DIVISION, NATIONAL FARMERS UNION

Mr. JOHNSON. Mr. Chairman and members of the committee, my name is Reuben L. Johnson, and I appear here today representing Mr. James G. Patton, president of National Farmers Union, speaking on behalf of 250,000 farm families who are members of our organization.

National Farmers Union urges favorable consideration of the President's request that Congress authorize a loan for the purchase of up to $100 million worth of those bonds which the United Nations General Assembly has authorized the Secretary General to issue.

Farmers Union has always been a strong supporter of the United Nations. Our national president, Mr. Patton, was one of those who helped to give it birth at San Francisco. We believe in its purposes; we approve of its actions to keep the peace and to help improve the conditions of life for millions of people.

We are mindful that few things in this life are free. We know from our own experience that any worthwhile activity requires a good deal of faith and a substantial investment of resources, time, and talent—of manpower, materials, and money.

We know that it costs money to keep the peace. Our own U.S. national defense budget of more than $50 billion is proof enough. Alongside this huge figure the total amount of bonds to be sold by the United Nations—$200 million—is very little. Even if our Government were asked to take all the bonds we could surely afford it—slightly more than $1 per person in our country. In our opinion, the element of cost is not controlling.

As we understand it, the basic problem of a crisis in the United Nations finances is the result of failure of some nations to pay their fair and assessed share of the United Nations operation in the Middle East and the Congo.

If the United Nations hasn't been able to raise the needed funds through ordinary means, the answer is not to stop the worthwhile activities nor to let the United Nations go bankrupt; the answer is to let the United Nations raise money in any appropriate way. The bond issue is one such way—which we feel most appropriate.

We regret that conditions are such that certain nations cannot or will not pay their share of the cost. We feel that not only the benefits of the United Nations membership should be shared, but the burdens also should be shared on an equitable basis. If nations will not carry their share of the load through voluntary means then some other means must be found.

In our opinion, use of an extraordinary way to raise money—through sale of bonds—and use of an ordinary way to pay that money back from the United Nations regular budget is one of the most imaginative devices ever thought up. In this way all United Nations members will have to help pay the costs of peacekeeping because all will have to help repay the peacekeeping loan, plus interest.

This is one way to get everyone to help because all nations have historically paid their regular assessments lest they become subject to the provisions of article 19 of the United Nations Charter which would cost them their vote in the General Assembly.

Under the present circumstances the bond issue seems the best solution. Money from the sale of bonds will keep the United Nations from drowning in a sea of debt—unpayable costs, unpaid bills, and borrowed money. The $200 million should give the oganization time to get its finances on a firmer and more regular basis than heretofore.

Mr. Chairman, we have considered so far only the shortrun aspects of this problem. I would now like to talk about something more fundamental.

As Norman Cousins, in his editorial in the Saturday Review has so well said, "the essential question has nothing to do with dollars or bond issues or deficits. The essential question is whether the peace of the world can be kept without a world organization and, also, what

has to be done to develop that organization into an agency with the responsible powers of enforceable law."

Mr. Chairman, we would submit this thought: The bond issue is not only financially sound, but we believe has an element of great wisdom about it which might well be worth considering as a permanent policy as we move toward developing the United Nations into an "agency with the responsible powers of enforcible law."

Our thought is quite simply this: A bond issue could be a means, and have the virtue, of postponing until a calmer time the question of paying for a certain peacekeeping action which at the moment is too painful a question to be viewed rationally by some nations. In other words, it can put off until next year or perhaps the next decade the collection of a debt which at the moment may be politically impossible for some governments to honor.

In a sense, the long-term bond issue is a bridge across the crises of our time. Hopefully, in the years to come, when the Congo crisis is past and the interested great powers as well as the contending parties have perhaps grown more mature—when the temper of the times has cooled—then, and perhaps only then, should the debt be paid.

Mr. Chairman, I would summarize by saying the long-term bond issue in a sense offers a toll bridge across the emotional crises of history. If that bridge can carry us over these critical times when the historical alternatives may be peace or atomic war, then the cost to mankind will indeed be small.

Chairman MORGAN. Thank you, Mr. Johnson. I have no questions at this time.

If there are no questions by members of the committee, the committee stands adjourned until 10:30 Thursday morning.

(Whereupon, at 11:33 a.m., the committee was adjourned, to be reconvened at 10:30 a.m., Thursday, July 26, 1962.)

PURCHASE OF UNITED NATIONS BONDS

THURSDAY, JULY 26, 1962

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

The committee met, pursuant to call, at 10:30 a.m., in room G-3, U.S. Capitol, Hon. Thomas E. Morgan (chairman of the committee) presiding.

Chairman MORGAN. The committee will come to order.

Mr. HAYS. Mr. Chairman, I have a unanimous-consent request. We have a unanimous report of the four members who visited the East-West Cultural Center in Hawaii. I would like to have unanimous consent to file it as a House report.

Chairman MORGAN. Without objection, it is so ordered.

The committee meets this morning in a continuation of the hearings on S. 2768, purchase of United Nations bonds. Our witness this morning is the Honorable Harlan Cleveland, Assistant Secretary of State for International Organization Affairs.

Mr. Cleveland, you were here approximately 2 weeks ago, when your testimony was interrupted because the Secretary of State had a briefing session with the committee on that same day. We received your statement at that time.

I understand you have a short oral statement you wish to deliver this morning relating to the advisory opinion of the International Court, and you may proceed.

STATEMENT OF HON. HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

Mr. CLEVELAND. I thought it might be useful to the committee, Mr. Chairman, to say a word about the implications of the Court decision which has been handed down by the International Court of Justice in The Hague since the last hearing of any witness from the administration here.

As you know, it was a 9-to-5 decision. Strictly speaking, it is more accurate to think of it as a 9-to-3 decision with two abstentions, since two of the five voted against, because they didn't reach the question which the Court had been asked, or thought it was improperly formulated.

The decision makes it clear that what we have believed to be the law right along is the law on this matter; namely, that the assessments voted by two-thirds of the General Assembly of the United Nations, whether they are called regular budget or whether they are called ad hoc or special accounts are all, in fact, expenses of the Organization.

Specifically, the U.N. Emergency Force in the Middle East and the operation in the Congo are "expenses of the Organization" within the meaning of the charter.

Consequently, that they are binding assessments on the members and that by implication if a member gets 2 years in arrears on all of its assessable accounts taken together, it loses its vote in the General Assembly under article 19.

As you are aware, Mr. Chairman, the General Assembly last fall adopted a three-point financial program. One of the points was to refer this matter to the World Court. The second point was an assessment for the period for the Congo and UNEF operation for the period ending June 30, 1962; and the third was the resolution that started the now-famous U.N. bond issue. That means that from July 1—from the beginning of this month on—there are no assessments for the Congo and UNEF operations. There is no other provision for Congo and UNEF in the Federal budget for 1963, in any part of the budget that is before the Appropriations Committees at this time for the fiscal year 1963. From July 1 on, the General Assembly would expect to use, while they lasted, the funds resulting from the purchase by nations of United Nations bonds.

The relevance of the Court opinion is primarily to the past arrearages, the back dues that countries owe on assessments in 1961 and prior years, and to the assessments that were passed for the period from the beginning of this calendar year to June. The Court opinion is also relevant to further peacekeeping operations, or future peacekeeping assessments by the General Assembly, even for the present peacekeeping operations.

But for the financial period in which we are today, the Court opinion helps only to pay up the back bills to the extent that countries feel bound by it, and to the extent that they are pressured into that by the Secretariat and by the General Assembly next fall.

As to the financial period we are now in, we will need the loan funds, as far as the American contribution is concerned, which are carried in the legislation now before you.

I have heard it suggested that perhaps an outright appropriation would be best for this stopgap arrangement. In our judgment this would not be a businesslike arrangement for us to give grant money at a time when everybody else in the same period is going to be paid back through the regular budget. It would also not do as much for the principle of collective financial responsibility in the United Nations as the passage of the legislation before you.

What the Court decision does do is to give a considerable weapon to the General Assembly and to the Secretary General in collecting the back dues, and for future assessments it helps to combine the voting for an operation and voting for the financial wherewithal to conduct it, rather than keeping them rather separate, as has tended to be too much the case in the past.

I think, Mr. Chairman, that is all I need to say about the opinion. Mr. Leonard Meeker, the Deputy Legal Adviser of the Department, is with me here, if anybody wants to pursue the legal problems of the Court decision itself.

Chairman MORGAN. Thank you, Mr. Secretary.

Mr. Secretary, in view of the Court's opinion, many people argue that we ought to go slow in voting the $100 million bond issue and give the U.N. an opportunity to collect the arrearages. They say then we would have a clearer picture of the U.N. fiscal situation.

What is your comment on this point?

Mr. CLEVELAND. The picture of the U.N. would be clearer in the sense that it would be written in brighter red, but the U.N. as of the end of our fiscal year, June 30, had a deficit of about $137 million. The court decision will help to collect the $82 million of outstanding arrearages on 1961 and prior years, and the funds that haven't yet been made available for the first 6 months of this year. But that would not take care of the expenses from now on—from July 1 on. Those have not been made subject to assessment this year by the General Assembly, because the financial plan involved covering that period with this admittedly stopgap arrangement of a one-time loan from a number of countries evidenced by the sale of bonds by the United Nations.

So our feeling is that the U.N. loan legislation is just as much needed as it was before. Indeed, it was even said before the Court handed down its decision that perhaps what we ought to do is wait until the Court handed down its decision, and then we could all go along with this legislation with a clear conscience.

Now, of course, it does tend to get argued the other way.

Chairman MORGAN. Mr. Secretary, in some cases the U.N. arrearages go back to 1957. To make the record clear, in view of the Court's opinion, will the U.N. attempt to collect these arrearages that far back?

Mr. CLEVELAND. Indeed, it will. They are all due and payable, and have been ruled mandatory by this World Court decision. Of course, this is an advisory opinion to the General Assembly. The first step would be for the General Assembly to act on it as it has acted on the previous nine advisory opinions that the Court has given it on various matters.

Chairman MORGAN. Mr. Secretary, is the United States in accord with all the actions taken by the U.N. Forces in the Congo?

Mr. CLEVELAND. No; I wouldn't say that it is. There have been mistakes made by individuals in the U.N. operation there, notably by one O'Brien, who was briefly in charge of U.N. affairs in Elisabethville last September. On the whole, the United Nations has conducted an extremely difficult operation, in which we would would have been deeply involved ourselves in a confrontation with the Soviets if the U.N. hadn't been in there with our support. And that operation, in our judgment, very effectively met the situation, and the troops have conducted themselves with considerable discipline and great restraint.

It has been a growing and learning process for the international forces as well as for everybody else, since this is the first time there has been a truly international force of this size and character in the field.

Chairman MORGAN. I direct one question to the legal counsel: What is the legal basis of the U.N. use of force in the Congo?

STATEMENT OF LEONARD MEEKER, DEPUTY LEGAL ADVISER, GENERAL COUNSEL'S OFFICE, DEPARTMENT OF STATE

Mr. MEEKER. The basis lies in some resolutions adopted by the Security Council under which the U.N. Force was given some identified missions there. One of the early missions given was to assist the central government in maintaining law and order and to prevent the outbreak of civil war. Another mission which was given to the U.N. Forces subsequently by the Security Council was the mission of assisting in the evacuation of mercenaries, military, and paramilitary personnel employed within the Congo. Finally, of course, there is a rather elementary basis for the use of force by troops like the U.N. Forces in the Congo, and that is the basis of self-defense.

I think that all three of those have been the foundation of the use of force in the Congo.

Chairman MORGAN. Thank you, sir.

Mr. Chiperfield.

Mr. CHIPERFIELD. Thank you, Mr. Chairman.

Mr. Secretary, as usual, you have very frankly stated the situation which is confronting the United Nations. And you have summarized in your statement my fears with reference to this legislation better than I could do it. Here we find the United Nations $112 million in arrears on their regular budget. The World Court decision doesn't affect that arrearage in any way. The United Nations is looking forward to using moral persuasion of this opinion to make the United Nations countries who are in arrears on their peacemaking functions pay up. They already owe the UNEF and Congo $93 million. It has cost about $10 million, according to the testimony, a month to continue operations.

At most, the $200 million will last perhaps to the end of the year, and as you say, it is stopgap legislation.

Mr. CLEVELAND. Mr. Chiperfield, on the figures, the total amount in arrears on the regular budget at this time is the figure in the committee print on page 13, roughly $5.6 million.

Mr. CHIPERFIELD. I am reading from the supplement to the joint committee print of February 6, which was issued June 25, furnished by the State Department. And on page 2 they say that the arrearage was over $113 million on December 31, 1961. This is the latest information you have sent up. And that the total arrears on the budget for the Congo is $93 million.

You furnished this statement to us on June 25. It is the latest figures I have. Let's assume that there have been some payments. As you say, it is stopgap legislation. I am afraid it is going to be a futility, for this reason:

The United Nations has had an opportunity to look forward to this decision for several months, and they have not furnished us one constructive suggestion to put their financial house in order on a permament basis. All they are relying on is the Court decision and article 19, which provides they will lose their vote in the General Assembly when in arrears 2 years. They hope that proviso will bring them back out of bankruptcy.

Article 19 has been there all the time, and they haven't been able to sustain their regular budget, let alone the peacemaking function.

It seems we should not go to the floor before the United Nations gives us some suggestions how they can put their financial structure on a permanent basis.

Mr. Secretary, I don't want to throw cold water on this bill. This bill is in for trouble. I have talked to a good many of my colleagues, and to say that there is a lack of enthusiasm for the bill is the understatement of the year. Unless we can show this is going to do some good and that they can work themselves out of this situation, I think we are just going to raise $200 million for a bond issue and be just exactly where we started.

I want to raise one other point. One of the other objections—and it has been raised on this committee—is this: I am not talking about the people who want to destroy the United Nations. There are many people who will be against it, no matter what we suggest, but there are many people who feel that the United Nations in the Congo operations, in violation of chapter 1, article 2, section 7, of the U.N. Charter, is interfering with the domestic jurisdiction of the Congo, and I realize, as your counsel must realize, chapter 7 and all the following provisions allow the United Nations to take appropriate action when there is a threat to the international security and peace. But many people think that the United Nations, by going into the Congo operations, has violated this section in chapter 1, article 2, section 7, and are interfering in the domestic affairs of the Congo.

I have received hundreds of letters along those lines. I would like to have you, if it is possible, answer two questions: Are there any constructive suggestions or are there any plans—and there has been plenty of time to think it over—on the part of the United Nations that would put their financial structure in order; and second, can we have any assurances or any proof that the United Nations in their operations are not interfering and violating the charter in the domestic affairs of the Congo?

Those are the two—I could go on to other objections, but I don't want to take any more time.

Mr. CLEVELAND. Mr. Chiperfield, on the first question, I think it is important to make some distinctions about the figures. The total amount of arrears now as of May 31—in the table on page 13 of this same supplement—for the regular budget comes to just over $5½ million. In fact, the regular budget—if you look at the 1959 figures, you find that there is only about $5,000 left owing from all the countries in the world. That is 2 years back.

You take it 1 year back, 1960, you find there are less than half a million dollars owing on a regular budget that amounted to $75 million.

Mr. CHIPERFIELD. While we are talking about figures, let's look at table No. 9 in this report that you sent up. The United States made a voluntary contribution of $11,400,000, which appears on page 18. Then under this 80-percent reduction resolution we give these countries credit for the money we voluntarily paid. Among them is Poland, $512,000 and Yugoslavia, $243,200. And look at the credit you give Cuba—$25,600.

We pay in $10 or $11 million and then we give Cuba credit——

Chairman MORGAN. Mr. Chiperfield, you mean the United Nations gave them credit. We didn't give them credit.

Mr. CHIPERFIELD. That is what the funds were used for.

Chairman MORGAN. The United Nations took the action although our funds may have been involved.

Mr. CHIPERFIELD. I want to be able to explain it on the floor.

Mr. CLEVELAND. Let me take that one first. This system of, in effect, rebates to all of the smaller and weaker countries was a system that already existed. The United States already decided to use and had used it in prior years, at the time that this administration took over——

Mr. CHIPERFIELD. It was just as bad under Eisenhower as this administration.

Mr. CLEVELAND. We have been trying very hard to get away from this system. We didn't like it when we first saw it, and we don't like it now. I don't like it any more than you do. What we have been trying to do is get away from this old system to a new system of financing. But to start a new system of financing when the organization is badly in the hole would not, in our judgment, be very businesslike.

So the first problem was to have a stopgap program, in which you can get back to the scrimmage line.

Mr. HAYS. Could we have a clarifying question there?

You mean to say that 80 percent of the countries have been getting a rebate out of the money we pay in?

Mr. CLEVELAND. For the Congo and the U.N. Emergency Force, the arrangement made was that the assessment would be calculated on the regular budget. Voluntary contributions would then be made—which, in practice, have been mostly made by the United States, although in the U.N. Emergency Force some of the other countries have participated—which would go to reduce the amount the smaller countries would in fact have to pay.

This is the system that has meant that for the last 2 or 3 years we have been paying around 47½ percent of the Congo operations, and something over 48 percent of the U.N. Emergency Force in the Congo. It is precisely this system that we have been trying to get away from by developing a system——

Mr. HAYS. You didn't have to try to get away from it. Just quit it.

Mr. CLEVELAND. By getting a system of even interim financing that cost us only 33 percent of the take, rather than 47½ percent. This is one of the advantages of the bond arrangement, in our judgment. So this is what we are trying to get away from.

What do we do after the bond issue? There are three alternatives, and really only three ways of paying peace and security expenses.

One is by assessing them on the regular budget; second is by creating a special scale in which we would have to pay somewhere in the 40 percents, probably, rather than our 32; and the third is by voluntary contributions. They are about the only ways available.

We are going to have to develop with the other countries, and in consultation with the Congress, the combination of those systems that ought to apply on a permanent basis, starting with this next Assembly which meets this fall. But the first problem is to get the U.N. financial affairs in order by this one-time loan arrangement.

That means you don't start the new and hopefully more businesslike arrangement on a shifting-sand basis. This is the purpose of the exercise. The evidence is that the regular budget is in fact paid up within 2 years by practically every country. The record of payment on the regular budget is really extremely good. Because nobody has ever questioned that legally. Questions have been raised legally, politically too, on the Congo and UNEF budgets, and at least the legal questions have now been cleared up by the World Court, which should help on the question of arrearages.

On the domestic jurisdiction question, perhaps Mr. Meeker could address himself to that.

Mr. MEEKER. In our view, there are two reasons why article 2, paragraph 7, does not stand in the way of what the United Nations has been doing in the Congo and why that provision of the charter has not been contravened by what the United Nations has done in the Congo.

In the first place, the Security Council, which initially took action with respect to the Congo and which has continued to do so over the intervening 2 years, took that action under chapter 7 of the United Nations Charter, entitled "Action With Respect to Threats to the Peace, Breaches of Peace, and Acts of Aggression." The action that the Security Council took through the instrumentality of the United Nations Forces in the Congo was action pursuant to article 40. This is the article which provides that the Security Council may take provisional measures in order to prevent the aggravation of a dangerous situation.

The U.S. Government felt, and the members of the Security Council agreed, that the situation in the Congo was, indeed, a dangerous one.

In our view, if the United Nations had not moved in there would have been just that confrontation of the West and the Soviet Union, which Mr. Cleveland has already referred to. We feel that the situation in the Congo was not simply an internal affair, but that it was a situation of great danger to international peace, and a situation calling for the very wisest measures that the United Nations could possibly take.

There is a further reason why, in our judgment, the provisions of paragraph 7 of article 2 have not been contravened by the United Nations action, and that is the fact that the Congolese Government initially asked for the action of the United Nations to help preserve peace in the country, and the Government of the Congo has at all times since given its consent and agreement to the operations of the United Nations there.

This action of the United Nations was first asked for in a message which the President and the Prime Minister of the Republic of the Congo addressed to the United Nations in July 1960. For those two reasons—the international threat to peace which was obviously growing in the Congo, and also the reason that the Government of the Congo itself solicited, asked for, and consented to the actions of the United Nations—we think that article 2, paragraph 7, has not been contravened.

Mr. CHIPERFIELD. Do you know what the United Nations are going to do about Tshombe?

Mr. CLEVELAND. Well, I don't know if you want to go into the——

Mr. CHIPERFIELD. I am not saying you are wrong. But I do read the papers.

Mr. CLEVELAND. The purpose of the exercise is to try to get Katanga reintegrated into the Congo. This has been the policy right along, the policy of the United Nations, with which we have agreed and with which we have supported with material and logistical support and financial support. We have not supported it with troops, as a good many other countries have, by putting their troops in.

Our hope is that it will be possible now to contrive a national reconciliation there, and the U.N. is working very hard on that at this moment.

Chairman MORGAN. Mr. Zablocki.

Mr. ZABLOCKI. Thank you, Mr. Chairman.

Referring to the table that my colleague from Illinois, Mr. Chiperfield, brought to our attention, table No. 9—the reductions under Resolution 1732 (XVI) were adopted in the last General Assembly; is that correct?

Mr. CLEVELAND. Yes.

Mr. ZABLOCKI. At the 1,086th plenary meeting on the 20th of December, 1961.

Mr. CLEVELAND. That is correct, sir.

Mr. ZABLOCKI. The financial crisis of the United Nations was known on that date, was it not?

Mr. CLEVELAND. Yes, sir, it was.

Mr. ZABLOCKI. Then why would we have paragraph 5 of the resolution enacted, reducing by 80 percent the assessment of member states whose contributions to the regular budget range from four-tenths of 1 percent to 0.25 percent, and so on? Who sponsored this resolution?

Mr. CLEVELAND. These were ways of defining the smaller and weaker countries of the Assembly.

Mr. ZABLOCKI. Who sponsored this resolution?

Mr. CLEVELAND. I don't recall who sponsored it in the Fifth Committee. It was passed by a very large majority in the Fifth Committee, which is the Budget Committee.

Mr. ZABLOCKI. Mr. Chairman, could we have the answer as to who sponsored the resolution, and whether we were a party to the sponsorship?

(The information is as follows:)

SPONSORS AND THE VOTE

Who sponsored General Assembly Resolution 1732 (XVI)?

The sponsors of General Assembly Resolution 1732 (XVI) *United Nations operations in the Congo: cost estimates and financing* (Report of Fifth Committee (A/5066))[1] were: Burma, Congo(L), Denmark, Ethiopia, Nigeria, Pakistan, and Tunisia.

The vote on General Assembly Resolution 1732 (XVI)?

The vote was 67 in favor, 13 against, and 15 abstaining as follows:

In favor

Argentina
Australia
Austria
Bolivia
Brazil
Burma
Canada
Ceylon
Chile
Colombia
Congo(L)
Costa Rica
Cyprus
Dahomey
Denmark
Ecuador
El Salvador
Ethiopia
Federation of Malaya
Finland
Ghana
Greece
Guatemala
Guinea
Iceland
India
Indonesia
Iran
Ireland
Israel
Italy
Ivory Coast
Japan
Laos
Lebanon
Liberia
Libya
Luxembourg
Mali
Mexico
Morocco
Nepal
Netherlands
New Zealand
Nicaragua
Nigeria
Norway
Pakistan
Panama
Paraguay
Peru
Senegal
Sierra Leone
Somalia
Spain
Sweden
Syria
Thailand
Togo
Tunisia
Turkey
United Kingdom
United States
Upper Volta
Uruguay
Venezuela
Yugoslavia

Against

Albania
Belgium
Bulgaria
Byelorussian S.S.R.
Czechoslovakia
France
Hungary
Madagascar
Mongolia
Poland
Rumania
Ukrainian S.S.R.
U.S.S.R.

Abstaining

Afghanistan
Cambodia
Cameroon
Central African Republic
China
Cuba
Dominican Republic
Iraq
Jordan
Mauritania
Philippines
Union of South Africa
Sudan
United Arab Republic
Yemen

[1] For text of Resolution 1732 (XVI) see appendix A, subappendix 20.

Chairman MORGAN. Mr. Burleson, you were a U.S. delegate to the General Assembly.

Mr. BURLESON. As I recall India sponsored the resolution originally.

Mr. HAYS. Did the United States vote for it?

Mr. BURLESON. Yes.

Mr. ZABLOCKI. Mr. Chairman, I can't think of anything we have heard in this committee thus far that will defeat the bill——

Mr. HAYS. This has killed the bill this morning. This is enough to kill the bill right here.

Mr. ZABLOCKI. How can we come to the floor with this bill when we have reduced by our voluntary contributions the assessment of other countries, including Communist countries like Cuba, Poland, Yugoslavia—how can we vote for it?

Mr. CLEVELAND. The House of Representatives has voted funds for this same purpose.

Mr. ZABLOCKI. If we made a mistake, must we compound it?

Mr. CLEVELAND. For about 4 years, both in the previous administration and at the beginning of this one——

Mr. BURLESON. If the gentleman will yield?

Our contributions were also reduced, you know, from 32.5 to 32.2 percent.

Mr. ZABLOCKI. Not according to this table. Our gross assessment was $26 million, and there is no reduction.

Mr. BURLESON. I am talking of percentage reductions. It was an adjustment. Some were increased. The Soviets were increased. As I remember seven of the Soviet bloc nations were increased. Two were reduced. It was an adjustment. It was called that, and I think justifiably. Am I substantially correct, Mr. Secretary?

Mr. CLEVELAND. That is correct, Mr. Burleson.

The U.S. percent of contributions to the regular budget, which started at almost 40 percent at the beginning of the U.N., has been coming down gradually, was reduced from 32½ to about 32 percent.

Mr. BURLESON. As to total in dollars and cents based on the new assessment rate, I don't know what it amounts to. The total of funds is of course related to the annual budget.

Mr. ZABLOCKI. Is my understanding correct that our regular assessment was lowered percentagewise but then we increased our voluntary contribution which action, in effect, increased our total contribution?

Mr. BURLESON. The first part of your assumption is definitely correct.

Mr. ZABLOCKI. Mr. Chairman, in order that there will be no misunderstanding about the contents of this table, the gross assessment appears in column No. 2. In the next column, there are listed the reductions effected by Resolution 1732. The figures under that column represent reductions from the regular assessment; is that correct? Do I make my question clear?

Is the second column, in the case of Afghanistan, $32,000, Albania, $25,000, and so on down the line—are these the amounts by which the regular assessments were reduced?

Mr. CLEVELAND. This is for the Congo only, this table.

Chairman MORGAN. Table 9, Mr. Zablocki, deals with the Congo only.

Mr. CLEVELAND. For an 8-month period the Congo was estimated to cost $80 million. That total amount was spread on a regular percentage basis to all the countries. There was then an arrangement arrived at by which a voluntary contribution from the United States would be used to help the smaller countries by not requiring them to pay as much as they would otherwise have to pay.

(The following information has been supplied for inclusion in the record at this point:)

BACKGROUND OF UNEF AND CONGO VOLUNTARY CONTRIBUTIONS AND REDUCTIONS

SUMMARY

The system of voluntary contributions for U.N. peacekeeping operations began with the UNEF operation in 1957 and was later applied to the Congo operation which began in 1960. The practice was continued through June 30, 1962. When voluntary contributions are made for these operations, their effect is, of course, to reduce the burden on other members. Originally the total budget for UNEF was reduced by the amount of the voluntary contributions and therefore assessments on all members were proportionally lower. However, beginning in 1960, a formula was developed by the United Nations and approved over the objections of the Soviet bloc that limited the reductions to those countries least able to pay.

This formula of the United Nations for reducing the assessments of the poorer countries unavoidably benefited the few unfriendly nations that fell within the formula. But the United States nevertheless sought to change this system in the 16th General Assembly in the fall of 1961.

During this session, the United Nations adopted a financing program that ended the previous system of voluntary contributions entirely as of June 30, 1962. But as a part of a total financial plan with many advantages to the United States, it was found necessary to continue this practice until that time as an interim measure.

The system was continued:

(*a*) until the member states could consult their respective legislatures and secure agreement to, and the appropriation of funds for, the purchase of United Nations bonds, the proceeds of which are to be used to finance the UNEF and Congo operations beyond July 1, 1962. No reductions or voluntary contributions for these military operations for the period beyond July 1, 1962, are included in the U.S. budget nor are they contemplated by the United Nations resolution. In fact, the U.S. contribution for the repayment of the bonds is to be made at the rate of 32.02 percent. This eliminates our voluntary contribution for these operations and is a reduction from the roughly 47½ percent that these operations have been costing the United States for both the assessed and voluntary contributions; and

(*b*) until an advisory opinion could be secured from the International Court of Justice which would give the Secretary General a sound legal base for an aggressive campaign to collect arrearages from those nations who have thus far failed or refused to pay their arrears for the UNEF and Congo operations.

The favorable decision has now been received from the International Court of Justice. If the U.S. Congress authorizes the loan of $100 million to the United Nations, which was requested by the President, this will permit the United States to participate in the approved interim United Nations financing plan which, as pointed out above, ends the previous system of reductions and reduces the percentage of the U.S. contribution to our regular percentage.

ADVICE TO THE CONGRESS

In each of the above cases, the voluntary contributions intended to be made and the justifications therefore were presented to the Congress which appropriated the funds for the U.S. contributions. For example, the data concerning these requests and justifications for 1962 are listed below.

In connection with the Senate Appropriations Committee hearings on Foreign Assistance, 1962, Mr. Cleveland, on September 7, 1961, submitted a supporting

statement (pp. 501–506) which fully discusses the credit formula and financing problems. This statement also shows the sources of U.S. funding.

Tables on pages 493 and 494 show net assessments on member states after application of the credit formula, and the discussion preceding these pages covers the credit procedures as well as the question of arrearages.

Similar testimony is to be found in the House Appropriations Hearings on Foreign Assistance for 1962, dated August 16, 1961 (pp. 242–245). In the House Foreign Affairs Committee hearings on the Foreign Assistance Act for 1962, Deputy Assistant Secretary Gardner on June 28, 1961, presents for the record tables showing U.S. funding, the sources of these funds and the credits (p. 1295).

In the Senate Foreign Relations Committee hearings of June 8, 1961, tables on page 419 show U.S. assessments and voluntary contributions.

In addition to the formal submissions and justifications to the committees of Congress, the U.S. delegations to the annual meetings of the United Nations General Assembly have included two Members of Congress. One of these has served on the Fifth Committee, which is the Committee which handles budgetary and financial matters and which originates the financing resolutions. This has meant that one or more Members of Congress each year has had the opportunity to learn in detail of the problems which led to the adoption and continuation of the voluntary contributions and reductions system and has in many cases been one of the principal representatives of the United States in the Fifth Committee during the development and adoption of these financing resolutions.

FURTHER DETAILS AND INFORMATION

Tabular data

The reductions from 1960 on were applied by the United Nations according to formulas which benefited those nations considered to have the least ability to pay. The various methods used from 1957 through the authorizations for the period ending June 30, 1962, are summarized in the tabular information which follows:

Assessment scale	UNEF	UNOC
1962 reductions:	*Percent*	*Percent*
0.04 to 0.25	80	80
0.26 to 1.25 w/ETAP	80	80
1.26 and above w/ETAP	50	50
U.S. share:		
Assessed	$3,121,950	$25,616,000
Voluntary	$1,320,000	$11,400,800
Total	$4,441,950	$37,016,800
Percent	45.56	46.27
1961 reductions	(1)	(2)
U.S. share:		
Assessed	$6,115,519	$32,204,061
Voluntary	$1,800,000	$15,305,596
Total	$7,915,519	$47,509,657
Percent	41.66	47.51
1960 reductions	(3)	(4)
U.S. share:		
Assessed	$6,497,064	$15,745,211
Voluntary	$3,200,000	$3,900,000
Airlift		$10,317,622
Total	$9,697,064	$29,962,833
Percent	48.48	49.94

[1] 50 percent reduction to states w/ETAP that requested reduction and to members admitted in 1960.
[2] Same as above for 1962.
[3] 50 percent reduction (starting with lowest assessment).
[4] States w/ETAP, 50 percent.

1959, 1958, 1957

UNEF only: Voluntary assistance was deducted from expenses to arrive at amounts to be assessed. Assessments on resulting balance were at regular assessment rates. Amounts of voluntary assistance were as follows:

	1957	1958	1959
Total UNEF budget	[1] $30,000,000	[1] $25,000,000	$19,000,000
Less voluntary assistance	14,971,012		3,795,000
Assessed UNEF budget	15,028,988	25,000,000	15,205,000
U.S. share	1957 and 1958		
Assessed	$13,023,563		4,943,146
Voluntary	12,920,850		3,500,000
Airlift	1,191,581		
Total	27,135,994		8,443,146

[1] The first authorization was approved in November 1956 for $10,000,000. This authorization was subsequently extended to cover the period from inception of the force through December 1958 at the same time being increased in amount to a total of $55,000,000 for the period referred to.

Committee print data

In the joint committee print of the Committee on Foreign Relations and the Committee on Foreign Affairs entitled "Information on the Operations and Financing of the United Nations, February 6, 1962," an explanation was given of the background which led to the development of new cost-sharing arrangements for UNEF and ONUC. This explanation—which was contained on pages 13–14—is quoted below:

"The most important development in connection with the budgets of UNEF and ONUC has been the development of new cost-sharing arrangements. Because of the magnitude of the costs involved (the present annual costs for UNEF and ONUC combined total about twice the annual regular budget), there quickly developed an opposition on the part of many member states to share the costs in the usual manner, that is, on the basis of the regular scale of assessments.

"This opposition was based primarily on three propositions. First, it was contended that the charter contemplated that peace and security actions should be carried out primarily by the five permanent members of the Security Council who would furnish their troops without cost to other U.N. members. Accordingly, it was argued that the five permanent members of the Security Council should pay considerably more than their ordinary assessment percentages for peace and security operations such as UNEF and ONUC, particularly since in neither case were they furnishing manpower. Second, it was maintained that in accordance with principles of equity the 'aggressors' who made U.N. peace and security actions a necessity, plus 'parties in interest' should pay all or most of the expenses. Finally, it was argued that regardless of other considerations, some member states had such limited financial resources that they simply could not contribute on the basis of the regular scale of assessments to the expenses of such costly operations as UNEF and ONUC.

"In the case of UNEF, this opposition became apparent as early as 1957. Whereas, the first $10 million of expenses for UNEF were assessed on the basis of the regular scale of assessments, there developed an immediate resistance to financing further expenses on this basis, and appeals were made to the major powers to make voluntary contributions. The United States made a voluntary contribution of $920,850 in 1957 and a further voluntary contribution of $12 million in 1958 to relieve the burden of the states less able to pay. The pattern of voluntary contributions has continued although at a decreasing level in subsequent years, amounting to $3.5 million in 1959, $3.2 million in 1960, and $1.8 million in 1961. The United States has pledged a voluntary contribution of $1.3 million for 1962. Total UNEF costs and U.S. contributions to the operation are shown in appendix 18.

"The voluntary contributions made by the United States in cash were supplemented in the first year of UNEF's existence by a waiver of the costs of airlifting of troops to the Middle East.

"In the first few years of UNEF's existence, the U.S. voluntary contributions were applied toward a reduction in total budget costs with the balance then being assessed against all member states on the basis of the regular scale of assessments. Subsequently, this procedure was modified so that U.S. voluntary contributions were applied only to the assessments of states least able to pay. The criterion for determining the categories of beneficiaries was primarily that of qualification for assistance under the United Nations expanded technical assistance program. With the growing reluctance of many member states to finance UNEF in the last year or two, it became necessary to increase the percentage of rebates made available on the basis of voluntary U.S. contributions. The appropriation resolution for 1962 UNEF expenses provides for rebates ranging from 50 to 80 percent, for states receiving technical assistance. The text of this resolution is contained in appendix 7.

"When the General Assembly came to deal with the United Nations military operation in the Congo, it based its approach largely on the UNEF experience. However, because the ONUC costs were much greater, resistance to payment became more acute than in the case of UNEF and the demand for higher rebates developed more quickly. The resolution appropriating funds for ONUC through June 30, 1962, contains, as in the case of the UNEF appropriation resolution, provisions for rebates of 50 to 80 percent for technical assistance recipient countries. The text of this latest financing ONUC resolution is contained in appendix 8.

"Total ONUC costs and U.S. contributions thus far are shown in appendix 19."

Mr. ZABLOCKI. How many countries have made voluntary contributions as the United States has done in order to bring that about?

Mr. CLEVELAND. In the case of the Congo for this period of time, only the United States.

Mr. ZABLOCKI. Thank you very much, Mr. Chairman. I think we have done our share.

Mr. HAYS (presiding). Mr. Adair.

Mr. ADAIR. Mr. Chairman.

Mr. Secretary, just to clarify the point that Mr. Burleson was talking about, referring to page 18 of the supplement here, if I read it correctly, it is indicated that our gross assessment was $25,616,000, that there was no reduction from it, and that the balance due is still $25,616,000; is that correct?

Mr. CLEVELAND. In this reduction process, that certainly is correct. We provided a voluntary contribution on top of the $25 million——

Mr. ADAIR. Then there was no amount taken in this case from the U.S. assessment?

Mr. CLEVELAND. What Mr. Burleson was referring to was just before this action was taken—and similar actions to spread other budgets according to the standard U.N. percentage—the U.S. share of the total U.N. budget was reduced by half a percent.

Mr. ADAIR. In this specific case there was no reduction?

Mr. CLEVELAND. Without that reduction our share of this would have been several hundred thousand dollars more than the $25 million.

Mr. ADAIR. You still haven't answered my question, I believe. In this case, as shown by this table, there has been no reduction from the U.S. assessment?

Mr. CLEVELAND. That is right. We have paid our full assessment and we have provided this voluntary contribution.

Mr. ADAIR. Then this voluntary contribution, Mr. Secretary, of $11,400,800, was money paid by the United States; has that been paid?

Mr. CLEVELAND. That has been paid.

Mr. ADAIR. From what source did that money come?

Mr. CLEVELAND. From a special appropriation under chapter 3 of the AID appropriation for the past fiscal year.

Mr. ADAIR. That was for fiscal year 1962?

Mr. CLEVELAND. Yes. This was authorized by the Congress and appropriated by the Congress in the previous year's foreign aid legislation.

Mr. ADAIR. Under chapter 3?

Mr. CLEVELAND. Yes; and identified in just this way.

Mr. ADAIR. It is AID money?

Mr. CLEVELAND. The voluntary contributions——

Mr. ADAIR. That is what I am talking about, $11 million-plus.

Mr. CLEVELAND. All voluntary contributions to United Nations organizations are funded, as far as the United States is concerned, out of AID——

Mr. ADAIR. If every nation who now is a member of the U.N. had paid its assessments, regular and special, in full, what would the financial status of the U.N. be now? Do you have a figure on that? Would it be solvent?

Mr. CLEVELAND. If everybody had paid their assessments in full?

Mr. ADAIR. Yes.

Mr. CLEVELAND. In full; yes.

Mr. ADAIR. It would be solvent?

Mr. CLEVELAND. Yes; and there would be a small working capital fund.

Mr. ADAIR. So the situation in which the United Nations finds itself results then from the failure of certain nations to pay their assessments?

Mr. CLEVELAND. That is correct.

Mr. ADAIR. And the——

Mr. CLEVELAND. And the extraordinary expenses.

Mr. ADAIR. This bond issue then is to make up that deficit?

Mr. CLEVELAND. No; the bond issue is not for the purpose of relieving any country of its obligation to pay up its back dues. Those back dues remain payable, and hopefully are somewhat more collectible now with the Court decision. The bond issue is to act as a fund to pay the most necessary back obligations, the most necessary accounts payable, and also to cover the current total expense of peace and security operations from the period of July 1 on until the new financing arrangement can be developed and approved by the General Assembly.

Mr. ADAIR. If everybody had paid up, this would not be necessary?

Mr. CLEVELAND. That is right; if everybody paid up we would not be in this spot.

Mr. ADAIR. My final question: Is it your point of view, Mr. Secretary—and by that I mean the departmental point of view—that force equal to or greater than that heretofore employed should be used to bring Katanga—Tshombe—back under the central or Adoula government?

Mr. CLEVELAND. Force has not been previously used for the purpose you describe. It has been used in a self-defense operation by the United Nations.

Mr. ADAIR. There has been an invasion of that——

Mr. CLEVELAND. No, sir.

Mr. ADAIR. Of that state?

Mr. CLEVELAND. There was not an invasion. The United Nations went into the Congo—Katanga is part of the Congo—at the request of and the specific consent of the National Government of the Congo. At the time those troops went to Katanga there was consent also of the provincial government of the Congo; that is, Tshombe agreed to the stationing of the troops in that province at that time.

Later on he became unhappy about them, started to——

Mr. ADAIR. And asked for their removal?

Mr. CLEVELAND. Has harassed and provoked them. And this led to their, as the President put it at one point, exercising the right of a policeman to walk his beat.

Mr. ADAIR. That is a matter on which you and I would have very strong differences of opinion.

Mr. CLEVELAND. Mr. Adair, I would like to read, in this connection, a short statement that U Thant made at a London press conference just a few days ago——

Mr. ADAIR. If I have the time, fine.

Mr. CLEVELAND. In which he——

Mr. HAYS. You have time. I think I can put in here that any statement he made ought to be taken with a grain of salt, because he seems to be one of the biggest liars in the world.

With that preface, go ahead and read it.

Mr. CLEVELAND (reading):

> The United Nations Forces in the Congo have never been authorized to initiate any military action. I think it is clear from all the relevant Security Council resolutions, of course, that in a situation when the United Nations are attacked I have authorized our people there to retaliate as an exercise of the right of self-defense. But it is not my intention, it has never been my intention, it will never be my intention to use any military initiative. I have no such mandate. So the question of the use of force does not arise.

I think, Mr. Adair, there has been a great deal of confusion in this country on this matter of the use of force. There never has been a U.N. policy, there has never been a U.S. policy to permit or condone or encourage a military initiative by the U.N. forces in Katanga. The problem is that they are there pursuant to Security Council resolutions and the request of the Government, and harassment by a local authority has produced a couple of blowups. Without the harassment you wouldn't have the blowups.

Mr. ADAIR. Thank you, Mr. Chairman.

Mr. HAYS. Mr. Cleveland, in that respect, Mr. Thant asked, the other day, for permission to use force, and immediately upon this becoming known—and there is no doubt that he asked it—immediately upon it becoming known he denied it. What is the position of the United States? I read in the press that your offer in Europe stirred up sentiment for our position in the Congo. If you were stirring it up, what is the position you were stirring up sentiment for, or attempting to stir it up for?

Mr. CLEVELAND. You have a touching faith in the dope stories you read in the press, Mr. Chairman.

Mr. HAYS. I have more than a touching faith. I happen to know a little bit about what goes on, even in your Department, because sometimes people call me up and tell me things that you don't know

anything about. I wouldn't have much faith in your department at all if I didn't get some information that way.

Mr. CLEVELAND. I am glad you have faith in it for that reason. I think I am in a very authoritative position to say what the Secretary General did and didn't do at that Congo Advisory Committee.

Mr. HAYS. Will you answer what you did or didn't do in Europe and what—that is what I asked you.

Mr. CLEVELAND. Your first question was——

Mr. HAYS. What is our position in the Congo and were you there trying to get the sentiment of the British and French to go along, if you were. That is what the paper said you were over there for. Maybe you were on a vacation; I don't know.

Mr. CLEVELAND. I wish I had been. First of all, on the Secretary General, the Secretary General did not, as the New York Times said he did, and other dispatches said he did, propose the use of force in Katanga or recommend any military initiative. He stuck strictly to the policy expressed in the press conference excerpt which I have just read.

That knowledge I have, I have seen the statement he made, the transcript of it, and I spent an hour and a half with him yesterday discussing——

Mr. HAYS. Were you there when he was asked this question?

Mr. CLEVELAND. I was not there.

Mr. HAYS. You don't know anything more than I do about it. Will you answer the question about the policy? That is what I asked you. I didn't ask what U Thant can or didn't do. I said what he did and the paper said what he did. What is our policy?

Mr. CLEVELAND. The paper was in error as to what he did.

Mr. HAYS. That is your story.

Mr. CLEVELAND. I want the correct facts on the record. As far as what I was doing in Europe, I was consulting with the other governments and with the North Atlantic Council on the whole range of United Nations problems and Western positions and difficulties in connection with the upcoming 17th General Assembly.

One of those problems is the Congo, and we had some discussion of the Congo. I was not there for the purpose of stirring up whatever it was you said.

Mr. HAYS. Sentiment for our position in the Congo. That is what the press——

Mr. CLEVELAND. I explained our position on the Congo.

Mr. HAYS. You have apparently explained it to everyone else; will you explain it to this committee?

Mr. CLEVELAND. As regards our position in the Congo, we would like to see it settle down as a unified federal nation. We would like to have it not cost us so much through the United Nations. We would like to see moderate government prevail there. The difficulty with the attempt on the part of the authorities of Katanga to secede is that the political effect of that in the Congo as a whole would be to push the rest of the Congo far to the left, and to produce a possible situation in which the Soviets would get their first foothold in Africa.

Mr. HAYS. Are you as interested in keeping the Communist Ben Bella from taking over Algeria as you are in endorsing the right wing government of Katanga to go back into the Congo Government?

Mr. CLEVELAND. I don't happen to have any responsibility about the——

Mr. HAYS. The U.N. hasn't taken any responsibility on that one, have they?

Mr. CLEVELAND. That is correct. The Government has not asked the U.N. to get involved in the matter, and no nation has asked the U.N. to be involved. Those are the two ways in which it could be involved.

Mr. HAYS. I have one further question. I tried to get an answer to this question from you and others before, and didn't get a very direct answer. Now, we have the verdict from the World Court. Newsweek magazine says—and this is my impression—this week, on page 33—

> If this verdict is sustained by the General Assembly, then presumably these nations will have to pay up.

In other words, what I asked you before and what I am asking you again—and you can either say "Yes" or "No," it seems to me—this verdict really doesn't mean anything unless the General Assembly confirms it, does it?

Mr. CLEVELAND. The advisory opinion means a great deal. It states what the law is on this subject. It is advisory to the General Assembly. The General Assembly will have to take some action with respect to it as it has on each of the previous advisory opinions to the Assembly.

Mr. HAYS. If the majority of the General Assembly doesn't sustain this advisory opinion, then these nations won't pay up, will they?

Mr. CLEVELAND. Probably not. But our very strong feeling is a two-thirds majority of the General Assembly will accept this opinion. Considerably more than a two-thirds majority asked for it because they expected and hoped for this answer.

Mr. HAYS. What percentage of the General Assembly nations are delinquent at the moment?

Mr. CLEVELAND. On the regular budget, 30 nations out of the 99 that were assessed.

Mr. HAYS. On the special budget?

Mr. CLEVELAND. On the U.N. Emergency Force, 52, and on the Congo operation, 66.

Mr. HAYS. Now, Mr. Cleveland, if these nations vote to sustain this, they are, in effect, voting to take their voting rights away, and you sit here and tell me and expect me to believe that with 66 of them delinquent, two-thirds of them, which is 66, are going to vote to take their own voting rights away?

Mr. CLEVELAND. Most of the 66 have not made any legal objection to the matter.

Mr. HAYS. No; they just haven't paid.

Mr. CLEVELAND. They just haven't paid. Some of them, because they are reluctant, but our view is that most of them will pay up. The Soviets are a different story. Their legal objection is a screen for a political attack on the United Nations. That may be a very different story, indeed. Although there again the loss-of-vote provision will apply and they will—and that will come up as a major issue in 1964, if they continue to boycott these two operations at their present scale.

Mr. HAYS. Thank you.

Chairman MORGAN. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

Mr. Cleveland, we have had, perhaps, this morning a preview of the kind of debate that we may have on the floor. We have an indication of some of the sentiment with respect to this authorization.

I am very much concerned about the future financial problems of the U.N. and the inadequacy of this particular proposal to do anything about establishing a better financial basis for the U.N. than we have right now. You mentioned three possible ways in which this matter may be handled from now on: the regular budget; what you called a special scale, with the United States perhaps contributing 40 percent of the expenses; and the third, the voluntary contributions approach.

There has been discussion about the use of a voluntary contribution by this country now, instead of a contribution by the purchase of bonds. Would you care to comment on the advisability of that as an alternative, as a way of indicating our continuing interest in supporting the United Nations?

Mr. CLEVELAND. Mr. Frelinghuysen, the bond issue resolution was an exercise of the collective financial responsibility of the General Assembly. They voted to do this on a basis which would spread the load of meeting this stopgap situation in the broadest possible way. In fact, as you know, a great many countries have already pledged funds for the bonds.

One of the advantages of the bond arrangement from our point of view was the fact that it is repayable over a period of 25 years, and also the fact that we will repay it through the regular budget at our regular 32 percent, instead of getting up into the high 40 percent, which has been the previous history of the Congo operation, and also of the UNEF.

So it seems to us this is the most businesslike way out of this hole, and that to make the funds available as a straight grant when others are making it as a loan and being repaid, doesn't seem fair to the American taxpayer and doesn't do as much for the collective financial responsibility of the U.N. membership as the present arrangement that has been approved by the General Assembly.

Mr. FRELINGHUYSEN. I am not sure why the State Department's representatives use this expression "collective financial responsibility" so much. Suppose the U.N. in the future were to consider an economic program, say, or a peacekeeping operation, which was approved by the Assembly because it had a very broad appeal to the U.N. membership. Let us suppose also that this program would cost several hundred million dollars. Might we not inevitably be obliged to take at least one-third of the expense, underwrite one-third of the expense of such an operation, whether we wanted it or not?

Part of the reluctance to accept our responsibility for these U.N. bonds is the fact that the U.N. may turn around and, in effect, utilize it to pay up delinquent accounts for Communist countries, among other things. And in the future we may also, may we not, be tying our hands with respect to an operation of which we do not approve?

Mr. CLEVELAND. It is inconceivable to me that they could get a two-thirds majority in the General Assembly for a great big thing of the kind you are describing, which we didn't approve of.

Mr. FRELINGHUYSEN. The Congo is a great, big thing, involving a lot of money which a major power did not approve. The major power in the next operation might well be ourselves, might it not?

Mr. CLEVELAND. The Congo operation was a Security Council operation. It was approved, or not disapproved, by all the major powers in the Security Council. In other words, nobody vetoed it. There were three resolutions in a row which really set the thing up, and the Soviets voted for all of them. The French abstained on all of them, but did not veto.

Mr. FRELINGHUYSEN. Would it not be possible to envisage the General Assembly taking action that would bind this country?

Mr. CLEVELAND. It is possible to; yes. The General Assembly under the Court ruling, if accepted by the General Assembly, could pass by two-thirds vote a recommendation to do something to the countries. That is essentially all the General Assembly can ever do, except on financial matters.

On the financial matters, it can go farther than that under this Court opinion, and pass an assessment against all the members by a two-thirds vote.

Mr. JUDD. Will the gentleman yield?

Mr. FRELINGHUYSEN. Yes.

Mr. JUDD. On that point, could the United States in the Security Council veto whatever the General Assembly by a two-thirds vote recommends?

Mr. CLEVELAND. If it was a peace and security operation, the only way for it to be mandatory, would be for it to be approved by the Security Council, in which we have the veto.

Mr. JUDD. Then the reason the Congo operation was possible was not because the General Assembly by a two-thirds majority approved it, but because no one of the big five vetoed it in the Security Council?

Mr. CLEVELAND. The Congo operation was authorized by the Security Council, not by the General Assembly.

Mr. JUDD. That is a point that isn't generally realized and needs to be brought out, because you hear, our mail reflects it, people think, as the gentleman from New Jersey has well said, that this advisory opinion allows the General Assembly alone to take action which would compel us to help finance something that we might profoundly disapprove. But we could, if we profoundly disapprove it, block it in the Security Council?

Mr. CLEVELAND. We can block substantive action in the Security Council if the question comes to the Council. As for the Assembly, it is always theoretically possible for any legislature to go absolutely mad.

Mr. JUDD. They sometimes do.

Mr. CLEVELAND. But it hasn't happened yet in the General Assembly or, I am glad to say, in the House of Representatives.

Mr. HAYS. Would you yield?

Mr. FRELINGHUYSEN. I think I still have the floor, Mr. Chairman.

Mr. HAYS. There is one point. Can the Security Council veto an action of the General Assembly by two-thirds vote?

Mr. JUDD. That is what he said.

Mr. HAYS. He didn't say that. I want him to say that.

Mr. CLEVELAND. They are two separate bodies. But the point is that the two-thirds vote of the General Assembly on a peace and

security operation is recommendatory and not mandatory, although assessments levied to finance such an operation would be binding.

Mr. JUDD. The action recommended by a two-thirds vote, if it is in the peace and security field, can be vetoed?

Mr. HAYS. Are you saying it can be vetoed?

Mr. CLEVELAND. No. I am saying that if the matter is brought into the Security Council, it can be vetoed, and obviously if we feel strongly about the matter we will contrive to get it into the Security Council. But we cannot veto a General Assembly recommendation, or debar its considering a matter.

Mr. FRELINGHUYSEN. Mr. Chairman, there is perhaps a difference between the two illustrations that I made. A peacekeeping operation might well be brought before the Security Council, but a non-peacekeeping operation, an economic program of some kind, an expanded economic program, might well, I should think, be final and the assessments would be made in the Assembly. Would we not therefore be bound in the latter case, whether or not we could drag a peacekeeping operation into the Security Council, to abide by a two-thirds vote?

Mr. CLEVELAND. On the basis of the General Assembly's power, in theory we might find ourselves financially liable, although the matter is far from clear.

Chairman MORGAN. The gentleman's time has expired.

Mr. O'Hara.

Mr. O'HARA. Thank you, Mr. Chairman.

Mr. Cleveland, I do not wish to oversimplify an issue. It does seem to me, however, that the only question we have to answer in voting on this bill is whether we wish the United Nations to collapse or to survive.

What in your opinion would be the effect if the Congress should defeat the pending bill?

Mr. CLEVELAND. If the Congress should defeat this bill and be unwilling to contribute to these purposes for this fiscal year, the effect would be that the Secretary General of the United Nations would have to disengage the United Nations forces from the Congo, possibly also from the Middle East.

The consequences of that disengagement, I think, are all too foreseeable. It would involve a takeover in the Congo, itself, in the central government of the Congo by the leftwing elements that are still bidding for power there, who would bring in the Soviets and some of their friends to help them take care of the Katanga problem by military means. We wouldn't be able to stand for that for very long—we, the United States. We would find ourselves in central Africa directly—and not just in this indirect financial way with other people really on the frontlines. We would have the confrontation in central Africa, which it has been the bipartisan policy of the previous administration, and this administration, to avoid.

In the Middle East, the withdrawal of the Middle East force at a moment when rockets are being advertised in Cairo, and the matter between the Israeli and the Arabs is far from settled, might well bring on another set-to like the Suez crisis that brought the U.N. Emergency Force into being in the first place. These seem to me to be substantial prospective defeats for American foreign policy, which can be avoided by the passage of this legislation.

Mr. O'HARA. In short, it would take the cold war into Africa and into the Middle East——

Mr. CLEVELAND. And heat it up.

Mr. O'HARA. What other effect would it have as to the permanency of the United Nations itself?

Mr. CLEVELAND. I think it would mean that the Soviets would get their way. What they want the U.N. to be, if they can't dominate it, and they obviously can't—what they want the U.N. to be is a large room in which to have conferences, well-advertised conferences, with big megaphones, in which they can make themselves heard all over the world. We like that function, too, because we can make ourselves heard all over the world through the same megaphones. But we also think the U.N. has a part to play as the third man in international politics, in peaceful settlement, and in keeping the peace in certain well defined and very difficult situations, some of the most difficult situations there are in the world. The inability of the United Nations to have the U.S. support for its peace and security function would cut it back, I think, to a conference-center function. That is a very useful and important function, but it is not the whole of what ought to be the destiny of the organization set up in the United Nations Charter.

Mr. O'HARA. Mr. Cleveland, just as an index as to the feeling in Africa, how many African countries have either purchased or pledged the purchase of U.N. bonds?

Mr. CLEVELAND. Quite a number of them. We will get the specific list in just a moment.

Actual purchases, three African countries; publicly announced pledges in addition to that—let me just check them off the list——

Mr. ADAIR. Would the gentleman yield to let me ask the Secretary what countries those are?

Mr. CLEVELAND. Sudan, Togo, and Tunisia in the case of the actual purchases. The publicly announced pledges—Ethiopia, Ghana, Liberia, Nigeria, Sierra Leone. That is all.

A good many others have said that they are going to do something but haven't decided what to do yet. They include most of the French African countries.

Mr. O'HARA. Thank you, Mr. Secretary.

Chairman MORGAN. Mr. Broomfield.

Mr. BROOMFIELD. I will yield to Peter Frelinghuysen for a question.

Mr. FRELINGHUYSEN. I would like to ask the Secretary one question about the nature of the voluntary contributions. As I understand it, we made a voluntary contribution last year for the Congo operations of just over $11 million, and that has been divided so as to relieve the smaller nations. I wonder why the United States felt obliged to respond to what the report describes as the demand for higher rebates by nations resisting their assessments for the Congo operations? Why do we feel any responsibility to relieve them of this burden as we did, of course, in the Middle East, too? Obviously this is going to be, I think, a much discussed and criticized operation.

Mr. CLEVELAND. The original political problem to which this solution was addressed—I say again this is a decision that we inherited—the original political problem was that most of the members of the Assembly think the charter, by setting up five big powers, meant that

the big boys would really worry about peace and security problems. That wasn't to be everybody's business. There are quite a number of countries in the Assembly that believe the way to finance any peace and security operations is for the five permanent members of the Security Council, who get that special position under the charter, in a sense to pay for that special position, by paying for the peacekeeping operation. We obviously don't want it that way. We want to spread the responsibility as widely as possible. But a list of percentages developed for the administrative expenses of the organization isn't necessarily applicable when you triple the total expenditure and get into the Middle East and Congo operations. Consequently, the countries, especially the small countries, for whom these contributions to international organizations are very substantial parts of their total national budgets, have felt very skittish about moving into the position of paying for a peace and security operation in the United Nations at all.

Mr. FRELINGHUYSEN. I can understand how a big country can be expected to finance a large part of a military operation like the Congo, and how we might have provided $11 million to finance that operation. Yet I don't see how we can justify providing $11 million to be divided up in such a way that Poland is reduced by over $500,000 in what otherwise would be its obligation. From almost any point of view, ought we not be able to put on strings so the aid would be credited directly to us and go directly for the operation that it is supposedly financing?

Mr. CHIPERFIELD. Mr. Chairman.

Chairman MORGAN. I suggest we let Mr. Broomfield continue.

Mr. CHIPERFIELD. Would you yield for one question?

Mr. BROOMFIELD. I yield.

Mr. CHIPERFIELD. Under the reduction resolution, which I think was enacted in 1961, which you claim was inherited——

Mr. CLEVELAND. The system. The system has existed for many years.

Mr. CHIPERFIELD. It was not only the little countries that were given credit. Take France, $4,752,000.

Mr. CLEVELAND. France didn't get any——

Mr. CHIPERFIELD. I beg your pardon. I am wrong. Take China. We give China credit for $1,828,000. There are some big ones here—Japan, $908,000. There is Brazil and India.

Mr. BROOMFIELD. If I may proceed, actually rather than $11,400,000 that we have contributed, it amounts to nearly $27 million, doesn't it, just for the Congo for military voluntary contributions? In appendix 19 of the report it states that for a 2-year period it amounted to $15,305,000-some-odd. Is that correct, for a 1-year period?

Mr. CLEVELAND. You are referring to the table on page 60 of the original committee print?

Mr. BROOMFIELD. Yes.

Mr. CLEVELAND. The February 6 committee print. Yes; we made voluntary cash contributions to each of the Congo financing periods, in addition to our assessment.

Mr. BROOMFIELD. This money actually comes out of our foreign aid bill?

Mr. CLEVELAND. Each of those amounts has been specifically authorized and appropriated to the Congo out of the ICA and later on AID money.

Mr. HAYS. In your table that you are reading out of, it says "Subtotal Congo, military, $114 million."

Mr. BROOMFIELD. That is including everything?

Mr. HAYS. That is just military. There is $38 million economic on top of that.

Mr. CLEVELAND. That subtotal includes the assessed portion and the voluntary portion.

Mr. BROOMFIELD. Did the Acting Secretary General refer to Tshombe and his supporters as a bunch of clowns?

Mr. CLEVELAND. He did.

Chairman MORGAN. Mr. Fascell.

Mr. FASCELL. No questions.

Chairman MORGAN. Dr. Judd.

Mr. HAYS. Thant ought to know a clown when he sees one.

Mr. JUDD. Mr. Secretary, you said earlier, in answer to the question of the gentleman from Illinois, that certain results would happen if we were not to give this aid in one form or another, and one result would be that the Soviets would be brought back into the Congo. Suppose if the U.N. were to resume its military operations against Tshombe under the name of peacekeeping, and he were to decide to bring in the Soviets on his side; wouldn't we be faced with the same kind of direct confrontation or else lose central Africa?

Mr. CLEVELAND. When you say "resume," the U.N. has never initiated military action against Katanga.

Mr. JUDD. I can't quite subscribe to that. There are missionaries out there who report back to their headquarters, and who have very little good to say about the U.N. troops' behavior. Maybe they wouldn't say the U.N. initiated military action, but they sure were doing things by force that shocked the Americans out there.

We will strike the word "resume." Suppose the U.N. forces should try to compel Tshombe to go along with the rest of the country, and he decided to have the Russians come to his assistance, as Lumumba once did. My guess is that they would much rather have him and Katanga on their side because it has greater wealth and viability, whereas much of the rest of the Congo doesn't seem to have that. Wouldn't we be faced with the same sort of direct confrontation?

Mr. CLEVELAND. I would say two things about that, Dr. Judd. One is that the supposition really is outside of any existing possibility and policy, outside the existing Security Council's resolutions, and outside the intentions of either the United Nations or the United States. The second thing I would say is that it is not impossible to conceive of Tshombe making that kind of a switch. As a matter of fact, in Léopoldville today his deputies, the deputies from south Katanga, are cooperating very actively with the Lumumba forces to bring Adoula down. If Adoula is brought down in the Congolese Parliament, it will be because of that alliance between the Tshombe group and the Lumumbists who want to get back to the business of doing business with the Soviets.

Mr. JUDD. That is my point. Just the same——

Mr. CLEVELAND. That is very dangerous.

Mr. JUDD. The same as if we and the British play along too much with the Soviets in Europe, it is not beyond the realm of possibility that the Germans would turn to the Soviets and make the best terms they can. I don't quite see how anybody could blame them. If we have to look at what will happen, we have to look at both sides of what may happen.

I think the No. 1 question in the minds of many people on this point, and in my own mind, is this: Will the U.N., if given the money, again use military force against Katanga? The charter says maintain peace and security "by peaceful means." I don't find where the charter authorizes the U.N. to make war on people who are not attacking anybody outside their borders. I see the desirability of having Katanga in the Congo in order to make the Congo viable. But, we could have said in 1948, "West Berlin is not viable by itself. Therefore, we have got to force East Germany to reunite, or else we will have to pick up the tab for West Berlin for years and years and years." We chose to pick up the tab. Maybe that it what we ought to do in the Congo, rather than try to force Katanga to rejoin.

We didn't say, "You have to reunite Germany because Berlin can't survive divided." East Germany, backed by the Soviet Union, was strong. But in the case of Katanga, which is weak, we say it must rejoin because that will make things easier for us and will help preserve world peace, and so on, whether Katanga wants to rejoin or not. It suggests the statement by Abraham Lincoln that, "Whatever is morally wrong will never turn out to be politically right," no matter how plausible or clever or desirable it may seem.

I wish you could give us some firm assurance that if more money is made available to the U.N., it will not again use coercive measures to force Katanga to come under the Adoula government.

Mr. ADAIR. Hear! Hear!

Mr. CLEVELAND. I can give you a categorical assurance as far as U.S. policy is concerned and as far as what I know of the intentions of the U.N. administrators in the matter, that this money will not be used for what you have called "making war on Katanga."

Mr. JUDD. "Using force against," we will call it that.

Mr. CLEVELAND. Or "using force against." The assurance that it is impossible to give is that if the U.N. in the pursuit of its peaceful purposes, its policeman role in trying to prevent civil war, is attacked by a local group that they won't defend themselves. You can't ask any military group to pass that kind of a self-denying ordinance. That is the danger in the situation. The way to solve it is for these talks between Adoula and Tshombe to be resumed, and to get on with the job of reconciliation.

Mr. JUDD. I will say on the record what I said once in a private conference with you, that, if I were Tshombe and in charge of a part of a country which was managing itself fairly well, was fairly orderly, and had economic resources to keep going; and my choice was between trying to keep that part for which I was responsible going along in a reasonably peaceful and orderly way, on the one hand, and, on the other hand, going in with the Adoula government with all its weaknesses and uncertainties, I would probably try to go alone, too, I think.

Mr. CLEVELAND. I think the difficulty in the long run, even from his point of view, is that if the rest of the Congo goes toward the left, as rapidly as it would go if this secession succeeds, then he is in lots of trouble, too. Because then you get a military buildup against him from people who are really prepared to invade Katanga with military force. If I were Tshombe, I would do something different. If I were Tshombe, with the qualities of leadership he has demonstrated over the last 2 years, I would become a national politician and not just a provincial governor.

Mr. JUDD. Of course, he faces the same sort of dilemma that Lenin faced in the Soviet Union after World War I. Should he go ahead with the world revolution right away as Trotsky wanted? Or try to maintain and build socialism in one country as the base from which to go on to world revolution later? Maybe Tshombe—I hold no brief for him, I never met him—thinks that all of the Congo is too big for him or for anybody else to handle; that it is better for him to keep fairly secure and a going concern what already is under his control, rather than to try to become the leader of the whole country, and maybe lose even the base.

Mr. CLEVELAND. This is evidently the decision he has made so far.

Mr. JUDD. To try to keep the one province for the present?

Mr. CLEVELAND. Maintain——

Mr. JUDD. It is largely a matter of distrust, don't you think, on both sides, lack of mutual trust?

Mr. CLEVELAND. Yes.

Mr. FASCELL. Money?

Chairman MORGAN. Money is important. You should not forget the industrial combines in certain European countries that are keeping him in business.

Mr. JUDD. On the other hand——

Mr. CLEVELAND. He is getting a lot of money that is owed to the central government, by duress on the companies there. It is a pretty good situation as long as he can maintain it.

Mr. JUDD. What American business or concern that is solvent, will, out of the goodness of its heart, pick up a lot of insolvent——

Mr. FASCELL. I wasn't knocking it. I was saying that it was the basis of it, and all the philosophy and politics and other stuff is interesting. It might even be some base or predicate for the nationalization of the mines.

Mr. CLEVELAND. You are not differentiating between money and politics?

Mr. FASCELL. I certainly am. There is a world of difference.

Mr. JUDD. This is the major question that passage of this bill, I think, hangs on: whether a majority believes that, given the money, there would be a resumption of fighting over there. A lot of people who have come back from there believe that the only reason there isn't fighting now, and hasn't been, is because the U.N. ran out of money.

Mr. CLEVELAND. I don't think the money——

Mr. JUDD. The U.N. ran out.

Mr. CLEVELAND. I don't think the two things are all that closely connected. I think if the Katangan forces were to attack the U.N. tomorrow, whether it had a deficit or not, those troops would fight back. If the Katangan troops don't attack the U.N. then there won't

be any fighting, even if the till is completely full. So the things aren't really all that closely connected.

Mr. JUDD. Another question. Most Americans want to help keep the U.N. going, but a lot of them are not convinced that purchase of bonds is the only or the best way to do it. What alternative do you see to the bond method by which we could help keep the U.N. alive and effective?

Mr. CLEVELAND. This is the only financial arrangement—international financial arrangement—that the U.N. General Assembly has approved for this purpose. If we were to make—as we said in the Senate, if we made any other kind of loan we couldn't make that loan to the United Nations without a further action by the General Assembly.

As far as a grant is concerned, we always have the power to write a check to somebody if it doesn't have any strings attached.

Mr. JUDD. We talked about this 6 months ago. Have you any further thoughts on whether it might not be advisable to act on a simple resolution that the United States make some kind of—you have some fancy Latin name "ex gratia"—a $100 million contribution?

Mr. FASCELL. Please, Dr. Judd. I am very sensitive about that.

Mr. JUDD. Many Members will vote $100 million to the United Nations as a contribution who at present are not willing to vote for the bonds.

Mr. CLEVELAND. We discussed this a little bit before. I do think, first, it is not the most businesslike way to do it. The way to do it is get the best terms we can; the terms of repaying, of being repaid on this, and having to pick up only 32 percent of the check in repayments is the best break for the taxpayer, to the extent that is the relevant consideration.

Chairman MORGAN. Dr. Judd, what are we going to do with the $25 million that the nations have already paid in for the purchase of bonds?

Mr. JUDD. Have them use it for ex gratia payments, too.

Mr. CLEVELAND. They made it on the basis of the bonds.

Mr. JUDD. I am talking practically when I suggest that maybe we don't have only the choice between the bonds and no contribution at all. Maybe our choice is between no help for the U.N., and some other method of contributing.

Mr. CLEVELAND. It would cost——

Mr. JUDD. It may cost more.

Mr. CLEVELAND. It would cost the United States more to do it by grant.

Mr. JUDD. That is right, more dollars. But some people are more afraid of possible entanglements, if I may use that word, that might come through the bond issue, than they are concerned about the cost.

Mr. CLEVELAND. The only entanglement of this bond issue is the repayments.

Mr. JUDD. The repayments which we might have to make contributions to make possible. Why not make the contributions in the first place?

Mr. CLEVELAND. We will have to make 32 percent contributions to the repayments whether we buy the bonds or not.

Chairman MORGAN. Mr. McDowell.

Mr. McDowell. Mr. Chairman.

We have heard a lot of "iffy" questions posed around here this morning, and a lot of "iffy" answers. So I am going to ask a rather large "iffy" question.

If by some stretch of the imagination the Congress should refuse to agree to authorize the purchase of these United Nations bonds, what in your opinion would happen to the United Nations?

Chairman Morgan. Mr. McDowell, that question has already been asked by Mr. O'Hara and the discussion is in the record.

Mr. McDowell. All right, then, I will ask another "iffy" question that I don't think has been answered. In this year 1962 when the massive evidence of the ability and the progress of the minds of man has come to the point where it can almost solve any scientific problem that was known to be before mankind in the last century, they haven't been able, on the other hand, to devise any other international peacekeeping organization than the United Nations, why is it, do you know why, those who would blindly oppose the United Nations have not, on the other hand, been able to offer any alternative? Is there any alternative to the United Nations as an international peacekeeping organization?

Mr. Cleveland. At this stage of the development of the world, I think myself that the Charter of the United Nations and the collection of organizations that has been built under it, respresent a very good bet from our point of view. The charter of the United Nations is essentially a document built out of Western philosophy, and has served us well in a number of very sticky decisions, the stickiest situations, because by definition it is the stickiest situations that get into the United Nations. If we were to haul off and renegotiate the charter today, we wouldn't come out with anything nearly as good as we now have from the Western point of view. I think that our best bet is to try to make this organization work for the limited purposes that it is possible to have a world organization work prior to the time when you have some overall agreement between the great powers. Obviously if you did manage to work toward a disarmament agreement, then you would have something very different. But as for this period in which we find ourselves, this is a useful organization as an instrument of American foreign policy. What makes it complicated is that it is the instrument of foreign policy of everybody else in the world, too. But Americans aren't so bad at operating in a political situation. We have a lot of experience with politics at home, and we can apply it abroad.

Mr. McDowell. Is it not also true that one of the problems, I think Dr. Judd brought that out very clearly, is that whereas up until a few years ago most of the people of this country looked upon the United Nations as in some way part, and certainly parcel, of the U.S. foreign policy, the friendly court that they could go to and always get, as they generally have, the right answer. But today, as a result of decisions in the United Nations in the past few years, they seem to feel all at once it has turned against them, never realizing that really the U.S. Government doesn't exactly run the United Nations. I think this is one of the problems that we have today, is the realization that we can't simply go into the United Nations any time we want with any problem and expect to get a favorable answer. But, on the other hand, is it not true we have not lost in the great decisions in there

that have been in the interest of this country, and if we can spend as we have hundreds and hundreds of billions of dollars for military arms, certainly we can afford, if it is this important to the security of this country, we can afford to spend a few additional millions of dollars to support this organization?

Mr. CLEVELAND. This is certainly my feeling, Mr. McDowell. I think the record of what actually happens in the Security Council and the General Assembly, and in the actions by the executive branches of the U.N. and its specialized agencies, demonstrates that they are working very parallel to the purposes of American foreign policy. They are not under our domination, as you say. We are very influential in the organization. We have the disproportionate influence that is appropriate to the disproportion of our power. It takes a lot of politicking, and it is sometimes a pretty messy affair as any very complex legislative process must be. But it is a democratic process. None of the countries that have become independent since the Second World War have chosen communism. They have all chosen more or less the kind of philosophy that is reflected in the charter of the United Nations. The U.N. represents the best school for political responsibility that has yet been devised for these purposes. It is not perfect. And it is a limited instrument in a cold war situation. But it is extremely useful to us, and it is not, in the overall terms of our total economy, a very expensive proposition.

Mr. MCDOWELL. If we add up the score over the years our batting average would be pretty good?

Mr. CLEVELAND. If we were discussing this in the Kremlin somebody would have to explain why it is never since the beginning of the United Nations, including these last sessions, has the Soviet Union ever managed to pass through the General Assembly any resolution which it has sponsored and we opposed.

Mr. MCDOWELL. Nor has Red China been able to gain admittance.

Mr. CLEVELAND. That is right, despite all the malodorous predictions on the subject.

Mr. MCDOWELL. And that has been a massive effort on the part of the Communist countries to get the admission of Red China. Thank you.

Chairman MORGAN. Mr. Murphy.

Mr. MURPHY. Mr. Cleveland, you stated there is a deficit at the present time of $137 million.

Mr. CLEVELAND. Yes.

Mr. MURPHY. That includes the regular budget and the peacekeeping operations in the Near East and the Congo?

Mr. CLEVELAND. Right.

Mr. MURPHY. You also stated that starting July 1 it will be necessary to use revenue from the proceeds of the bond issue to maintain the U.N. Is that correct?

Mr. CLEVELAND. Yes; for the peace and security operations. There is an assessment for the regular budget. There is no assessment for the UNEF and Congo.

Mr. MURPHY. I understand. I would like to ask you this question. The greater part of the $137 million deficit now existing was caused by the failure of some member states to pay the special assessment for the peacekeeping operations in the Congo and Near East. My

question is, In the event these same nations persist in not paying the special assessment even though a favorable opinion has been rendered by the International Court of Justice, will it be necessary to use a part of the $200 million from the bond issue for the payment of the deficit?

Mr. CLEVELAND. It is impossible to predict now just how much of the $200 million would have to be used to pay back bills. Because the hope is that with the Court opinion now it will be possible to collect the back arrearages to the extent possible, to pay those back bills. To some extent this won't be possible, and some of the bills will be sufficiently urgent so that they ought to be paid up, as a businesslike proposition. But whatever amount doesn't have to be used for the back bills can be used for the current expenses of peace and security operations for the period from July 1 on, which is already with us. But it is impossible to predict just how much will be used above the line and how much will be used below the line.

Mr. MURPHY. The U.N. may have new crises arising; they may have a new problem.

Mr. CLEVELAND. I hope we will be able to develop a general system for financing peace and security operations in the United Nations before another ton of coal drops through the roof.

Mr. MURPHY. Thank you.

Chairman MORGAN. Mr. Nix.

Mr. NIX. Thank you, Mr. Chairman.

Mr. Secretary, during the conferences between Mr. Tshombe and Mr. Adoula, the U.S. Government has had its representative there; is that correct?

Mr. CLEVELAND. Not in the meetings themselves; no, sir.

Mr. NIX. The United Nations has had a representative there?

Mr. CLEVELAND. Most of the time not. Most of the time these have been discussions among the Congolese themselves.

Mr. NIX. They have been able to secure information touching upon the subjects under discussion?

Mr. CLEVELAND. Yes, indeed. It leaks out all over the place.

Mr. NIX. They have had an opportunity to know the basic differences between the two men?

Mr. CLEVELAND. Yes.

Mr. NIX. They have studied those discussions. Now, I ask whether or not there is any reasonable assumption that these differences can be resolved.

Mr. CLEVELAND. I think the answer to the question looks somewhat more negative this morning, today, than it did a few months ago, or even a few weeks ago, when they were negotiating. There is nothing inherent in the personalities of these two men that makes it impossible for them to get together. Stranger political bedfellows have gotten together in international and other politics.

Mr. NIX. If it doesn't take too much time, I would like to know the point of difference that seems to be the most insurmountable.

Mr. CLEVELAND. Essentially the point of difference is whether there is going to be a relatively centralized government or whether there is going to be what Tshombe calls a confederation, which is to say, a group of almost sovereign provinces tied together with a loose central arrangement. The difference is perhaps comparable to our Articles of Confederation or the Constitution. This is what the argument has been about.

I think there is a prior question which for the moment has been answered in the negative, which is: Does Mr. Tshombe want to make a deal at all, or is this a long stall?

At the moment it looks as if it has been a long stall, and he has just announced that he won't negotiate any more with Mr. Adoula because Mr. Adoula doesn't really represent the Central Government any more, because Adoula has been having difficulty with Parliament. The reason he is having difficulty with the Parliament is that the Tshombe delegates and left-wing delegates have formed a coalition against him.

Mr. NIX. Assume then that there is no sincerity in Mr. Tshombe's negotiations, that it is a long stall, and can't go on forever, that it must stop somewhere. If this be true, what success have you had in persuading Union Minere to stop paying taxes to the Katanga Government?

Mr. CLEVELAND. That problem is primarily one for the Belgian Government.

Mr. NIX. I mean through the influence of Belgian Prime Minister Spaak.

Mr. CLEVELAND. The answer is, so far, no success. Many discussions but no payments withheld.

Mr. NIX. Well, that being the case, the situation is as it was before, explosive, and such incidents as occurred a few days ago with the women of Katanga could start hostilities again?

Mr. CLEVELAND. If Tshombe's purposes is to get them started, they can indeed be started. That incident as you know, was very carefully contrived to try to produce some firing by the U.N. troops that would hurt or kill some women and then you would have an issue. It didn't work out very well from their point of view because of the restraint of the troops, the U.N. troops.

Mr. NIX. You can't rely upon restraint. If such circumstances arose again, it would certainly be reasonable to believe that they are not going to stand up and get stoned or shot. So that, of course, is something that you might expect, another incident.

Now, assuming that the purchase of U.N. bonds goes through, what assurance can there be that the money will not be used for peacekeeping purposes?

Mr. CLEVELAND. Most of it, of course, will be used as it goes along for these peace and security operations. I think that we have a good deal of control over that, in the rate at which the President makes the funds available. The likelihood of the U.N. having a kitty of unused money in its present financial situation is substantially nil. If they got all the $200 million at once they would for a short time be ahead of the game. We can make very sure that they don't get ahead of the game by the manner in which the funds are disbursed, since ours would be the largest single contribution.

Mr. NIX. Just a couple of quick questions. The Soviet bloc has made voluntary contributions, has it not?

Mr. CLEVELAND. A few, grudging and reluctant ones, to some of the technical assistance programs; not to any peace and security—they haven't even paid their assessments on peace and security.

Mr. NIX. Have they ever attached strings, placed restrictions on the voluntary contributions they have made?

Mr. CLEVELAND. They have attached on their voluntary contribution to the special fund and the expanded technical assistance program of the U.N., they have attached the string that the funds can only be used for ruble expenses, including the hiring of Russian experts to go abroad. They don't make the funds available in dollars. We, of course, attach a somewhat similar condition to some of our AID programs, that the funds must be used in this country.

Mr. NIX. I have one question for Mr. Meeker. In the basic law creating the United Nations, is there authority for peacekeeping activities, and if so, is it, as stated by Dr. Judd a short time ago, to keep the peace in a peaceful manner?

Mr. JUDD. The charter says something about "maintaining peace and security by peaceful methods."

Mr. MEEKER. There is authority in the charter for both the Security Council and the General Assembly to take measures for the maintenance or restoration of international peace and security. There is no limitation in the charter on the precise means by which this shall be done. There is not a restriction that the United Nations shall not apply military force where that is considered to be necessary.

For example, in the case of Korea, the Security Council recommended to member nations that they employ their military forces to turn back the North Korean Communist aggression. This was done under article 40 of the charter. Similarly, the General Assembly, by virtue of the provisions of articles 10, 11, and 14, is given broad powers of recommendation. And those powers of recommendation extend, in the case of breaches of the peace or acts of aggression, to recommendations that members employ their armed forces for the defeat of aggression and for the defense of countries which have been attacked.

Mr. NIX. Let me interrupt you. Would you say, that without the action of the Security Council, it is inherent in the authority given for the use of force?

Mr. MEEKER. I am not sure I understand your question.

Mr. NIX. I ask you whether or not in the basic law the United Nations is given authority to keep the peace. You read that authority and then you mentioned the acts of the Security Council authorizing certain things. I say, now, is it not inherent in the authority to keep the peace to use force in doing so?

Mr. MEEKER. Well, the Security Council obviously has the power to take measures for the maintenance of peace and to employ force if it considers that necessary.

Mr. NIX. Hold it right there. They have the power. All right. And you say to use force.

Mr. MEEKER. That is correct, when it can be done through forces which are at the disposition of the United Nations. There is a distinction here which must be drawn between action which the Security Council takes and recommendations which the Security Council makes. In the case of Korea, the Security Council recommended to members that they employ their armed forces in the defense of the Republic of Korea. The United Nations does not have any article 43 forces because no article 43 agreements have ever been made. The forces which the United Nations has in the Congo are not article 43 forces, they are forces which members of the United Nations have contributed and placed at the disposition of the Council pursuant to Security Council resolutions.

Mr. NIX. One last thing. There is ample precedent, so far as the use of force, to say that the authority is there; is that not right?

Mr. MEEKER. Yes, I think there is, because the Council has in fact acted——

Mr. NIX. Did the Court take that question up in its recent decision?

Mr. MEEKER. It touched upon both the power of the Security Council to conduct the operations in the Congo and the power of the General Assembly to mount the United Nations Emergency Force in the Middle East, and it upheld the validity of both.

Mr. NIX. Thank you very much.

Mr. JUDD. Would the gentleman yield?

The analogy of Korea, of course, doesn't quite stand up. There was an act of aggression in Korea, and the charter plainly calls upon the U.N., not only gives it the right but the duty, to assist countries in resisting aggression. But I haven't heard of Katanga's troops invading or attacking the rest of the country. It is the U.N. troops in Katanga.

Mr. MEEKER. At the invitation of the Republic of the Congo.

Mr. JUDD. And against the wishes of one part of the Congo, which says it wants to be free and independent. Not quite; it says they want a confederation, not a tight unitary control of the whole country.

Mr. MEEKER. When the United Nations forces entered Katanga, they did so with the agreement of the provisional government.

Mr. JUDD. When they fought their way into several places, I suppose they said "We have to do this to defend ourselves," but they were the ones advancing. That is the way I read the dispatches.

Mr. MEEKER. There were two periods of military operation, one in September and one in December. Each time the Katanga gendarmery resorted to harassing action. It became serious enough so that the United Nations decided they had to take measures themselves to maintain their position.

Mr. JUDD. Let's read the very first paragraph of the charter:

> The purposes of the U.N. are to maintain international peace and security.

That is the peacekeeping purpose.

> And to that end to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace and to bring about by peaceful means and in conformity with the principles of justice and international law, adjustments or settlements of international disputes or situations which might lead to a breach of the peace.

This is not an international dispute or situation. It is an internal dispute or situation.

Mr. MEEKER. I would like to make a comment on that, which is, that in chapter 7, under which the United Nations has been acting in the Congo, the charter confers upon the Security Council authority to deal with threats to international peace as well as to acts of aggression, and it gives the Council authority to take provisional measures to prevent an aggravation of the situation. The judgment of the Security Council was that the situation in the Congo was so threatening from the point of view of international peace that it ought to take the provisional measures which it in fact authorized.

Mr. JUDD. Of course, an internal squabble in the United States could be regarded as threatening the peace. In many countries, vio-

lence could break out and be deemed to threaten the peace. While I myself don't foresee it, this is the kind of thing about which questions are raised all the time: Are we getting into a situation where we are authorizing, under the guise of maintaining peace, the intervention of the United Nations in all sorts of internal matters which definitely are serious, and do to some extent threaten world peace, but still primarily are internal matters?

I agree completely with Mr. Cleveland's statement that we do not need in the least to be alarmed that the United Nations General Assembly is likely to take any action by a two-thirds vote that we resolutely oppose. I have never been afraid of that. But there are principles involved here, entirely apart from what might happen.

I think we all have to look down the long road.

Mr. NIX. It seems to me we took a calculated risk when we got into it. It is not a situation that has arisen since we entered the United Nations. It is something that should have been contemplated, perhaps was, at the time we got there.

Mr. JUDD. It was contemplated. That is the reason a lot of people didn't want to join. They feared exactly this.

Mr. NIX. They did join. We assumed the responsibility.

Mr. JUDD. This is the first situation I think where force has been used by the U.N. in any such a way; it is substantially different from any of its other actions. In the Gaza strip it was separating two hostile forces. That was genuinely keeping the peace, I think. I am not quite sure of the repeated use of that word "peacekeeping" in relation to the Congo—I fear it protests too loudly.

Chairman MORGAN. Don't you think that the Katanga forces and Adoula forces are hostile?

Mr. JUDD. They are hostile. I think the U.N. should assist either side if the other attacks it.

Mr. MCDOWELL. Was it not self-evident at the time that the internal strife was coming about as a result of outside interference on the part of the Communist countries?

Mr. JUDD. Not wholly. The basic situation was very unstable, and the Soviet Union always takes advantage of unstable situations to exploit it for its own ends.

Mr. MCDOWELL. I don't know what the U.N. reports were at the time on it. As I recall, there was certainly massive evidence to indicate that our information was that the Russians had moved in, that their technicians, their aids, their agitators had moved in in some force.

Mr. CLEVELAND. They did move in. Actually, at the time the very first resolution was passed, the international threat that was used by the Republic of the Congo asking for the help was to prevent the Belgians from taking over their country again, which the Belgians had come in to do because the Congolese Army was running around massacring people. In order to make it unnecessary for the Belgians to stay, the Congo Government asked the U.N. to come in and help organize its army on a U.N. basis. This was really the very first thing.

Then other things were added to the mandate as it went along, including the prevention of civil war.

Mr. FASCELL. Has Katanga in fact or in law seceded?

Mr. CLEVELAND. The Congolese authorities have from time to time said they were independent and recently they brought a large number of their gendarmerie to an independent celebration on the streets of Elisabethville.

Mr. FASCELL. Tshombe is the leader of Katanga?

Mr. CLEVELAND. Yes.

Mr. FASCELL. Has he declared that he has seceded?

Mr. CLEVELAND. He has declared his independence and his intention to carry that independence into some still fuzzy form of confederation.

Mr. FASCELL. Whether in law he is able to do this, in fact, he has done it by saying he has done it?

Mr. CLEVELAND. In law he is certainly still subject to the instrument which he agreed to, loi fondamentale, which is the basic fundamental law——

Mr. FASCELL. I am trying to separate the question of law and enforcement of that law and what he is bound to by way of responsibility and what he has done as a matter of fact. I think both of those would bear on the responsibility of the U.N. and whether or not the action of the U.N. would fit any of the legal requirements of the charter or any definition or interpretation of the charter or even international law.

Mr. CLEVELAND. I think——

Mr. FASCELL. In other words, the whole discussion on whether or not they have a right to do it or whether they should do it or whether it is a peacekeeping effort or international effort, or what, the facts are as they are. There is no change in that, regardless of the law.

Mr. CLEVELAND. I think the problem is that the facts are contrary to the law. The law is that he is a province of a government with a fundamental law. He is from time to time negotiating about the conditions under which he will be a province, and then at other times he is declaring his independence.

Mr. FASCELL. The question is whether it is a breach of the peace or an international dispute, that it bears upon or impinges upon the United Nations to take some action. That action has been resolved by the Security Council. We didn't make that decision.

Mr. ADAIR. I have a couple of questions on another point.

Mr Secretary, I might refer again to this leaflet to which reference has been made, this supplement. This column headed "Credits From Tax Equalization Fund for 1960"—what is that? That is pages 17 and 18.

Mr. CLEVELAND. That is an internal adjustment by the United Nations based on the arrangements that the United Nations makes for its own employees. What happens is this: If you have a group of secretaries in New York, in the New York office, the American girl would be subject to New York State income tax and Federal income tax on her salary. An Argentine girl sitting next to her would get the full salary, but in Argentina they wouldn't deduct anything for tax.

In order to make things fair among all the personnel at any one level of compensation, the United Nations assesses each person's salary an amount which in the New York office is substantially equivalent to the Federal and State income taxes taken together. And in the case of a country that doesn't collect that kind of money from its own em-

ployees, the United Nations pays that money, that withholding, to the Argentine Government in the imaginary case I am using.

That money is paid as a credit to their assessment from year to year. It is those adjustments from the previous year for their employees in the U.N. that are reflected in this column. It is a way of trying to make sure that the girls—and other employees, too—aren't discriminated for or against because of the country they happen to come from.

Mr. ZABLOCKI. The United States is the only member nation of the United Nations that doesn't get credit for tax equalization funds——

Mr. CLEVELAND. The reason is that the United States prefers a different procedure, which is collecting from each of the individuals on the form 1040 the same amount of money. We are not prepared to, never have been prepared to have the U.N. collect taxes for us from the girls who work for the U.N. We would rather collect it from the girl ourselves. This was the original setup 15 years ago, and it has prevailed.

Mr. ZABLOCKI. There is no direct relation, then, between the credits in this case and tax equalization?

Mr. CLEVELAND. This is an offset. This is a way of making a payment to the countries.

Mr. ZABLOCKI. Looking at it generally, these credits seem to correspond percentagewise with each country's assessment.

Mr. CLEVELAND. The big countries tend to have more people.

We have submitted a full statement which I understand will be a footnote to appendix 12 of these hearings.

Chairman MORGAN. It will be in the hearings.

Mr. ADAIR. Mr. Secretary, I am reading from the unclassified book relating to the Agency for International Development, and under the general heading of the "United Nations Fund for the Congo," the fiscal year 1961 contribution was roughly $28½ million. The fiscal year 1962 estimate was $33 million. The fiscal year 1963 request is $34.3 million. Does this $11-million-plus to which we have made reference earlier come out of these funds?

Mr. CLEVELAND. No, sir. The figures you are reading are the annual figures for our contribution to the U.N. Economic Fund for the Congo, which is, in effect, an aid program from a number of countries for the Congo, to help them buy imports, and so on.

Mr. ADAIR. Just specifically from what funds—we touched upon this earlier—does this $11 million come?

Mr. CLEVELAND. It comes from the AID appropriation.

Mr. ADAIR. The $148 million or so that was authorized?

Mr. CLEVELAND. Last year——

Chairman MORGAN. $153 million.

Mr. CLEVELAND. It was specifically a line item in the appropriation bill, and in the authorization bill as well.

Mr. ADAIR. I don't believe it was——

Mr. CLEVELAND. Not in the legislation——

Mr. ADAIR. I don't find it in the authorization specifically.

Mr. CLEVELAND. It isn't in the bill specifically, but it was in the breakdown of the total figure.

Mr. ADAIR. It is not, then, part of this economic money here?

Mr. CLEVELAND. That is an economic fund. You will find, I think—in the comparable book last year you would have also found a mili-

tary page, a Congo military page. This year you don't have that because there is to be the bond money.

Mr. FASCELL. One other question. I would like to know why in all the tables you have two Congos.

Mr. CLEVELAND. One of them is the ex-French Republic of the Congo, and they insist on calling themselves the Congo, and so does the ex-Belgian Congo. They have come to be known by their capitals, Brazzaville and Léopoldville. Both of them are extremely stubborn about hanging on to the name.

Mr. NIX. Mr. Chiperfield raised a question earlier that had to do with Cuba's being given the benefit of certain funds paid by the United States. Do you recall that?

Mr. CLEVELAND. Yes.

Mr. NIX. Is that also true of payments by the Soviet Union?

Mr. CLEVELAND. No. The Soviet Union was not, being a large country.

Mr. NIX. I don't mean that. I mean were the funds paid by them treated in the same way as the funds paid by the United States?

Mr. CLEVELAND. As far as the assessment was concerned, yes. We were both assessed at the regular percentage. Then in addition to that we made a voluntary contribution. They did not.

Mr. ZABLOCKI. It was because of this voluntary U.S. contribution that Cuba's assessment could be reduced. There was no Soviet money contributed to offset that reduction.

Mr. NIX. Had there been would there have been the same treatment of it? That is what I am trying to get. Is there any discrimination, any difference between the treatment of the funds paid by the United States and those paid by the Soviet Union?

Mr. CLEVELAND. We made two different kinds of payments. They only made one kind of payment. They were only assessed an amount——

Mr. NIX. The fact that they only made one kind of payment is the reason why it was not treated in the same way as those by the United States?

Mr. CLEVELAND. Right. And they haven't even made that payment. They have boycotted the whole kit and caboodle.

Mr. ZABLOCKI. May I ask that the vote on Resolution 1732 (XVI) be also included in the record at the point at which I made an inquiry about who sponsored that proposal?

Chairman MORGAN. Without objection, it is so ordered.

Thank you, Mr. Secretary.

The committee stands adjourned.

(Whereupon, at 12:55 p.m., the committee adjourned.)

APPENDIX A

OPERATIONS AND FINANCING OF THE UNITED NATIONS

(Prepared by the Department of State)

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8. Projection of estimated United Nations funding requirements and obligations for regular budget, UNEF, and UNOC to Dec. 31, 1963.	3, p. 9, June	364
9. Summary of 1961 and prior-year arrearages owed the United Nations, showing arrearages owed Dec. 31, 1961; arrearages paid, Jan. 1 to May 31, 1962; and arrearages owed, May 31, 1962.	5, p. 11, June	365
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27. Summary description of United Nations and its activities (includes data on the organs and functions of the United Nations and financial data on the United Nations specialized agencies).	20, p. 60, Feb.	397
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31. The votes in the United Nations on the Secretary General's financing resolutions at the 16th General Assembly.	Text, p. 1, Feb.	458

[1] These tables and data—in which only slight changes have been made—were previously printed as appendixes to either the joint committee print of Feb. 6, 1962, or in the supplement to this print dated June 25, 1962. Table number, page, and source are identified in this column.

OPERATIONS AND FINANCING OF THE UNITED NATIONS

Prepared by the Department of State

I. Summary and Current Status

A. THE PRESIDENT'S REQUEST

In January, the President requested authorization from the Congress to purchase up to $100 million of United Nations bonds. This request followed action last December by the General Assembly of the United Nations, which adopted a financing program designed (1) to overcome the present financial crisis and provide a breathing spell for the United Nations, (2) to put the financing of peace-and-security operations in the Middle East and the Congo on a sounder basis for the next year or so, and (3) to provide the legal basis for an aggressive program to collect arrears. The resolutions adopted included authority for the Acting Secretary General to issue $200 million worth of United Nations bonds, repayable over a 25-year period at 2 percent interest.

B. KEY SUBSEQUENT ACTIONS

1. *Senate bill S. 2768.*—The Senate of the United States by a bipartisan vote of 70 to 22 approved S. 2768, which would authorize the appropriation to the President of up to $100 million for the purpose of making loans to the United Nations. The Senate bill also provides that the loan is not to be used to relieve United Nations members of arrearages and shall not exceed by more than $25 million the amount of loans made or agreed to be made by other nations. Further, the United States is to deduct each year from its U.N. assessments the amount the United Nations owes to us for repayment of principal and interest on its loan. A concluding section states that this loan shall not be considered a precedent for future large-scale borrowing.

2. *Bond purchases by other nations.*—As of June 18, 39 nations had pledged a total of about $65.7 million of bonds. This includes 11 nations—Australia, Denmark, Finland, Iceland, Ireland, Israel, Italy, Norway, Sudan, Sweden, and Togo—who have already purchased $25,180,000 of the bonds. In addition, 22 other nations have already indicated they plan to make purchases, but have not made the amounts public. Therefore, the United Nations bond issue is now a going concern.

II. The United Nations Financing Program

A. THE SECRETARY GENERAL'S DILEMMA

When U Thant became Acting Secretary General he found the United Nations in the midst of a grave financial crisis. The principal factor which caused the crisis was the unwillingness of some and the

inability of other members to pay their assessed shares for the UNEF and the Congo operations. Unpaid United Nations bills, plus borrowing from other accounts, totaled over $113 million on December 31, 1961. Arrears on the regular budget, the UNEF, and the Congo totaled about $93 million. A summary of these arrears, and reconciliation, is shown in appendix 9, and an itemization of balances due as of May 31, 1962, by nation, in appendix 10.

B. EFFECT OF ARREARS

As indicated in appendix 4, the effect of the arrears in contributions was the accumulation as of December 31, 1961, of $129.4 million in unpaid obligations. As against this amount, the United Nations had net cash resources of $15.5 million, leaving a net deficit of $113.9 million. Included in the unpaid obligation total of $129.4 million was an amount of $25.2 million, representing borrowings from the United Nations Working Capital Fund, which thus completely exhausted the Fund and made it unavailable to finance expenditures, even for the regular budget. The amount of $129.4 million also included borrowings of $8.7 million from various surplus accounts. Thus, the amounts actually payable by the United Nations to various governments and private concerns amounted to $95.5 million. (Comparable figures for March 31, 1962, are contained in app. 5.)

In order to survive cashwise during 1961, the Secretary General found it necessary from time to time to borrow, as specifically authorized by the General Assembly, from various reserve accounts such as those for the Special Fund and technical assistance. He also found it necessary to use temporarily from May 2 to December 27, 1961, an amount of $10 million paid by the United States and destined for use by the United Nations Children's Fund (UNICEF). The temporary use of these funds did not, of course, in any way affect the operations of the voluntary programs and there is no intention on the part of the Secretary General to borrow additional amounts from UNICEF.

C. THE SECRETARY GENERAL'S PROGRAM

The Secretary General found not only that existing methods of financing these operations were not producing the needed funds, but that widespread opposition existed to continuing to finance UNEF and UNOC by special assessments as they had been in the past. Moreover, he found that some of those unwilling to pay argued they were not legally bound to pay except on the regular budget. The Soviet bloc and Cuba have taken the lead in this position.

When added to the inability of many of the smaller countries to pay these heavy short-term emergency costs on a pay-as-you-go basis—in addition to their regular assessments—the outlook for the future was serious. The financial crisis threatened to cause the collapse of the United Nations peacekeeping operations.

U Thant made three interrelated proposals, each of which was adopted by large votes:

1. *Advisory Court opinion on arrearages.*—The General Assembly voted to ask the International Court of Justice for an advisory opinion to settle the question of whether the assessments levied for UNEF and the Congo were "expenses of the Organization" and therefore man-

datory obligations on member states under the United Nations Charter. (See app. 23 for resolution; app. 31 for the vote, by state.)

2. *Interim financing.*—A $200 million United Nations bond issue was authorized. The issue would be sold to member governments (and to governments that are members of United Nations specialized agencies). The bonds are repayable over a 25-year period at 2 percent interest. The bonds are to be sold in whole or in part until December 31, 1962, although the Secretary General may at any time on or before that date enter into agreements to sell bonds for delivery after that date and until December 31, 1963. The full text of the resolution is printed as appendix 1.

The resolution was sponsored by Canada, Denmark, Ethiopia, Federation of Malaya, Netherlands, Norway, Pakistan, Tunisia, and Yugoslavia.

The vote on the resolution was 58 in favor, 13 against, and 33 states abstaining or absent. (The breakdown of the vote, by state, is shown in app. 31.)

3. *Financing to June 30, 1962.*—To afford time for members to secure the approval of their legislatures to buy bonds, financing (based on the previous formula of assessments against all members plus voluntary contributions mainly from the United States) was voted to carry UNEF and the Congo operations through June 30, 1962. (The text of these resolutions and the vote by state are contained in apps. 19, 20, and 31, respectively.)

The text of the Secretary General's statement on December 11, 1961, to the Fifth Committee (the administrative and budgetary committee) of the General Assembly is contained in appendix 16.

III. Merits of the Financing Program

The United Nations plans to sell a total of $100 million of bonds to other nations. The United States will be assessed about 32 percent of the repayment cost of these bond sales. Therefore, regardless of the ultimate U.S. decision on its own loan of $100 million to the U.N., the merits of the present U.N. financing plan issue over previous financing methods are important considerations and are presented below.

A. Financing Plan Advantages

The principal reasons why the United States supported the United Nations financing plan were:

1. *Solves cash crisis.*—The plan will resolve the immediate cash crisis of the United Nations, which is in our interest. The UNEF and Congo operations can be continued while we seek a more permanent solution to funding peacekeeping operations.

2. *Small annual repayments.*—Annual assessments to cover repayment costs will not total more than $10.2 million. Shared assessments of this magnitude are considered within the ability of all members to pay, including the smaller, less advanced ones, that have been unable to pay the high short-term emergency costs. Twenty-five-year repayment will also permit them to get up to date on their arrears during the breathing space provided under the plan during 1962 and 1963.

3. *Basis for collections program.*—A favorable opinion from the International Court of Justice should force Soviet bloc members and other recalcitrants to pay up or lose their vote in the General Assembly. It will also give the Secretary General a sound legal basis for pressing collections. (For example, if the U.S.S.R. is not to face losing its vote in 1964, it will not only have to pay its full regular contribution—which will include about $1.5 million in 1963 for peacekeeping—but also about $9 million of its back debts for peacekeeping which it has so far refused to pay.)

It is understandable that an effective collections program has been difficult to achieve, while the mandatory character of these assessments has been in dispute. However, the Secretary General has made it clear, both by his statement in the Fifth Committee at the last General Assembly, to which reference has been made, and by his subsequent actions that he will make every attempt to collect contribution arrears now owed to the United Nations by member states. It is too early to say at this time how successful his efforts will be.

4. *Assessments made part of regular budget.*—The financial plan provides that assessments for repayments shall be a part of the regular budget to which every member is legally bound to contribute. This safeguard insures that these assessments cannot validly be attacked as not being expenses of the organization.

5. *Reduction in U.S. contribution.*—For the repayments, the U.S. contribution will be reduced to 32.02 percent, our regular budget assessment scale, from the present 47½ percent we have been paying for peacekeeping.

6. *No debts forgiven.*—The plan will *not* relieve any nation of amounts it owes to any of the U.N. accounts.

7. *Every-member responsibility.*—Under the total financial plan, every member nation will be required to pay its fair share. None will be excused. The principle of every-member responsibility will be reasserted.

In supporting the bond resolution, the U.S. delegation made it perfectly clear that its vote would not have the effect of committing the U.S. Government to purchase bonds—that only the Congress could make such a decision. Ambassador Philip M. Klutznick's statement to the Fifth Committee of the General Assembly on this subject on December 15, 1961, is contained in appendix 17.

B. WHAT AFTER THE BONDS?

The Executive, the Congress, and the United Nations agree that long-term loan financing shall not set a precedent. As soon as present financing is settled and the Court opinion rendered U.S. representatives to the U.N. will begin work with the Secretary General and other member nations to develop methods of financing designed to be equitable, produce the required revenues, and to avoid continuing financial crisis.

IV. Requested International Court of Justice Opinion

A. THE OPINION REQUESTED

As a part of the financing plan an advisory opinion was requested from the Court (by Genera Assembly resolution) to determine

whether the past assessments for UNEF and the Congo were "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter and therefore binding on the members. As indicated earlier, the view of the Department of State is that the answer should be "Yes". If our view is confirmed, this will establish a sound legal basis for an aggressive collections program by the Secretary General.

The resolution requesting an advisory opinion of the International Court was sponsored by United States of America, Brazil, Cameroun, Canada, Denmark, Japan, United Kingdom of Great Britain and Northern Ireland, Liberia, Sweden, and Pakistan and was adopted by a vote of 52–11–32. The text of this resolution is contained in appendix 23.

B. RELATION TO LOSS OF VOTE UNDER ARTICLE 19

Flowing from such a decision will be the legal basis for suspending a member's vote in the General Assembly under Article 19 of the Charter when the amount of a member's arrears in the payments of its financial contributions "equals or exceeds the amount of the (assessed) contributions due from it for the preceding 2 full years." Under a favorable decision, amounts owed for the regular budget, for UNEF, and for the Congo would be included in the computation of arrears and therefore in the required payments.

C. EFFECT ON COLLECTION OF ARREARS

Perhaps equally important to the collection of arrears, however, will be the fact that many nations profess great respect for the Court and the processes of international law and may be expected to pay their arrears before they have reached the level where the sanction of Article 19 would take effect.

D. RELATION TO LOANS AND REPAYMENTS

The requested Court decision does not, however, have a direct bearing on (1) the authority of the U.N. to issue bonds or borrow money, or (2) the requirement that the members pay their assessments for the repayment of the loans, which will begin in 1963. The United Nations has the undisputed authority to issue bonds or borrow money. The issuance of bonds or the making of loans gives rise to a contractual obligation to repay them as a part of the regular budget. The validity of the transactions does not depend upon the requested opinion of the Court.

Further, with respect to repayments, it will be recalled that when the United Nations commenced its activities in New York, it borrowed $65 million from the United States on an interest-free basis with an amortization period of 30 years. This loan was authorized by the Congress (Public Law 903, 80th Cong., Aug. 11, 1948). Amortization payments under the Headquarters Loan Agreement have been included annually in the regular budget of the United Nations and have been paid promptly. Thus far, 12 repayments of principal have been made to the United States which have totaled $22.5 million. Appendix 30 lists the terms of repayment of the loan and the actual repayments made as of July 1, 1962.

V. Financing the United Nations Programs

A. REGULAR BUDGET

1. Magnitude and form

Perhaps the best way to understand the magnitude and form of the United Nations regular budget is to note the following outline of the 1962 budget:

1. Travel and other expenses of representatives, members of commissions, committees, and other subsidiary bodies	$1, 155, 240
2. Special meetings and conferences	1, 532, 000
3. Salaries and wages	40, 765, 550
4. Common staff costs	9, 399, 650
5. Travel of staff	2, 065, 000
6. Payments under annex I, paragraphs 2 and 3, of the staff regulations; hospitality	100, 000
7. Buildings and improvements to premises	4, 364, 500
8. Permanent equipment	438, 500
9. Maintenance, operation, and rental of premises	3, 458, 200
10. General expenses	3, 684, 800
11. Printing	1, 286, 650
12. Special expenses	194, 600
13. Economic development	2, 135, 000
14. Social activities	2, 105, 000
15. Human rights activities	140, 000
16. Public administration	1, 945, 000
17. Narcotic drugs control	75, 000
18. Special missions	2, 490, 650
19. United Nations Field Service	1, 357, 000
20. Office of the United Nations High Commissioner for Refugees	2, 525, 800
21. International Court of Justice	926, 600
Gross budget	82, 144, 740
Less:	
Revised appropriations for 1961	1, 320, 000
Income other than staff assessment	5, 391, 800
Balance on surplus account for 1960	1, 308, 823
Total	8, 020, 623
Total assessed budget	74, 124, 117

The budget resolution [A/RES/1734 (XV)] of the General Assembly for the calendar year 1962 is set forth in appendix 21.

2. Preparation and presentation

The budget is prepared by the Secretariat of the United Nations. The various departments of the Secretariat present to the Controller their estimates of what is required to carry out the activities in their areas of responsibility. For example, the Department of Economic and Social Affairs presents estimates of the requirements to carry out decisions of the Economic and Social Council and the General Assembly in the economic and social area. These estimates are examined by the Controller, correlated with the requirements of other areas and considered in relation to the past budgetary decisions of the General Assembly and the financial situation of the Organization. They are also examined carefully to ascertain whether necessary activities can be carried out with less personnel than requested and at a lower cost. Eventually the Controller consolidates all estimates into a total budget estimate for a calendar year, which then becomes

the responsibility of the Secretary General and is presented by him to the General Assembly.

Prior to the presentation of the estimates to the General Assembly, they are examined by the Advisory Committee on Administrative and Budgetary Questions. This is a committee of independent experts formerly numbering 9 but increased by the 16th General Assembly to include 12 members. The present membership includes nationals of: Greece, Sudan, United States of America, France, Chile, United Kingdom, Iraq, Argentina, Nigeria, Rumania, Pakistan, and Union of Soviet Socialist Republics. This Committee meets for about 3 months prior to each General Assembly session and also during the General Assembly session to examine the estimates in detail and make its own report thereon to the General Assembly.

When the General Assembly meets, it has before it both the estimates of the Secretary General and the report of the Advisory Committee. These are considered by the Fifth Committee (the administrative and budgetary committee) of the General Assembly, which is one of its main committees; that is, a committee in which all 104 members are seated.

3. How the budget is voted

In the Fifth Committee it is customary to vote first on the recommendations of the Advisory Committee on Administrative and Budgetary Questions, which, in many cases, propose a reduction in the Secretary General's estimates. The vote in the Fifth Committee is by a simple majority vote.

The decisions of the Fifth Committee are referred to the plenary session of the General Assembly for final action, and decisions on budgetary matters must be by a two-thirds vote of members present and voting in conformity with Article 18 of the charter.

4. How cost sharing is determined

The first session of the General Assembly in 1946 decided that, in general, the costs of the Organization should be shared on the basis of capacity to pay. The United States objected to the full application of this principle to its contribution on two grounds; namely, (1) that because of the equality of sovereign member states as recognized by equal votes in the General Assembly, no one state should pay a disproportionate share of the costs, and (2) it was not good for the Organization to have any one member pay such a large share of the costs that it would have a predominant influence on the activities of the Organization. The General Assembly, while adhering to the broad application of the principle of capacity to pay, as indicated by the national income statistics of member states, eventually agreed that a ceiling should be placed on the contribution of the highest contributor. It fixed the first U.S. percentage contribution at 39.89 percent, subsequently reduced this to 33.33 percent, and finally decided in 1957 that the percentage of the highest contributor (the United States) should eventually be reduced to 30 percent. The United States percentage for 1962 is 32.02 percent, a reduction from 32.51 percent for 1961.

The General Assembly has also fixed a floor (0.04 percent) for the contributions of the smallest contributors to United Nations expenses. Subordinate principles which are applied to cost sharing are that no state's assessment exceeds the per capita rate of the highest con-

tributor and that special graduated reductions of up to 50 percent are given to states having low per capita incomes.

The contributions scale (scale of assessments) is worked out and recommended to the General Assembly by a contributions committee of 10 independent experts appointed by the General Assembly. The present Committee consists of experts from: India, Iran, Venezuela, United States of America, Union of Soviet Socialist Republics, United Kingdom, Peru, Canada, Poland, and France. The recommendations of the Committee are based on national income statistics submitted by member states plus other national income statistics available to the Committee. The scale of assessments recommended by the Committee is first considered by the Fifth Committee of the General Assembly and finally by the plenary session of the General Assembly. A two-thirds vote is required in the plenary session for its approval.

Once the scale of assessments is fixed by the General Assembly, it remains in effect for 3 years, when it is again completely reviewed. The first scale of assessments approved by the General Assembly in 1946 is shown in appendix 28, and the present scale approved for 1962–64 is shown in appendix 18. The present scale will be subject to a special review in 1962 because of the allegations of the Soviet Union and other countries that their national income statistics were not properly interpreted by the United Nations and that, accordingly, their assessments are too high in the 1962–64 scale.

5. Collection of contributions

Under the financial regulations of the United Nations (regulation 5.4) all contributions are due and payable in full within 30 days of the receipt of the letter from the Secretary General informing states of the assessments voted by the General Assembly or as of the first day of the financial year to which they relate, whichever is the later. Thus, normally assessments are due and payable in full as of about January 31 each year. However, most member states, including the United States, pay considerably later in the year. The United States always pays its assessed contribution to the regular budget after July 1 of the year for which the contribution is voted. In order to finance the United Nations programs pending the collection of contributions, the General Assembly has established a working capital fund of $25.2 million consisting of advances of member states made on the basis of the scale applied to assessment payments. The working capital fund resolution for 1962 is contained in appendix 22.

B. THE UNITED NATIONS PEACE AND SECURITY OPERATIONS IN THE MIDDLE EAST AND IN THE CONGO

The expenses of the United Nations Emergency Force in the Middle East (UNEF) and the United Nations military operations in the Congo (ONUC) have been carried in separate accounts. In the case of UNEF the account is called a "special account," and in the case of the Congo an "ad hoc account."

The reasons for carrying such expenses in separate accounts are set forth below, where the history of the financing of these two peace and security operations is discussed.

The treatment of the expenses for UNEF and ONUC also differed from that accorded to past United Nations expenses in that new

cost-sharing arrangements were developed. These arrangements were made possible by voluntary financial contributions, largely from the United States. However, these arrangements provided, just as in the case of other expenses, for an apportionment of expenses among all member states. The details of these arrangements are set forth below.

With the exceptions noted, the expenses of UNEF and ONUC have been considered and handled exactly like those included in the regular annual United Nations budget.

Data on pricing of materiel and services supplied to the United Nations by the U.S. armed services is provided in appendix 7.

1. The cost of UNEF and ONUC operations

The United Nations Emergency Force in the Middle East has in recent years been costing the United Nations about $20 million per year. The first year of its operations, as in the case of most such operations, cost somewhat more but the cost has stabilized in recent years. The actual amount approved by the General Assembly for the first half of 1962 was $9,750,000.

The United Nations military operation in the Congo has cost considerably more than UNEF. Its average cost from its beginning, in July 1960, has been about $10 million per month. The 16th session of the General Assembly authorized an appropriation of $80 million for an 8-month period commencing November 1, 1961, through June 30, 1962.

2. Budgeting and accounting for UNEF and ONUC

Prior to 1956, expenses of peace and security operations of small magnitude had been carried in regular budget sections. Examples were the expenses of United Nations missions in Palestine and Kashmir.

The use of a separate account procedure originated with UNEF in 1956. This procedure was used at that time because the regular budget estimates were already in final form when the Force was brought into being and because it was then thought that the operation would be very temporary in nature. The use of a separate account procedure was not intended to differentiate the expenses for UNEF or their treatment from those for peace and security operations which have been reflected in regular budget sections.

When the military operation in the Congo was initiated, the same account procedure initiated in UNEF was followed, particularly in view of the magnitude of the expenses involved.

One of the budgetary problems arising in connection with UNEF and ONUC expenses has related to the very nature of these operations. At the outset of these actions, since it was difficult to determine their duration, magnitude, or detailed costs, it was impossible to prepare the same type of detailed budget estimates as in the case of the regular budget. This is no longer quite true in the case of UNEF, whose budget has become somewhat stabilized, but it remains true of ONUC. In the case of the latter operation, it is still necessary to prepare estimates largely in terms of overall monthly operational costs based on the present scope of the operations.

A further element of uncertainty in the estimates results from the nature of one of the most important elements of the costs involved. This is the liability of the United Nations to reimburse governments

furnishing troops for the extra and extraordinary costs incurred by them in supplying troops and the United Nations liability to reimburse these governments for equipment which eventually must be replaced.

3. Basis of contributions for UNEF and ONUC

The most important development in connection with the budgets of UNEF and ONUC has been the development of new cost-sharing arrangements. Because of the magnitude of the costs involved (the present annual costs for UNEF and ONUC combined total about twice the annual regular budget), there quickly developed an opposition on the part of many member states to share the costs in the usual manner, that is, on the basis of the regular scale of assessments.

This opposition was based primarily on three propositions. First, it was contended that the Charter contemplated that peace and security actions should be carried out primarily by the five permanent members of the Security Council who would furnish their troops without cost to other U.N. members. Accordingly, it was argued that the five permanent members of the Security Council should pay considerably more than their ordinary assessment percentages for peace and security operations such as UNEF and ONUC, particularly since in neither case were they furnishing manpower. Second, it was maintained that in accordance with principles of equity the "aggressors" who made U.N. peace and security actions a necessity, plus "parties in interest" should pay all or most of the expenses. Finally, it was argued that regardless of other considerations, some member states had such limited financial resources that they simply could not contribute on the basis of the regular scale of assessments to the expenses of such costly operations as UNEF and ONUC.

In the case of UNEF, this opposition became apparent as early as 1957. Whereas, the first $10 million of expenses for UNEF were assessed on the basis of the regular scale of assessments, there developed an immediate resistance to financing further expenses on this basis, and appeals were made to the major powers to make voluntary contributions. The United States made a voluntary contribution of $920,850 in 1957 and a further voluntary contribution of $12 million in 1958 to relieve the burden of the states less able to pay. The pattern of voluntary contributions has continued although at a decreasing level in subsequent years, amounting to $3.5 million in 1959, $3.2 million in 1960, and $1.8 million in 1961. The United States has pledged a voluntary contribution of $1.3 million for 1962. Total UNEF costs and U.S. contributions to the operation are shown in appendix 15.

The voluntary contributions made by the United States in cash were supplemented in the first year of UNEF's existence by a waiver of the costs of airlifting of troops to the Middle East.

In the first few years of UNEF's existence, the U.S. voluntary contributions were applied toward a reduction in total budget costs with the balance then being assessed against all member states on the basis of the regular scale of assessments. Subsequently, this procedure was modified so that U.S. voluntary contributions were applied only to the assessments of states least able to pay. The criterion for determining the categories of beneficiaries was primarily that of qualification for assistance under the United Nations Expanded Technical Assistance Program. With the growing reluctance of many

member states to finance UNEF in the last year or two, it became necessary to increase the percentage of rebates made available on the basis of voluntary U.S. contributions. The appropriation resolution for 1962 UNEF expenses provides for rebates ranging from 50 to 80 percent, for states receiving technical assistance. The text of this resolution is contained in appendix 19.

When the General Assembly came to deal with the United Nations military operation in the Congo, it based its approach largely on the UNEF experience. However, because the ONUC costs were much greater, resistance to payment became more acute than in the case of UNEF and the demand for higher rebates developed more quickly. The resolution appropriating funds for ONUC through June 30, 1962, contains, as in the case of the UNEF appropriation resolution, provisions for rebates of 50 to 80 percent for technical assistance recipient countries. The text of this latest financing ONUC resolution is contained in appendix 20.

Total ONUC costs and U.S. contributions thus far are shown in appendix 14.

C. VOLUNTARY PROGRAMS

A number of United Nations programs are financed by voluntary contributions rather than by regular assessments on all the members. Governments contribute to these programs on the basis of their interest and ability. The Foreign Assistance Act of 1961 authorized the appropriation of funds to enable the United States to make contributions to these voluntary programs for the current year. The principal programs supported by voluntary contributions are as follows. Detailed statements of pledges and contributions will be found in appendix 29.

1. United Nations expanded technical assistance program (ETAP) and Special Fund

The combined annual financial goal for these programs is established by the General Assembly. In 1961 this goal was increased from $100 million to $150 million. Since the potential need in underdeveloped countries is so much greater than the resources which are likely to be available, the goal is set at a figure which is considered reasonable of attainment and which will stimulate contributions. A pledging conference is held each year at the United Nations. On the basis of the 1961 pledging conference, it is estimated that governments will contribute about $110 million to the two programs in 1962. The size of the ETAP and Special Fund programs is determined by the total of these contributions which governments transmit to the United Nations. No cost-sharing formula is established. The United States, however, limits its contribution to 40 percent of total government contributions, in accordance with existing legislation. This insures that we will not bear a disproportionate share of the costs of these programs.

2. United Nations Children's Fund (UNICEF)

An executive board with 30 member governments allocates funds for projects presented to it by the Executive Director. Allocations are limited by available resources. A constant effort is made by UNICEF to increase government and private contributions to enable the program to meet an increasing number of requests. Governments

make pledges and contributions directly to UNICEF. While no cost-sharing formula is established the United States limits the percentage of its contribution in relation to total government contributions. The United States "share" has been reduced gradually over the years from 72 percent in 1952 to 44 percent in 1962.

3. United Nations Relief and Works Agency for Palestine Refugees (UNRWA)

An annual budget is prepared by the UNRWA Director which he presents to the United Nations. The budget is a target which is not formally approved. It is recognized on the basis of experience that the budget exceeds total contributions which governments are likely to make. Recent target budgets have been about $40 million annually with contributions amounting to less than $35 million. While sufficient funds have been available for basic feeding, housing, and health programs, certain other programs, particularly in education, have not been expanded to the level recommended by the UNRWA Director. Pledges to UNRWA are made annually to the Ad Hoc Committee of the Whole Assembly. Contributions are made directly to UNRWA by governments without any established cost-sharing plan. The United States limits its contribution to 70 percent of total government contributions.

4. United Nations Fund for the Congo

In September of 1960 the Secretary General of the United Nations appealed to all member governments for urgent voluntary contributions to a United Nations Fund for the Congo to be used under United Nations control to provide economic assistance to the Congo. A target of $100 million was established for the Fund. By the end of 1961, governments had contributed about $34 million of which $23 million was from the United States. No cost-sharing formula was established. While the United States because of urgent political and economic considerations has imposed no percentage limitation on its contribution it has expressed the hope that other governments will contribute generously. Contributions are made to the United Nations and are used mainly to finance imports into the Congo. Proceeds from the sale of imports financed by these funds, and by funds contributed by other governments for this purpose, are used for budget aid and for public works programs in the Congo.

VI. Description of United Nations Peace and Security Operations Which Have Resulted in Present Deficit

For 16 years the United Nations has served the national interest of the United States as well as the interests of most of its other members, through its many functions, including its peacekeeping activities. United Nations action is controlled, of course, by the limits set by its Charter and the decisions of its members.

One of the basic purposes of the United Nations under its Charter is "to maintain peace and security." In this role, the tide of Communist aggression was turned back in Korea in an action in which the United States was placed in command of the United Nations forces. Twice more within the past 5 years the General Assembly—with full U.S. support—has taken action to set up military forces to prevent and to remove threats to the peace.

And yet, despite the importance of these activities to peacekeeping and nation building, the United Nations is but one forum and instrument through which the United States carries out its own foreign policy. The United States continues to use all avenues to create a stable world order based on communities of free nations bound together by common consent behind a powerful shield of military defense.

A. UNITED NATIONS EMERGENCY FORCE (UNEF)

1. Origin

UNEF was established by General Assembly Resolution 1000 (ES–1) on November 5, 1956, during the Suez crisis. The establishment of UNEF was in the first place a precondition set by France, Israel, and the United Kingdom for a cease fire. Subsequently, it was a precondition for the withdrawals from Egypt of the Anglo, French, and Israel forces. Upon completion of the withdrawals, UNEF has maintained relative peace and order in the Gaza strip and Sharm-el-Shaikh areas and along about 140 miles of Israel-United Arab Republic border.

2. Subsequent development and present status

The original target of 6,000 troops for UNEF was reached in February 1957. By July of 1961 this figure had been reduced to 5,159. Troops are drawn from seven member states of the United Nations, none of which is a permanent member of the Security Council or enjoys "great power" status. Its national components represent every quarter of the globe. UNEF is one of the great achievements of the United Nations. It demonstrated its ability to take quick and effective action in the face of a fast-moving crisis fraught with great danger. It has since established a solid record of accomplishment in the maintenance of peace and security in its area of operation. On all counts UNEF has served U.S. interests by preserving peace and stability in a critical and uneasy region. The United States has therefore supported the annual General Assembly resolutions authorizing the financial support for the continuation of UNEF.

The composition of UNEF forces initially and also as of July 1961 are contained in appendix 26.

B. UNITED NATIONS OPERATIONS IN THE CONGO (ONUC)

1. Origin

The United Nations Force in the Congo was established by decision of the Security Council on July 14, 1960. Its mission was further defined by the Security Council on July 22 as the "complete restoration of law and order in the Republic of the Congo * * *." Within 24 hours after the decision of July 14 was taken, contingents made available by member states were being flown into the Congo, together with materiel, in U.S. Air Force planes made available to the United Nations.

2. Subsequent development and present status

The crisis in the Congo developed almost immediately after independence on June 30, 1960, but was halted by rapid police action. A subsequent mutiny by Congolese troops resulted in an orgy of violence against the European population and thoroughly intimidated

the Congolese themselves. Belgian paratroopers were flown in as reinforcements to protect Belgian lives and property against mounting excesses by the Congolese armed forces. A Congolese request for U.S. troops to assist in establishing order was refused with the explanation that such aid should come only through the United Nations. The Congolese Government then dispatched an urgent request to the Secretary General for United Nations military assistance, "justified by the dispatch to the Congo of metropolitan Belgian troops in violation of the treaty of friendship between Belgium and the Republic of the Congo on June 29, 1960."

In response to a letter from the Secretary General to the President of the Security Council concerning the Congo situation, which he viewed as a matter that "may threaten the maintenance of international peace and security," the Council met urgently on July 13. On the following day it adopted a resolution (Doc. S/4387, dated July 14, 1960) which (*a*) called on Belgium to withdraw their troops from the Congo and (*b*) authorized the Secretary General, in consultation with the Congolese Government, to provide necessary military assistance until the Congolese security force, in the opinion of the Government, is able to "meet fully their tasks." The vote on this resolution was 8 for (United States), none against, with 3 abstentions (China, France, and the United Kingdom). This resolution and the other relevant resolutions are set forth in appendix 24.

Shortly thereafter the Security Council was again back in session, urgently convened by the Secretary General to reconsider the Congo question in the light of the refusal of the authorities in the "independent" Province of Katanga to permit the entry of U.N. troops. The Secretary General warned members that a speedy solution to the question might involve a question of peace or war, and not limited to the Congo alone. Any delay or hesitation might risk values greater than any of those they were designed to protect.

In the early hours of August 9, the Council adopted a Ceylon-Tunisia draft resolution by a vote of 9 (United States) to 0, with 2 abstentions (France and Italy). This resolution (Doc. S/4426) called on Belgium "to withdraw its troops from the Province of Katanga under speedy modalities determined by the Secretary General and to assist in every possible way the implementation of the Council's resolutions." The Council also declared that "the entry of U.N. troops into the Province of Katanga is necessary for the full implementation of this resolution." Resolution S/4426 is contained in appendix 24.

The composition of United Nations forces in the Congo is contained in appendix 25.

VII. Possibility of Charter Revision

The provisions of Article 109 of the Charter establish the procedure for calling a general conference to review the charter. Its text follows:

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective

constitutional processes by two-thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

Inasmuch as there had been no general conference to review the Charter prior to the 10th General Assembly, an item on that subject was placed on the agenda at that session.

The 10th General Assembly under resolution 992(X) decided in principle to hold a charter review conference at an appropriate time and established a Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter. This committee of the whole was charged with the responsibility of making recommendations on the time and place for the conference and on organizations and procedures in consultation with the Secretary General. The Committee, which has had this matter under consideration ever since its establishment, has reported to the 12th, 14th, and 16th sessions of the General Assembly the opinion of the great majority of United Nations members that the international atmosphere has not been auspicious for a constructive review of the Charter. This question will again be on the agenda of the 17th session. However, there is no indication at present that there is such general agreement on the objectives of a Charter Review Conference as to warrant a recommendation by the Committee on Arrangements that a conference be held in the near future.

Any amendment of the Charter requires a two-thirds vote in the General Assembly or the conference and ratification by two-thirds of the members of the United Nations to bring it into force. Given the present international atmosphere, most members have been very pessimistic about a Charter Review Conference having a constructive outcome. The United States has shared the view of the majority of the members that the time is not yet propitious. In the absence of a deeper and wider recognition of common interests among U.N. members generally than now exists, a review conference could easily prove so contentious as to destroy rather than strengthen the United Nations.

In addition there is the firm opposition of the U.S.S.R. to any discussion of Charter changes. This opposition has been expressed not only with respect to a conference for an overall review of the Charter, but also with respect to certain specific amendments relating to enlargement of principal organs of the United Nations. The Soviet position is that there should not even be any discussion of Charter changes in the absence of a change in the representation of China in the United Nations and that the Soviet Union will not ratify any Charter amendments until the Chinese Communists are seated. In view of the Soviet position and the fact that the Charter provides that the veto power is applicable in the ratification process to amendments to the Charter, there appears to be little possibility of any Charter revisions.

The Department of State has nevertheless been very much concerned with the relationship between a review of the Charter and improving the functioning of the United Nations. In a study of the overall subject of charter review, the question of financing the United Nations was given considerable attention. This subject has also been

studied by nongovernmental groups within the United States. Some of the groups within the United States and abroad which have studied the subject have expressed the view that some of the financial problem of the United Nations might be reduced by the substitution of a weighted voting plan for the one state-one vote plan. For the most part, this opinion has been accompanied by a recommendation that the weighted voting plan be based on the amount of the member state's contribution to the United Nations. The reaction of the smaller powers and newer states among U.N. members to the idea of any plan of weighted voting has been extremely negative since they attach great importance to the charter principle of the sovereign equality of states reflected in the one state-one vote provisions of the Charter.

Nevertheless, these ideas from various sources inside and outside the United States have been studied by the Department of State and will be most helpful as background material when there is improvement in the international climate. Presently, however, there remains such a sharp difference of opinion between the East and the West and between the anticolonial, less developed newer states and the older powers as to negate any hope for reaching agreement with respect to specific revisions of the Charter.

SUBAPPENDIXES TO "OPERATIONS AND FINANCING OF THE UNITED NATIONS"

APPENDIX 1

Sixteenth session—Agenda item 54

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/5076)]

1739 (XVI). *The United Nations financial position and prospects*

The General Assembly,

Having taken note of the statement made by the Acting Secretary-General at the 899th meeting of the Fifth Committee, on 19 December 1961, concerning the United Nations financial position and prospects,[1]

Bearing in mind the activities and programmes of work of the United Nations that have been approved by the General Assembly,

Recognizing that the ability of the United Nations to discharge its responsibilities and to implement its programmes requires it to have adequate and assured financial resources,

Considering that, under existing circumstances, extraordinary financial measures are required and that such measures should not be deemed a precedent for the future financing of the expenses of the United Nations,

1. *Authorizes* the Secretary-General to issue United Nations bonds in accordance with the terms and conditions set forth in the annex to the present resolution;

2. *Further authorizes* the Secretary-General, subject to such decisions as the General Assembly may hereafter adopt, to utilize the proceeds from the sale of such bonds for purposes normally related to the Working Capital Fund;

3. Decides to include annually in the regular budget of the United Nations, beginning with the budget for the year 1963, an amount sufficient to pay the interest charges on such bonds and the instalments of principal due on the bonds.

1086th plenary meeting,
20 December 1961.

ANNEX

Terms and conditions governing the issue of United Nations bonds

1. The aggregate principal amount of the United Nations bonds authorized under General Assembly resolution 1739 (XVI) of 20 December 1961 (hereinafter called the bonds) shall be limited to the equivalent of $US200,000,000.

2. Bonds may be issued expressed in United States dollars (hereinafter called dollars) and in such other currencies as the Secretary-General shall determine. The principal of and interest on any bond shall be payable in the currency in which such bond is expressed.

3. In order to determine the dollar equivalent, for the purpose of paragraph 1 above, of any bond which has been issued expressed in a currency other than dollars, the principal amount of such bond shall be translated, as at the date on which such bond shall be sold or agreed to be sold, into dollars at such rates as the Secretary-General, after consultation with the Managing Director of the International Monetary Fund, shall determine.

4. The bonds shall bear interest at the rate of 2 per cent per annum, payable annually, on the principal amount thereof outstanding and unpaid from time to time.

[1] A/C.5/907.1

5. The principal amount of each bond shall be repayable in twenty-five annual instalments in accordance with the following table:

	Percent
At the end of the first year	3. 1
At the end of the second year	3. 2
At the end of the third year	3. 2
At the end of the fourth year	3. 3
At the end of the fifth year	3. 4
At the end of the sixth year	3. 4
At the end of the seventh year	3. 6
At the end of the eighth year	3. 6
At the end of the ninth year	3. 6
At the end of the tenth year	3. 7
At the end of the eleventh year	3. 8
At the end of the twelfth year	3. 9
At the end of the thirteenth year	4. 0
At the end of the fourteenth year	4. 0
At the end of the fifteenth year	4. 2
At the end of the sixteenth year	4. 2
At the end of the seventeenth year	4. 2
At the end of the eighteenth year	4. 4
At the end of the nineteenth year	4. 5
At the end of the twentieth year	4. 5
At the end of the twenty-first year	4. 7
At the end of the twenty-second year	4. 7
At the end of the twenty-third year	4. 8
At the end of the twenty-fourth year	4. 9
At the end of the twenty-fifth year	5. 1
	100. 0

6. The United Nations may at any time prepay at par all or part of the principal amount of the bonds remaining outstanding and unpaid. Partial prepayment shall be applied equally and ratably to all the bonds outstanding and shall be credited against annual instalments of repayments in inverse order of maturity.

7. The bonds shall be offered to States Members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency, as well as to the official institutions of such members, and, if the Secretary-General, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, shall so determine, to non-profit institutions or associations.

8. The bonds may be sold in whole or in part from time to time until 31 December 1962, provided, however, that the Secretary-General may, at any time on or before that date, enter agreements to sell bonds for delivery after that date and on or before 31 December 1963.

9. The Secretary-General shall, after consultation with the Advisory Committee on Administrative and Budgetary Questions, from time to time issue such regulations, not inconsistent with the foregoing paragraphs, and take any and all such further action as may be necessary to carry out the purpose of the above resolution.

APPENDIX 2

UNITED NATIONS BOND PURCHASES BY OTHER NATIONS

As of July 16, 1962, other nations have indicated these plans to purchase United Nations bonds:

Actual purchases:	
Australia	$4,000,000
Denmark	2,500,000
Finland	1,480,000
Iceland	80,000
Ireland	300,000
Israel	200,000
Italy	8,960,000
Jordan	25,000
New Zealand	[1] 500,000
Norway	1,800,000
Sudan	50,000
Sweden	5,800,000
Togo	10,000
Tunisia	485,000
Vietnam	10,000
Total for 15 nations	26,200,000
Publicly announced pledges:	
Afghanistan	25,000
Austria	900,000
Burma	100,000
Cambodia	5,000
Canada	6,240,000
Ceylon	25,000
China	500,000
Cyprus	26,175
Ecuador	12,000
Ethiopia	200,000
Germany	10,000,000
India	2,000,000
Iran	500,000
Japan	1,000,000
Korea	400,000
Kuwait	1,000,000
Lebanon	8,000
Liberia	200,000
Malaya	340,000
Netherlands	2,020,000
New Zealand	[1] 500,000
Nigeria	1,000,000
Pakistan	500,000
Panama	25,000
Sierra Leone	28,000
Switzerland	1,900,000
United Arab Republic	250,000
United Kingdom	12,000,000
Venezuela	300,000
Yugoslavia	200,000
Total for 29 nations	46,204,175
Total of announced purchases and pledges for 44 nations	72,404,175

In favor, but amounts not announced: 19 nations.
Under consideration: 26 nations.
Do not plan to subscribe at present: 8 nations.

[1] New Zealand purchased $500,000 of its $1,000,000 pledge on June 22, 1962, and is therefore listed under both "actual purchases" and "publicly announced pledges." It is included in the number of nations under "actual purchases."

Appendix 3

Opinion of the Legal Adviser of the Department of State on Legal Issues Arising in Respect of the Issuance of Bonds and the Contracting of Loans by the United Nations

The United Nations has the legal capacity to borrow by action of the General Assembly

On December 20, 1961, the General Assembly adopted resolution 1739(XVI) which provides as follows:

"*The General Assembly*—

"*Having taken note* of the statement made by the Acting Secretary-General at the 899th meeting of the Fifth Committee, on 19 December 1961, concerning the United Nations financial position and prospects,

"*Bearing in mind* the activities and programmes of work of the United Nations that have been approved by the General Assembly,

"*Recognizing* that the ability of the United Nations to discharge its responsibilities and to implement its programmes requires it to have adequate and assured financial resources,

"*Considering* that, under existing circumstances, extraordinary financial measures are required and that such measures should not be deemed a precedent for the future financing of the expenses of the United Nations,

"1. *Authorizes* the Secretary-General to issue United Nations bonds in accordance with the terms and conditions set forth in the annex to the present resolution;

"2. *Further authorizes*, the Secretary-General, subject to such decisions as the General Assembly may hereafter adopt, to utilize the proceeds from the sale of such bonds for purposes normally related to the Working Capital Fund;

"3. *Decides* to include annually in the regular budget of the United Nations, beginning with the budget for the year 1963, an amount sufficient to pay the interest charges on such bonds and the installments of principal due on the bonds."

The only article of the Charter on which General Assembly resolution 1739(XVI) could have been based was Article 17, since this is the sole provision in the Charter granting financial powers to an organ of the United Nations. Article 17 provides as follows:

"1. The General Assembly shall consider and approve the budget of the Organization.

"2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly."

The question of competence raised by resolution 1739(XVI) is thus whether its adoption lay within the powers granted to the General Assembly by Article 17 despite the fact that borrowing authority is not expressively granted by that article.

One other provision of the Charter bears on this issue. Article 104 of the Charter provides as follows:

"The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes."

This provision manifestly relates to the powers exercised by the General Assembly under Article 17.

Drafting history of Article 17

The functions expressly granted the General Assembly by Article 17 are few: the Assembly may consider and approve the budget; the Assembly may apportion the expenses of the Organization among the Members. The Article does not specifically empower the Assembly to borrow, or to issue bonds as evidence of the debt. Accordingly, it is pertinent to inquire, in the first instance, whether the authors of the Charter of the United Nations conceived of this Article as limiting the competence of the General Assembly to the functions expressly stated, or whether they contemplated that the Assembly, as the sole organ competent to deal with budgetary and financial questions, would receive under that Article the competence to take whatever measures might be necessary in the area of finance to permit the Organization to meet the broad and important responsibilities vested in it by other articles of the Charter.

Little debate attended the adoption of Article 17 at the San Francisco Conference in 1945. The authors of the Charter appear to have been primarily concerned to make clear that the General Assembly should have all the financial and budgetary powers of the Organization, rather than with the processes which those powers would entail. The report of the Rapporteur of Commission II to the Conference merely noted with respect to Article 17, that "The Assembly will have the authority in financial and budgetary matters. * * *" Doc. No. 117, II/18, 8 UN Conf. Int'l Org. Doc., 249, 250 (1945). A similar broad construction of the functions of the General Assembly under Article 17 is reflected in the report of the United States Delegation to the San Francisco Conference. That report provided:

"The *budgetary* function of the General Assembly empowers that body to consider and approve the budget of the Organization as well as any financial and budgetary arrangements with specialized intergovernmental agencies brought into relationship with it, and to apportion overall expenses of the Organization among its Members (Article 17). The allocation to the General Assembly of the task of apportioning the expenses and approving the budgets of the Organization is an extension to the international field of the fundamental principle of democratic government that the purse strings should be held by the most widely representative organ. At the Conference there was some discussion of the desirability of specifying in detail the budgetary procedures and methods of apportioning expenses, but all such suggestions were in the end rejected on the ground that the Charter should be held as much as possible to the description of fundamental powers and functions, and that the General Assembly could safely be left to take care of details through its own subsequent regulations." Dept. of State Pub. No. 2349, at 57 (1945).

Thus the discussions at San Francisco did not lead to a formulation of Article 17 in which the processes which the General Assembly might follow in meeting its financial responsibilities were fully stated. However, a thorough review of those discussions discloses no indication of an intent to restrict the General Assembly to the enumerated processes of consideration and adoption of the budget and apportionment of the expenses.

As a practical matter, it would be impossible for the General Assembly to meet its financial responsibilities were its functions limited to the specific processes set forth in Article 17. The financial and budgetary management of a political entity having the size, complexity, and functions of the United Nations necessitates the performance of other functions besides the consideration and approval of the budget and apportionment of expenses. Expenses assessed must be collected, provision must be made for the custody and management of funds once collected, accounts must be audited, expenditures must be controlled. That these functions would be performed appears not to have been doubted, and, indeed, could not logically have been doubted, even though Article 17 does not specifically provide for them.

This assumption on the part of the authors of the Charter was fulfilled in the steps preceding the first meeting of the United Nations. The Executive Committee of the Preparatory Commission, meeting at London in August 1945, recommended to the Preparatory Commission that provision be made for performance by the General Assembly of a broad range of financial and budgetary measures of the nature previously indicated: collection of assessments, the custody and management of funds, the auditing of accounts, the control of expenditures, and so forth. Further, it recommended the establishment of a Working Capital Fund, contributed by Members, to provide the means of financing the operations of the Organization prior to the adoption of the first budget of the Organization and the receipt of the first assessments. U.N.Doc. PC/EX/113/Rev. 1, at 96–101 (1945). These recommendations were substantially accepted by the Preparatory Commission, which met in London four months later, and were embodied in the Report of the Preparatory Commission to the General Assembly. U.N. Doc. PC/20, at 104–113. No objection was raised that these measures went beyond those enumerated in Article 17: the consideration and adoption of the budget and the apportionment of expenses. Clearly, planning for the first session of the General Assembly proceeded on the assumption that the Assembly, once convened, would be competent to take those financial and budgetary measures necessary to enable the Organization to perform its functions. That the Assembly shared that conception of its functions under Article 17 is confirmed by its resolutions at the first session, substantially adopting the recommendations of the Preparatory Commission. U.N. Doc. No. A/64, at 21–23 (1946).

Principles of legal interpretation applicable to Article 17

It has been shown that the financial and budgetary powers conferred on the General Assembly by Article 17 were conceived of by those who wrote the Charter, and by those who were charged with bringing it into operation, as granting a broad, general competence in financial and budgetary matters, sufficient to enable the Organization to meet the expenses connected with the varied and important responsibilities imposed on the Organization by the Charter. Such a construction of Article 17 accords with general principles of international law applicable to the interpretation of treaties, including the Charter. As a treaty, the Charter, under well-established rules of interpretation, must be construed liberally for the accomplishment of the purposes for which it was concluded. This canon of effectiveness in the interpretation of treaties is well recognized in American jurisprudence. In summarizing the position taken by the United States Supreme Court in the interpretation of treaties, the former Solicitor of the Department of State commented:

"The recurring emphasis laid by the Court upon the liberal construction of treaties must be regarded as due to the imputation to the contracting parties of a design to carry out their undertakings in perfect good faith, and to the conviction that the requirements of such good faith beget the obligation to yield whatever is reasonably incidental to the exercise of a particular concession, or whatever such concession necessarily entails for its proper exercise." 2 Hyde, Int'l Law Chiefly as Interpreted and Applied by the United States 1481 (1945). See also *Bacardi Corp. of America* v. *Domenech*, 311 U.S. 150 (1940); *Factor* v. *Laubenheimer*, 290 U.S. 276 (1933); *Jordan* v. *Tashiro*, 278 U.S. 123 (1928).

The rule that treaties should not be given a restrictive interpretation, but should rather be liberally interpreted with a view to the accomplishment of their purposes has been similarly recognized in opinions of the International Court of Justice and its predecessor, the Permanent Court of International Justice. Professor Hersch Lauterpacht, subsequently Judge of the International Court of Justice, summarized the position of international tribunals on the question of the liberal interpretation of treaties in the following terms:

"International jurisprudence—and particularly that of the Permanent Court of International Justice and its successor—has constantly acted upon the principle of effectiveness as the governing canon of interpretation. This the Court has done in practically every sphere of its activity: in giving, notwithstanding occasional disclaimers to the contrary, a 'liberal' interpretation to clauses conferring jurisdiction upon it; in pronouncing, almost invariably, in favor of an interpretation extending the competence of international institutions such as the International Labour Organization or the international river commissions; and in construing, without exception, minorities treaties and similar obligations in a manner calculated to enhance their effectiveness and to limit pro tanto the freedom of states bound by the clauses in question." Lauterpacht, Restrictive Interpretation and the Principle of Effectiveness in the Interpretation of Treaties, 26 Brit. Y.B. Int'l L., 48–68 (1949).

The International Court of Justice has construed the Charter of the United Nations to grant to the United Nations functions not expressly stated by it. In determining whether the United Nations had the competence to maintain an international claim for injury to a United Nations official, the Court stated:

"The Charter does not expressly confer upon the Organization the capacity to include, in its claim for reparation, damage caused to the victim or to persons entitled through him. The Court must therefore begin by enquiring whether the provisions of the Charter concerning the functions of the Organization, and the part played by its agents in the performance of those functions, imply for the Organization power to afford its agents the limited protection that would consist in the bringing of a claim on their behalf for reparation for damage suffered in such circumstances. Under international law, the Organization must be deemed to have those powers which, though not expressly provided in the Charter, are conferred upon it by necessary implication as being essential to the performance of its duties." *Reparation for injuries suffered in the service of the United Nations (Advisory Opinion)*, [1949] I.C.J. Rep. 182–83.

Thus the Charter of the United Nations, notably Article 17, by which the General Assembly's financial and budgetary functions are conferred, must, under recognized principles of treaty interpretation, be effectively construed with a view to the accomplishment of the purposes of the Organization. These principles of interpretation indicate that the United Nations General Assembly has, in addition to the power to consider and approve the budget and to apportion the expenses of the Organization, expressly provided for in Article 17, those implied

powers necessary for the performance of its financial responsibilities, including the borrowing of funds and the issuing of bonds as evidence of the debt.

Practice of the United Nations

The practice of the United Nations has fully confirmed the interpretation of Article 17 that has been made above. This practice is relevant to the interpretation of the Charter. The International Court of Justice has so recognized. *Corfu Channel case, Judgment April 9, 1949, I.C.J. Reports* 1949, p. 4, 25; *Competence of Assembly Regarding Admission to the United Nations, Advisory Opinion: I.C.J. Report* 1950, p. 4, 9; *International Status of South-West Africa, Advisory Opinion: I.C.J. Reports* 1950, p. 128, 135.

It was previously indicated that the General Assembly, at the first part of its first session, followed the recommendation of the Preparatory Commission by establishing a comprehensive financial and budgetary regime for the United Nations, including a number of measures not strictly enumerated as within its functions by Article 17. Subsequent decisions by the General Assembly have similarly comported with this interpretation of Article 17.

The United Nations has made a major long-term loan for the building of its Headquarters. In unanimously agreeing to this loan, the members of the General Assembly recognized that the General Assembly is competent to borrow. As the other party in the loan transaction, the United States Government has even more unequivocally recognized this competence.

On November 20, 1947, the General Assembly adopted without dissent resolution 182(II) by which it noted the receipt by the Secretary-General of a letter from the representative of the United States stating that the United States Government would be prepared to enter into negotiations with the Secretary-General with a view to concluding an agreement whereby the United States Government would loan an amount not exceeding $65 million for the purpose of financing the construction of the United Nations headquarters. In its operative paragraph 3, the resolution authorized the Secretary-General to negotiate and conclude, on behalf of the United Nations, a loan with the United States of America in that amount. It is significant to note that the competence of the United Nations to enter into this loan agreement was not questioned in the Ad Hoc Committee on the Headquarters, in the General Assembly's Budgetary and Financial Committee, or in the General Assembly in plenary session, during the discussion which led to the adoption of General Assembly resolution 182(II).

The proposed headquarters loan was considered, with other aspects of the relationship between the United States and the United Nations, in extended hearings in the House of Representatives. *Hearings on the Structure of the United Nations and the Relations of the United States to the United Nations Before the House Committee on Foreign Affairs,* 80th Cong., 2d sess. (1948). The records do not indicate that the competence of the United Nations to borrow was questioned by the Committee or the witnesses. Similarly, in the Report of the Senate Committee on Foreign Relations, which considered public hearings unnecessary in view of the action previously taken in the House, the competence of the United Nations to borrow was not questioned (S. Rep. 1682, 80th Cong., 2d sess. (1948)). On August 11, 1948, Congress authorized the President to bring the headquarters loan agreement into effect. 62 Stat. 1286 (1948). The resolution did not refer to the question of competence. Pursuant to this authorization, the loan agreement was brought into effect, and repayment by the United Nations has subsequently proceeded under the terms of the agreement.

This action by the General Assembly in the performance of its financial responsibilities under Article 17 of the Charter is reflective of an understanding among its members regarding the breadth of its functions, and it is entitled to weight in the construction of Article 17. The validity of interpretations by organs of the United Nations of Charter provisions concerning their functions and powers was recognized at the San Francisco Conference. In answering the question as to how and by what organs the Charter should be interpreted, Committee II/2 stated the following conclusion:

"In the course of the operations from day to day of the various organs of the Organization, it is inevitable that each organ will interpret such parts of the Charter as are applicable to its particular functions. This process is inherent in the functioning of any body which operates under an instrument defining its functions and powers. It will be manifested in the functioning of such a body as the General Assembly, the Security Council, or the International Court of Justice. Accordingly, it is not necessary to include in the Charter a provision either authorizing or approving the normal operation of this principle" (Doc. No. 333, IV/2/42, 13 U.N. Conf. Int'l Org. Doc. 709 (1945)).

It has been shown that the borrowing of funds, and the issuance of bonds as evidence of the debt, contemplated by General Assembly resolution 1739(XVI) constituted a valid exercise of the powers granted the General Assembly by Article 17 of the Charter. The authors of the Charter clearly intended that the General Assembly should exercise a general competence on budgetary and financial matters necessitated by the varied and important functions which the Organization as a whole was enjoined by the Charter to perform. This construction of Article 17 comports with established legal principle governing the interpretation of treaties; it has been accepted in practice by the General Assembly in the performance of its functions under Article 17, and by the United States Government.

ARRANGEMENTS FOR REPAYMENT PROVIDE ADEQUATE ASSURANCE AGAINST LOSS

The legal and political factors which operate to insure payment of the annual installments of principal and interest on the United Nations bonds, or to prevent financial loss to purchasers in the event of default, will now be considered. As is customarily the case in respect of loans floated by political entities, the security characteristic of private transactions is absent. There is no collateral in the commercial sense of that term and the Organization is not subject to suit. Nevertheless, the legal arrangements to secure repayment are adequate to assure repayment.

Setoff

As adopted by the Senate, the legislation authorizing the loan to the United Nations contains the following provision:

"There shall be deducted from the annual payment of the assessed share of the United States of the budget of the United Nations an amount equal to the corresponding annual installment of principal and interest due to the United States on account of the loan made pursuant to Section 1."

Implementation of this provision can be arranged with the Secretary General at the time loans are extended or bonds are purchased, pursuant to the Secretary General's authority to "issue such regulations, not inconsistent with the foregoing paragraphs [of resolution 1739(XVI) and its Annex], and take any and all such further action as may be necessary to carry out the purpose of the above resolution." (Para. 9, Annex, A/RES/1739(XVI)).

Even in the absence of any express action by the United States at the time loans were extended or bonds purchased, it appears that a decision by the United States to make such a deduction could not be opposed under general principles of international law. The setoff is a common institution in most of the world's legal systems. See Lawson, Common Lawyer Looks at the Civil Law 151–52 (1953); Wolff, Private International Law 234–35, 456–57 (2d ed., 1950); Lee, Introduction to Roman-Dutch Law 275 (4th ed., 1946); Esquival Obergon, Latin-American Commercial Law 305 (1921). It is probable that, if the International Court of Justice were called upon to pronounce on the validity of such action by the United States, it would hold the setoff to be a "general principle of law recognized by civilized nations," and thus a part of the international law which the Court is enjoined by Article 38(1)(c) of its statute to apply.

It is unlikely, however, that the use of a setoff by the United States would be sufficiently disputed to require consideration by the International Court of Justice. The manifest fairness of such a deduction has been described as "but the exercise of the common right, which belongs to every creditor, to apply the unappropriated moneys of his debtor, in his hands, in extinguishment of the debts due to him" (*Gratios* v. *United States*, 40 U.S. (15 Pet.) 336, 370 (1841)).

Inclusion of bond repayment in regular budget account

Resolution 1739(XVI), by which the General Assembly decides to include annually in the regular budget of the United Nations, beginning with the budget for the year 1963, an amount sufficient to pay the interest charges on such bonds and the installments of principal due on the bonds, placed the payment of the bonds in a status in which they will be paid along with the other general expenses of the Organization. The apprehension that Members opposed to certain decisions by the United Nations for the maintenance of peace and security might refuse to pay that part of their assessed contributions which would be used to pay the bond issue is not well-founded. Contributions are assessed against Members in a total amount; the assessment is not subdivided according to the items in the budget of the Organization. It would not be permissible, under established budgetary practices of the United Nations, for a Member state not paying all of its assessed contributions to identify the area of the budget to which its default shall be attributed. Since it is not possible for a Member to earmark a partial

nonpayment of its assessed contribution, the effect of such partial nonpayment would merely be a shortfall in the contributions for that year, the shortfall not being attributable to any specific section of the budget of the Organization.

The failure of Members to pay their assessed contributions creates a situation governed by Article 19 of the Charter, which automatically deprives a Member of its vote in the General Assembly when an arrearage equal to its assessed contributions for the preceding 2 years has been established.

Past repayment record of United Nations

The past practice of the Organization regarding the payment of large financial obligations affords no basis for questioning its determination to meet in full its financial commitments. Under the agreement between the United States and the United Nations, the $65,000,000 headquarters loan was to be repaid in the following installments:

July 1, 1951	$1,000,000	July 1, 1967	$2,500,000
July 1, 1952	1,000,000	July 1, 1968	2,500,000
July 1, 1953	1,500,000	July 1, 1969	2,500,000
July 1, 1954	1,500,000	July 1, 1970	2,500,000
July 1, 1955	2,000,000	July 1, 1971	2,500,000
July 1, 1956	2,000,000	July 1, 1972	2,500,000
July 1, 1957	2,000,000	July 1, 1973	2,500,000
July 1, 1958	2,000,000	July 1, 1974	2,500,000
July 1, 1959	2,000,000	July 1, 1975	2,500,000
July 1, 1960	2,500,000	July 1, 1976	1,500,000
July 1, 1961	2,500,000	July 1, 1977	1,500,000
July 1. 1962	2,500,000	July 1, 1978	1,500,000
July 1, 1963	2,500,000	July 1, 1979	1,500,000
July 1, 1964	2,500,000	July 1, 1980	1,500,000
July 1, 1965	2,500,000	July 1, 1981	1,500,000
July 1, 1966	2,500,000	July 1, 1982	1,000,000

This schedule of repayments has been fully and promptly met by the Organization.

Guarantees in the event of dissolution of the Organization

The preceding discussion has assumed the continued existence of the United Nations. Full inquiry requires that it also be asked what guarantees exist against default in the event that the United Nations were to be dissolved before complete repayment of the bond issue. The normal process for the conclusion of the affairs of an international organization contemplates the settlement of all contractual obligations prior to the distribution of the remaining assets. This was done in the case of the League of Nations, which settled its outstanding contractual obligations upon dissolution. The United States would be in a position to insist that such procedures be followed, not only because of its political leadership within the Organization, but also because the major asset of the Organization is located within U.S. territory. In this connection, it should be noted that the headquarters district may not, under section 22 of the agreement between the United States and the United Nations regarding the headquarters of the United Nations, be disposed of without the consent of the United States. Agreement between the United States and the United Nations regarding the Headquarters of the United Nations, June 26, 1947, TIAS 1676.

THE ADVISORY OPINION REQUESTED FROM THE INTERNATIONAL COURT OF JUSTICE COULD NOT IMPAIR REPAYMENT OF THE LOAN

Terms of reference of request for advisory opinion and bond issue

On December 20, 1961, the General Assembly, by resolution 1731(XVI), addressed the following question to the International Court of Justice:

"Do the expenditures authorized in General Assembly resolutions 1583(XV) and 1590(XV) of 20 December 1960, 1595(XV) of 3 April 1961, 1619(XV) of 21 April 1961 and 1633(XVI) of 30 October 1961 relating to the United Nations operations in the Congo undertaken in pursuance of the Security Council resolutions of 14 July, 22 July and 9 August 1960 and 21 February and 24 November 1961, and General Assembly resolutions 1474(ES–IV) of 20 September 1960 and 1599(XV), 1600(XV) and 1601(XV) of 15 April 1961, and the expenditures authorized in General Assembly resolutions 1122(XI) of 26 November 1956, 1089(XI) of 21 December 1956, 1090(XI) of 27 February 1957, 1151(XII) of 22 November 1957, 1204(XII) of 13 December 1957, 1337(XIII) of 13 December 1958,

1441(XIV) of 5 December 1959 and 1575(XV) of 20 December 1960 relating to the operations of the United Nations Emergency Force undertaken in pursuance of General Assembly resolutions 997(ES–I) of 2 November 1956, 998(ES–I) and 999(ES–I) of 4 November 1956, 1000(ES–I) of 5 November 1956, 1001(ES–I) of 7 November 1956, 1121(XI) of 24 November 1956 and 1263(XIII) of 14 November 1958, constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?"

The question put to the Court concerns the status of expenditures authorized by certain previously adopted resolutions as "expenses of the Organization" within the meaning of Article 17(2) of the Charter. These resolutions relate to the financing of the United Nations Emergency Force (UNEF) and of the United Nations Operations in the Congo (ONUC). The bonds will be paid out of assessments which are not before the Court and which, in fact, have not yet been adopted by the General Assembly. Accordingly, it would not be possible for the Court specifically to hold invalid the resolutions by which the loan will be repaid.

Similarly, the advisory opinion of the Court would not collaterally prejudice repayment of the loan. It is anticipated that the Court will hold that the expenditures authorized in the enumerated resolutions are "expenses of the Organization." While not directly affecting the repayment of the loan, this would facilitate the strengthening of the Organization's financial situation by helping to secure the collection of unpaid past assessments.

It is possible, of course, that the Court might decline to respond to the General Assembly's request for an advisory opinion. The predecessor of the present Court, the Permanent Court of International Justice, did so in one instance, where the type of question and the circumstances were very different from those in the present case. *Eastern Carelia* case, P.C.I.J., ser. B, No. 5 (1923). It seems quite unlikely that the International Court of Justice would decline to render an advisory opinion in the current case. In the improbable event that the Court were to do so, a jurisdictional determination of this sort obviously would not impede repayment of the loan.

On the assumption that the Court renders an opinion, it is expected that this will vindicate and uphold the position contended for by the United States. In this connection, it is to be noted that the principal contentions advanced against our position are not such as to strike at the validity of the United Nations loan or the obligation of repayment. For example, it has been contended that the UNEF and ONUC assessments now before the Court are not "expenses of the Organization" because they stem from special accounts, rather than the general account, of the United Nations budget. Resolution 1739(XVI) specifies that the loan is to be repaid from the general account used in paying the Organization's ordinary expenditures. Thus, any contention distinguishing between the general and special accounts, and urging that the latter do not constitute "expenses of the Organization," only emphasizes the obligation of Member States to pay the kind of assessments from which the loan is to be repaid.

Another contention advanced against the U.S. position in the present advisory opinion case is that the assessments referred to were not "expenses of the Organization" because of the nature of the operations financed—e.g., because the establishment or operation of UNEF and ONUC should have been decided upon, arranged, and managed exclusively by the Security Council. Repayment of the loan would remain unimpaired regardless of this contention. The United Nations bond issue will give rise to a separate and distinct contractual obligation, whose character is unaffected by the purpose to which the revenue received from the sale of the bonds is devoted. It has already been indicated that the United Nations is competent to borrow funds, and to issue bonds as evidence of the debt. This competence was recognized by the General Assembly, which adopted resolution 1739(XVI) by a large majority. The character of the obligation assumed by the United Nations on the loan would not be affected by the use made of the proceeds.

In a related case, the International Court of Justice has affirmed the obligation of the United Nations to meet its financial obligations. In the Court's advisory opinion on the effect of awards of compensation made by the United Nations Administrative Tribunal, the Court affirmed the obligation of the United Nations to pay awards by the Tribunal established by the General Assembly to hear complaints by Secretariat members concerning their terms of employment. It had been asserted that the General Assembly, in establishing the Tribunal, could not divest itself of its power to reject such awards as a part of its function of approving the budget of the Organization under Article 17. The Court said:

"But the function of approving the budget does not mean that the General Assembly has an absolute power to approve or disapprove the expenditure proposed to it; for some part of that expenditure arises out of obligations already incurred by the Organization, and to this extent the General Assembly had no alternative but to honour these engagements." *Effect of awards of compensation made by the U.N. Administrative Tribunal Advisory Opinion of July 13, 1954: I.C.J. Reports 1954, p. 47, 59.*

Pertinent U.S. cases also confirm the validity of this principle. In the case of bonds issued by a state, it has been held that the obligation of the bonds is not affected even by irregularity in the issuing of the bonds (*State ex. rel. Louisiana Sav. Bank & Trust* v. *Board of Supervisors of Louisiana State University*, 202 La. 176, 11 So. 2d 521 (1942) (bonds issued before effective date of authorizing legislation)). Even in the case of municipal corporations, it has been held that the unlawful use of the proceeds of bonds legally issued and sold by a municipality does not affect the validity of the bonds (*State ex. rel. Davis* v. *Ryan*, 118 Fla. 42, 158 So. 62 (1935); *State ex. rel. Ake* v. *Broward County Port. Auth., ibid.* (municipal corporations not authorized by statute to borrow money for purposes of bond issue)). While an international organization is not the legal equivalent of either a state or a municipal corporation, these citations attest the validity of the general principle stated above.

It is thus concluded that the issues raised in the request for an advisory opinion from the Court are legally separate from the issues raised by the United Nations loan; and that no foreseeable opinion of the Court would collaterally prejudice repayment.

Appendix 4

ANALYSIS OF THE UNITED NATIONS FINANCIAL POSITION AS AT DECEMBER 31, 1961

(Prepared by the U.N. Office of the Comptroller)

In the Acting Secretary General's statement of December 11, 1961, to the Fifth Committee on the United Nations financial position and prospects (A/C.5/907) it was estimated that the gap between the unpaid obligations of the Organization and its net cash resources would reach the amount of $107.5 million at the end of 1961. This amount represented the difference between estimated unpaid obligations totaling $114.4 million and estimated cash resources of $6.9 million.

In that statement the Acting Secretary General used the term "unpaid obligations" to mean the sum represented by the unliquidated obligations entered on the United Nations books of account plus the amounts that should be in various surplus accounts plus the amounts borrowed from the working capital fund and other special or trust funds and accounts in the custody of the Secretary General. It excludes, however, the Organization's residual liabilities relating to the unpaid balance of the United Nations Headquarters loan or the balance of credits due members in respect of the transfer of the League of Nations assets.

It now appears that the 1961 year-end estimates given in document A/C.5/907 should be revised as follows:

Year-end 1961:	*Millions*
Unpaid obligations	$129.4
Net cash resources	15.5
Deficit	113.9

A breakdown of the figure given above for unpaid obligations as between (*a*) the United Nations General and Working Capital Funds, (*b*) UNEF, and (*c*) UNOC is as follows:

[In millions]

	U.N.	UNEF	UNOC	Total
1961 year end:				
Due to working capital fund	$16.6	$8.6	----------	$25.2
Surplus accounts	2.4	3.6	$2.7	8.7
Accounts payable	3.3	15.3	76.9	95.5
Total	22.3	27.5	79.6	129.4

The breakdown of net cash resources and deficit in millions of U.S. dollars is as follows:

[In millions]

	U.N.	UNEF	UNOC	Total
1961 year end:				
Net cash resources	$9.2	$1.1	$5.2	$15.5
Deficit	13.1	26.4	74.4	113.9

Attached is a schedule analyzing the provisional recorded obligations of UNEF and UNOC as at December 31, 1961.

86138—62—24

United Nations—Summary analysis of ONUC provisional recorded obligations as at Dec. 31, 1961

(Prepared by the United Nations Office of the Controller)

[In thousands of U.S. dollars]

	Rotation of contingents	Operation of aircraft	Rations	Operational supplies and services	Miscellaneous equipment	Purchase of aircraft	Reimbursement of extra costs		Other accounts	Total
							Pay and allowances	Equipment		
I. Owed to governments:										
United States	8,250	15,961	1,200	1,200	2,501	2,550				31,662
Other governments	800	3,267	551	300			19,518	5,676		30,112
Total, all governments	9,050	19,228	1,751	1,500	2,501	2,550	19,518	5,676		61,774
II. Owed to other payees	412	4,028	872	1,078	1,011				7,725	15,126
III. Total recorded unpaid obligations	9,462	23,256	2,623	2,578	3,512	2,550	19,518	5,676	7,725	76,900

United Nations—Summary analysis of UNEF provisional recorded obligations as at Dec. 31, 1961

(Prepared by the United Nations Office of the Controller)

[In thousands of U.S. dollars]

	Rotation of contingents	Operation of aircraft	Rations	Operational supplies and services	Miscellaneous equipment	Purchase of aircraft	Reimbursement of extra costs		Other accounts	Total
							Pay and allowances	Equipment		
I. Owed to governments:										
United States			142	84						226
Other governments	711	670	80	49			6,458	5,541		13,509
Total, all governments	711	670	222	133			6,458	5,541		13,735
II. Owed to other payees	200		85	600	97				583	1,565
III. Total recorded unpaid obligations	911	670	307	733	97		6,458	5,541	583	15,300

APPENDIX 5

Analysis of the United Nations financial position as at Mar. 31, 1962

(Prepared by the U.N. Office of the Controller)

The term "unpaid obligations" means the sum represented by the unliquidated obligations entered on the United Nations books of account plus the amounts that should be in various surplus accounts plus the amounts borrowed from the Working Capital Fund and other special or trust funds and accounts in the custody of the Secretary General. It excludes, however, the Organization's residual liabilities relating to the unpaid balance of the United Nations Headquarters loan or the balance of credits due members in respect of the transfer of the League of Nations assets.

The position as at March 31, 1962, is as follows:

	Millions
Unpaid obligations	$137.4
Net cash resources	17.6
Deficit	119.8

A breakdown of the figure for unpaid obligations as between (*a*) the United Nations General and Working Capital Funds, (*b*) UNEF, and (*c*) ONUC, in millions of U.S. dollars, is as follows:

Mar. 31, 1962	U.N.	UNEF	ONUC	Total
Due to other funds	1.7			1.7
Due to Working Capital Fund	7.6	11.7	4.6	23.9
Surplus (deficit) accounts	[1](2.2)	3.6	1.0	2.4
Accounts payable	4.6	17.2	87.6	109.4
Total	11.7	32.5	93.2	137.4

[1] Members received credit for surplus as at Dec. 31, 1960, and this account was also charged for estimated miscellaneous income for 1962, resulting in a temporary deficit in the account; this deficit will disappear toward yearend by means of receipt of actual miscellaneous income.

The breakdown of net cash resources and deficit in millions of U.S. dollars is as follows:

	U.N.	UNEF	ONUC	Total
Net cash resources	13.0	0.5	4.1	17.6
Deficit (surplus)	(1.3)	32.0	89.1	119.8

It should be borne in mind that the net cash resources of the U.N. ($17.6 million) include $5.8 million in cash received from the sale of U.N. bonds during the first quarter of 1962.

There follows a schedule analyzing the UNEF and ONUC accounts payable (i.e., unliquidated obligations) as at March 31, 1962.

Analysis of ONUC and UNEF provisional recorded obligations as at Mar. 31, 1962

[In thousands of U.S. dollars]

ONUC

	Rotation of contingents	Operation of aircraft	Rations	Operational supplies and services	Miscellaneous equipment	Purchase of aircraft	Reimbursement of extra costs		Other accounts	Total
							Pay and allowances	Equipment		
I. Owed to governments:										
United States	9,416	16,246	744	964	1,614	1,250			1,258	31,492
Other governments	354	4,355	1,265	1,434	240		24,960	6,594	1,518	40,720
Total, all governments	9,770	20,601	2,009	2,398	1,854	1,250	24,960	6,594	2,776	72,212
II. Owed to other payees	575	4,549	1,031	1,554	932				6,725	15,366
III. Total recorded obligations	10,345	25,150	3,040	3,952	2,786	1,250	24,960	6,594	9,501	87,578

UNEF

I. Owed to governments:										
United States			123	322	58				182	685
Other governments	469	433	110	39	14		8,299	4,030	524	13,918
Total, all governments	469	433	233	361	72		8,299	4,030	706	14,603
II. Owed to other payees	693	115	188	453	451				724	2,624
III. Total recorded obligations	1,162	548	421	814	523		8,299	4,030	1,430	17,227

APPENDIX 6

Department of Defense supplies and services furnished to the United Nations for peacekeeping operations as of March 31, 1962, for which DOD is to be reimbursed

The Department of State has inquired of both the United Nations and the U.S. Department of Defense concerning estimates of Department of Defense obligations for U.N. operations in the Congo as of March 31, 1962. The overall conclusion is that the Department of Defense agrees that the estimates of the United Nations appear to be reasonable and accurate provisional estimates.

The following table gives the key figures concerning Department of Defense obligations and expenditures for U.N. peacekeeping operations.

The Department of State understands that the United Nations and the Department of Defense agree for the UNOC account that bills submitted, but unpaid as of March 31, 1962, were $20,529,782, and that the U.N. estimate of $10,962,570 as obligated but unbilled as of March 31, 1962, appears to be a reasonable and accurate provisional estimate. The total of these figures is $31,492,352, which is the amount shown as unliquidated obligations for UNOC in the U.N. financial statement as of March 31, 1962.

The Department of State understands that the amounts shown for UNEF in the table are also agreed figures.

Department of Defense supplies and services furnished for United Nations peacekeeping operations as of Mar. 31, 1962

	UNEF	UNOC	Total
Bills paid by United Nations [1]	$6,796,212	$5,824,834	$12,621,046
Unliquidated obligations (estimated) [2]	[3] 685,579	[4] 31,492,352	32,177,931
Total, Department of Defense expenditures for which United Nations reimbursement was not waived	7,481,791	37,317,186	44,798,977
Department of Defense expenditures for which United Nations reimbursement was waived	1,191,581	[5] 10,317,622	11,509,203
Grand total, Department of Defense expenditures	8,673,372	[6] 47,634,808	56,308,180

[1] Source: Department of Defense.

[2] Source: United Nations (latest analysis of U.N. financial position is as of Mar. 31, 1962).

[3] See the following:

The United States has billed the U.N. but not been paid as of Mar. 31, 1962, for UNEF	$637,579
Estimated amount due but unbilled was	48,000
Total unliquidated obligations (provisional estimates)	685,579

[4] See the following:

The United States has billed the U.N. but not been paid as of Mar. 31, 1962, for UNOC	$20,529,782
Estimated amount due but unbilled was	10,962,570
Total unliquidated obligations (provisional estimates)	31,492,352

[5] Department of Defense was repaid $10,317,622 from fiscal year 1961 MSA contingency funds. However, the amount has by mutual agreement been included in both U.S. and U.N. statements of "voluntary contributions." It is reflected as a part of the 49.94-percent U.S. contribution to the U.N. Congo budget for calendar year 1960.

[6] Department of Defense incurred certain additional costs in the Congo apart from the above peacekeeping operations:

Airlift of foodstuffs for famine relief:	
Reimbursed to the Department of Defense	$562,023
Billed to Department of State, but unpaid	159,930
Total, airlift of foodstuffs for famine relief	721,953
Airlift evacuation of troops and civilians from the Congo:	
Reimbursed to the Department of Defense	101,144
Billed to Department of State, but unpaid	439,187
Total, airlift evacuation of troops and civilians	540,331
Grand total, other assistance rendered by the Department of Defense in the Congo	1,262,284

APPENDIX 7

DATA ON PRICING OF SUPPLIES AND SERVICES SUPPLIED TO UNITED NATIONS BY U.S. ARMED SERVICES

The following information has been provided to the Department of State by the Department of the Air Force, which is the executive agent of the Department of Defense for assistance furnished the United Nations operation in the Congo.

Department of Defense materiel is sold to the United Nations at standard prices, the same as would apply in a sale to any authorized purchaser. The standard price includes the current purchase or production cost and the first-destination transportation (from the point of procurement or production to the point of storage in the United States). No materiel excess to the needs of the U.S. military departments has been sold to the United Nations to date. If and when such sales take place, the appropriate provisions of the foreign aid legislation will apply.

Airlift charges to the United Nations are based on a return of direct costs at rates in published USAF directives. The rates are the same as those charged any U.S. Government agency. Factors establishing these costs include such elements as depot maintenance, base maintenance, aviation fuels and oils, and crew per diem but not crew salaries. Navy sealift charges are also based on a return of direct costs.

A single 16-percent surcharge to cover accessorial charges is added to the cost of all Defense materiel sold to the United Nations. The charge is an approximate average of costs incurred by the U.S. military departments to obtain and/or prepare the materiel for readiness or position to transfer to the United Nations.

Reimbursement for temporary duty travel (TDY) of Defense personnel is based on authorized costs incurred under existing travel regulations. The billings for TDY do not include any crew TDY included as an element of cost in the airlift charges.

JANUARY 24, 1962.

APPENDIX 8

Projection of estimated United Nations funding requirements and obligations for regular budget, UNEF, and ONUC to Dec. 31, 1963

[In millions of U.S. dollars]

PART I—ESTIMATE OF FLOW OF UNITED NATIONS FINANCES, JANUARY-JUNE 1962

	Regular budget	UNEF	ONUC	Total
Estimated deficit as of Dec. 31, 1961 (as per Jan. 30, 1962, analysis)	$13.1	$26.4	$74.4	$113.9
Adjustments as per final accounting for 1961	0	(0.7)	0	(0.7)
Actual deficit as of Dec. 31, 1961 per final accounts	13.1	25.7	74.4	113.2
Estimated net expenses January–June 1962	33.0	9.7	60.0	102.7
Estimated payments from contributions, January–June 1962	24.7	2.5	51.7	78.9
Increase in deficit, January–June 1962	8.3	7.2	8.3	23.8
Total estimated deficit June 30, 1962	21.4	32.9	82.7	137.0

PART II—RECAP OF ESTIMATED OBLIGATIONS AND AMOUNTS PAYABLE TO THE UNITED NATIONS THROUGH DEC. 31, 1963

For periods prior to 1962:				
Unpaid obligations	$13.1	$25.7	$74.4	$113.2
Contributions owed to U.N.[1]	13.1	25.7	74.4	113.2
Net unfunded obligations	0	0	0	0
For period January–June 1962:				
Estimated obligations	33.0	9.7	60.0	102.7
Assessments and other contributions due	[2] 33.7	9.7	60.0	103.4
Net obligational reserve	[3] (.7)	0	0	(.7)
For period July 1962–December 1963:				
Estimated assessed contributions, and bond issue and loan proceeds:				
Assessments for regular budget	111.3	0	0	111.3
Estimated bond and loan proceeds [4]	200.0	0	0	200.0
Total receipts due	311.3	0	0	311.3
Estimated obligations [5]	112.0	29.3	180.0	321.3
Net unfunded obligations	(199.3)	29.3	180.0	10.0
For all proceeds (as above) to Dec. 31, 1963:				
Total obligations payable	158.1	64.7	314.4	537.2
Total receipts due U.N.	358.1	35.4	134.4	527.9
Net unfunded obligations [5]	(200.0)	29.3	180.0	9.3

[1] Includes $20 million assessed in 1962 (for November–December 1961 ONUC obligations).

[2] The full 1962 net assessment for the regular budget is $67.5 million; ½ of this amount ($33.7) has been allocated to the January–June 1962 period for the purpose of this comparison.

[3] "Surplus" in regular budget obligations is due to need for reserve for payment due on U.S. headquarters loan, which falls due July 1, 1962. Compensating difference occurs in last half of 1962.

[4] Assumes full subscription by nations of bond issue or equivalent loans. Proceeds technically are put into "Working Capital Fund," but are displayed in "regular budget" column above to simplify table. Bond and loan proceeds are planned to finance UNEF and ONUC beyond July 1962 and, therefore, no special or ad hoc assessments have been made by the U.N. to cover this period. (Assuming (*a*) continuance of UNEF and ONUC at existing rates, (*b*) a favorable opinion from the International Court of Justice, and (*c*) collection of all arrearages, these funds will carry these operations at existing rates of expenditure to Dec. 31, 1963.)

[5] All future obligations assume continuance of these 3 U.N. activities through 1963 at present approved levels of operation.

APPENDIX 9

Summary of 1961 and prior-year arrearages owed the United Nations through May 31, 1962

	1961 and prior year arrearages owed Dec. 31, 1961				1961 and prior year arrearages paid Jan. 1–May 31, 1962				1961 and prior year arrearages owed May 31, 1962			
	Regular budget	UNEF	UNOC	Total	Regular budget	UNEF	UNOC	Total	Regular budget	UNEF	UNOC	Total
Communist bloc:												
Albania	$14,535	$33,373	$27,298	$75,206	$11,000			$11,000	$3,535	$33,373	$27,298	$64,206
Bulgaria	24,986	125,586	109,190	259,762	24,986			24,986		125,586	109,190	234,776
Byelorussian S.S.R	290,782	393,591	693,207	1,377,580	290,782			290,782		393,591	693,207	1,086,798
Czechoslovakia		709,019	1,283,171	1,992,190						709,019	1,283,171	1,992,190
Hungary	476,283	348,802	286,624	1,111,709	100,000			100,000	376,283	348,802	286,624	1,011,709
Poland	618,569	1,208,150	1,342,070	3,168,789	618,569			618,569		1,208,150	1,342,070	2,550,220
Rumania	70,347	344,414	501,468	916,229	70,347			70,347		344,414	501,468	845,882
Ukrainian S.S.R	1,113,582	1,509,085	2,654,835	5,277,502	1,070,546			1,070,546	43,036	1,509,085	2,654,835	4,206,956
U.S.S.R	1,568,843	12,774,084	20,088,253	34,431,180	1,568,843			1,568,843		12,774,084	20,088,253	32,862,337
Subtotal	4,177,927	17,446,104	26,986,116	48,610,147	3,755,073			3,755,073	422,854	17,446,104	26,986,116	44,855,074
Cuba	271,551	186,993	170,609	629,153					271,551	186,993	170,609	629,153
France			9,439,414	9,439,414							9,439,414	9,439,414
Belgium	57,212	43,245	1,917,381	2,017,838					57,212	43,245	1,917,381	2,017,838
Arab States	437,238	662,193	556,516	1,655,947	55,680	$4,653	$9,906	70,239	381,558	657,540	546,610	1,585,708
China	5,624,484	4,022,703	3,927,969	13,575,156	2,551,523	50,000		2,601,523	3,072,961	3,972,703	3,927,969	10,973,633
All others [1]	2,465,468	4,058,061	11,359,295	17,882,824	1,012,327	1,027,675	2,850,698	4,890,700	1,453,141	3,030,386	8,508,597	12,992,124
Total arrearages	13,033,880	26,419,299	54,357,300	93,810,479	7,374,603	1,082,328	2,860,604	11,317,535	5,659,277	25,336,971	51,496,696	82,492,944

[1] See appendix 10 for details by country.

Reconciliation with Dec. 31, 1961, United Nations financial statement (appendix 4)

Arrears for 1961 and prior years as of May 31, 1962	$82,492,944
Payments received January through May 1962, on 1961 and prior years	11,317,535
UNOC assessments for November and December 1961 (not technically arrears)	20,000,000
Total amounts owed to U.N. per its Dec. 31, 1961, financial statement	113,810,479

APPENDIX 10

Summary as of May 31, 1962, of collections and arrearages for 1961 and prior years of United Nations accounts for the regular budget, Emergency Force, and the Congo [1]

Year	Gross assessments	Credits and reductions	Net assessments	Amount received	Percent received	Balance due
U.N. regular budget: [2]						
Calendar year 1959	$61,500,000	$5,274,335	$56,225,665	$56,187,780	99.93	$37,885
Calendar year 1960	58,347,514	5,241,314	53,106,200	52,602,242	99.05	503,958
Calendar year 1961 [3]	69,399,839	5,321,143	64,078,696	58,961,262	92.01	5,117,434
Total						5,659,277
U.N. Emergency Force:						
Calendar year 1957	15,028,988		15,028,988	11,040,057	73.46	3,988,931
Calendar year 1958	25,000,000		25,000,000	17,738,664	70.95	7,261,336
Calendar year 1959	15,205,000	41,226	15,163,774	10,795,258	71.19	4,368,516
Calendar year 1960	20,000,000	3,553,223	16,446,777	11,702,358	71.15	4,744,419
Calendar year 1961 [3]	19,000,000	1,754,991	17,245,009	12,271,240	71.16	4,973,769
Total						25,336,971
U.N. Congo account:						
July–December 1960	[4] 48,500,000	3,900,000	44,600,000	25,785,627	61.21	18,814,373
January–October 1961	100,000,000	15,305,596	84,694,404	52,012,081	67.32	32,682,323
Total						51,496,696
Total due, regular budget, UNEF, UNOC						82,492,944

[1] Source: United Nations statement on the collection of contributions as of May 31, 1962. (Full statement, including balances due by account, by year, by country, is available from committee staff or from Department of State.)

[2] Contributions to the regular budget prior to 1959 are fully collected.

[3] Includes new members' assessments for 1960.

[4] Total costs, including airlift, amounted to $60,000,000.

Balance due, 1961 and prior years, May 31, 1962

	Regular budget	UNEF	UNOC	Total
Afghanistan		$38,416	$26,417	$64,833
Albania	$3,535	33,373	27,298	64,206
Argentina	736,049	837,934	488,708	2,062,691
Australia				
Austria			634,210	634,210
Belgium	57,212	43,245	1,917,381	2,017,838
Bolivia	55,050	37,324	27,298	119,672
Brazil			249,083	249,083
Bulgaria		125,586	109,190	234,776
Burma				
Byelorussian S.S.R.		393,591	693,207	1,086,798
Cambodia	24,746		27,298	52,044
Cameroon				
Canada				
Central African Republic				
Ceylon				
Chad			6,640	6,640
Chile		87,037	118,875	205,912
China	3,072,961	3,972,703	3,927,969	10,973,633
Colombia	22,958	37,013	136,486	196,457
Congo (Brazzaville)	27,098	7,968	10,056	45,122
Congo (Léopoldville)				
Costa Rica	11,118	14,893	17,611	43,622
Cuba	271,551	186,993	170,609	629,153
Cyprus				
Czechoslovakia		709,019	1,283,171	1,992,190
Dahomey	934	382		1,316
Denmark				
Dominican Republic		9,356	34,121	43,477
Ecuador			24,985	24,985
El Salvador		17,150	22,013	39,163
Ethiopia		64,178	26,416	90,594
Federation of Malaya				
Finland				
France			9,439,414	9,439,414
Gabon			7,925	7,925
Ghana	4,785			4,785
Greece		155,891	101,263	257,154

Balance due, 1961 and prior years, May 31, 1962—Continued

	Regular budget	UNEF	UNOC	Total
Guatemala	$58,881	$17,134	$22,013	$98,028
Guinea		7,484	27,298	34,782
Haiti	63,916	13,735	17,612	95,263
Honduras	45,179	7,673	17,612	70,464
Hungary	376,283	348,802	286,624	1,011,709
Iceland				
India				
Indonesia			206,930	206,930
Iran			67,458	67,458
Iraq		74,944	61,420	136,364
Ireland				
Israel	86,614			86,614
Italy			3,318,544	3,318,544
Ivory Coast				
Japan				
Jordan		33,373	27,298	60,671
Laos	24,746	3,722	17,612	46,080
Lebanon		19,845	22,013	41,858
Liberia				
Libya	24,746	33,373	27,298	85,417
Luxembourg				
Madagascar (Malagasy Republic)	11,800	3,155	12,698	27,653
Mali			7,925	7,925
Mexico		513,399	484,530	997,929
Morocco	158,728	26,879	95,541	281,148
Nepal	3,589	25,611	17,612	46,812
Netherlands				
New Zealand				
Nicaragua	21,907	3,893	17,612	43,412
Niger	13,925	4,206	8,991	27,122
Nigeria				
Norway				
Pakistan	140,000			140,000
Panama		27,506	17,612	45,118
Paraguay	39,846	29,611	17,612	87,069
Peru		92,582	48,430	141,012
Philippines		40,014	85,191	125,205
Poland		1,208,150	1,342,070	2,550,220
Portugal			136,488	136,488
Rumania		344,414	501,468	845,882
Saudi Arabia		54,012	40,946	94,958
Senegal				
Somalia			7,925	7,925
South Africa			825,949	825,949
Spain		851,444	634,667	1,486,111
Sudan		69,821	26,416	96,237
Sweden				
Thailand				
Togo		4,206	8,991	13,197
Tunisia				
Turkey				
Ukrainian S.S.R	43,036	1,509,085	2,654,835	4,206,956
U.S.S.R		12,774,084	20,088,253	32,862,337
United Arab Republic	152,738	311,920	218,380	683,038
United Kingdom				
United States				
Upper Volta		7,968	10,056	18,024
Uruguay	60,000	22,973	52,833	135,806
Venezuela		46,528	220,138	266,666
Yemen	45,346	33,373	27,298	106,017
Yugoslavia			238,853	238,853
Total	5,659,277	25,336,971	51,496,696	82,492,944

APPENDIX 11

1962 assessments for the United Nations regular budget as of May 31, 1962

Member states	Percent	Gross amount of contributions	Total credits [1]	Cash receipts and credits re adjustment of cash advances to working capital fund [2]	May 31, 1962, balance due
Afghanistan	0.05	$37,062	$4,909	$2,392.00	$29,761.00
Albania	.04	29,650	3,537		26,113.00
Argentina	1.01	748,653	113,370	23,921.00	611,362.00
Australia	1.66	1,230,460	178,653	541,452.00	510,355.00
Austria	.45	333,558	39,755	113,181.00	180,622.00
Belgium	1.20	889,489	123,881	23,921.00	741,687.00
Bolivia	.04	29,650	5,376		24,274.00
Brazil	1.03	763,478	91,057		672,421.00
Bulgaria	.20	148,248	17,616		130,632.00
Burma	.07	51,887	6,206	45,681.00	
Byelorussian S.S.R	.52	385,445	45,893		339,552.00
Cambodia	.04	29,650	3,537		26,113.00
Cameroon	.04	29,650	3,475	26,175.00	
Canada	3.12	2,312,672	317,574	1,995,098.00	
Central African Republic	.04	29,650	3,475	26,175.00	
Ceylon	.09	66,712	7,975	2,392.00	56,345.00
Chad	.04	29,650	3,475		26,175.00
Chile	.26	192,723	29,991	2,392.00	160,340.00
China	4.57	3,387,472	431,406	105,252.00	2,850,814.00
Colombia	.26	192,723	23,076	11,960.00	157,687.00
Congo (Brazzaville)	.04	29,650	3,475		26,175.00
Congo (Léopoldville)	.07	51,887	6,076	18,074.50	27,736.50
Costa Rica	.04	29,650	3,537		26,113.00
Cuba	.22	163,073	25,414	4,746.00	132,913.00
Cyprus	.04	29,650	3,475	26,175.00	
Czechoslovakia	1.17	867,252	128,512	15,000.00	723,740.00
Dahomey	.04	29,650	3,475		26,175.00
Denmark	.58	429,920	63,523	366,397.00	
Dominican Republic	.05	37,062	5,146		31,916.00
Ecuador	.06	44,474	5,519	11,881.09	27,073.91
El Salvador	.04	29,650	4,237	2,391.00	23,022.00
Ethiopia	.05	37,062	4,438	32,624.00	
Federation of Malaya	.13	96,361	11,563	9,568.00	75,230.00
Finland	37	274,259	32,699	241,560.00	
France	5.94	4,402,972	604,023	3,798,949.00	
Gabon	.04	29,650	3,475	431.00	25,744.00
Ghana	.09	66,712	7,923		58,789.00
Greece	.23	170,485	27,085		143,400.00
Guatemala	.05	37,062	4,859		32,203.00
Guinea	.04	29,650	3,537	431.00	25,682.00
Haiti	.04	29,650	4,701		24,949.00
Honduras	.04	29,650	3,815		25,835.00
Hungary	.56	415,095	49,276		365,819.00
Iceland	.04	29,650	3,537	26,113.00	
India	2.03	1,504,720	242,256	1,122,464.50	139,999.50
Indonesia	.45	333,558	39,824	4,784.00	288,950.00
Iran	.20	148,248	21,464	2,392.00	124,392.00
Iraq	.09	66,712	9,713		56,999.00
Ireland	.14	103,774	12,413	4,784.00	86,577.00
Israel	.15	111,186	13,246		97,940.00
Italy	2.24	1,660,380	198,082	2,392.00	1,459,906.00
Ivory Coast	.04	29,650	3,478	5,604.00	20,568.00
Japan	2.27	1,682,617	200,579	1,482,038.00	
Jordan	.04	29,650	3,537		26,113.00
Laos	.04	29,650	3,537		26,113.00
Lebanon	.05	37,062	4,421		32,641.00
Liberia	.04	29,650	3,537	26,113.00	
Libya	.04	29,650	3,537		26,113.00
Luxembourg	.05	37,062	5,710	31,352.00	
Madagascar (Malagasy Republic)	.04	29,650	3,478	5,431.00	20,741.00
Mali	.04	29,650	3,475	431.00	25,744.00
Mexico	.74	548,518	69,503		479,015.00
Morocco	.14	103,774	12,379		91,395.00
Nepal	.04	29,650	3,537		26,113.00
Netherlands	1.01	748,653	112,161	636,492.00	
New Zealand	.41	303,909	46,695	257,214.00	
Nicaragua	.04	29,650	3,692		25,958.00
Niger	.04	29,650	3,475		26,175.00
Nigeria	.21	155,661	18,243	2,267.00	135,151.00
Norway	.45	333,558	49,792	283,766.00	
Pakistan	.42	311,321	37,103		274,218.00
Panama	.04	29,650	4,916		24,734.00
Paraguay	.04	29,650	3,537		26,113.00
Peru	.10	74,124	11,071	2,392.00	60,661.00

Footnotes at end of table, p. 369.

1962 assessments for the United Nations regular budget as of May 31, 1962—Con.

Member states	Percent	Gross amount of contributions	Total credits [1]	Cash receipts and credits re adjustment of cash advances to working capital fund [2]	May 31, 1962, balance due
Philippines	0.40	$296,496	$35,420	$7,177.00	$253,899.00
Poland	1.28	948,789	142,339	21,530.00	784,920.00
Portugal	.16	118,598	14,217	104,381.00	
Rumania	.32	237,197	28,329	34,785.00	174,083.00
Saudi Arabia	.07	51,887	6,172		45,715.00
Senegal	.05	37,062	4,345		32,717.00
Somalia	.04	29,650	3,475	431.00	25,744.00
South Africa	.53	392,858	66,618	326,240.00	
Spain	.86	637,467	76,162	561,305.00	
Sudan	.07	51,887	6,172	1.08	45,713.92
Sweden	1.30	963,613	138,434	825,179.00	
Thailand	.16	118,598	22,342		96,256.00
Togo	.04	29,650	3,475		26,175.00
Tunisia	.05	37,062	4,421	32,651.00	
Turkey	.40	296,496	41,544	254,952.00	
Ukrainian S.S.R.	1.98	1,467,657	174,765		1,292,892.00
U.S.S.R.	14.97	11,096,380	1,336,204		9,760,176.00
United Arab Republic [3]	.30	222,372	30,764	1,674.00	189,934.00
United Kingdom	7.58	5,618,608	785,714	3,636,631.00	1,196,263.00
United States of America	32.02	23,734,542		117,213.00	23,617,329.00
Upper Volta	.04	29,650	3,475	431.00	25,744.00
Uruguay	.11	81,536	14,656	1,225.00	65,655.00
Venezuela	.52	385,445	49,382		336,063.00
Yemen	.04	29,650	3,537		26,113.00
Yugoslavia	.38	281,672	51,826	100,000.00	129,846.00
Total	100.00	74,124,117	6,659,736	17,370,045.17	50,094,335.83

[1] Credits resulting from (1) the Tax Equalization Fund ($6,010,270), and (2) the transfer of League of Nations assets ($649,466).

[2] Credits from adjustment of advances to Working Capital Fund ($791,224) and cash receipts ($15,752,936).

[3] Allocation of assessments between Syria and the United Arab Republic to be determined by the General Assembly.

APPENDIX 12

1962 assessments in respect of the United Nations Emergency Force special account for the period Jan. 1 to June 30, 1962, as of May 31, 1962

Member states	Percent	Assessments for 1962	Reductions [1] under resolution 1733 (XVI)	Credits from Tax Equalization Fund for 1960 [2]	Amount received	May 31, 1962, balance due
Afghanistan	0.05	$4,875	$3,900	$68		$907
Albania	.04	3,900	3,120	45		735
Argentina	1.01	98,475	78,780	1,253		18,442
Australia	1.66	161,850		2,020	$159,830	
Austria	.45	43,875		485		43,390
Belgium	1.20	117,000		1,467		115,533
Bolivia	.04	3,900	3,120	45		735
Brazil	1.03	100,425	80,340	1,151		18,934
Bulgaria	.20	19,500	15,600	180		3,720
Burma	.07	6,825	5,460	90	1,275	
Byelorussian S.S.R.	.52	50,700		530		50,170
Cambodia	.04	3,900	3,120	45		735
Cameroon	.04	3,900	3,120	3	777	
Canada	3.12	304,200		3,510	300,690	
Central African Republic	.04	3,900	3,120	3	777	
Ceylon	.09	8,775	7,020	113		1,642
Chad	.04	3,900	3,120	3		777
Chile	.26	25,350	20,280	305		4,765
China	4.57	445,575	222,788	5,654		217,133
Colombia	.26	25,350	20,280	350		4,720
Congo (Brazzaville)	.04	3,900	3,120	3		777
Congo (Léopoldville)	.07	6,825	5,460	3		1,362
Costa Rica	.04	3,900	3,120	45		735
Cuba	.22	21,450	17,160	282		4,008
Cyprus	.04	3,900	3,120	3	777	
Czechoslovakia	1.17	114,075		982		113,093
Dahomey	.04	3,900	3,120	3		777
Denmark	.58	56,550		677	55,873	
Dominican Republic	.05	4,875	3,900	56		919
Ecuador	.06	5,850	4,680	68	1,102	
El Salvador	.04	3,900	3,120	56		724
Ethiopia	.05	4,875	3,900	68		907
Federation of Malaya	.13	12,675	10,140	192		2,343
Finland	.37	36,075		406	35,669	
France	5.94	579,150		7,223	571,927	
Gabon	.04	3,900	3,120	3		777
Ghana	.09	8,775	7,020	79		1,676
Greece	.23	22,425	17,940	260		4,225
Guatemala	.05	4,875	3,900	56		919
Guinea	.04	3,900	3,120	45		735
Haiti	.04	3,900	3,120	45		735
Honduras	.04	3,900	3,120	45		735
Hungary	.56	54,600		474		54,126
Iceland	.04	3,900	3,120	45	735	
India	2.03	197,925	98,963	2,776	96,186	
Indonesia	.45	43,875	35,100	530		8,245
Iran	.20	19,500	15,600	237		3,663
Iraq	.09	8,775	7,020	101		1,654
Ireland	.14	13,650	10,920	180		2,550
Israel	.15	14,625	11,700	158		2,767
Italy	2.24	218,400		2,539		215,861
Ivory Coast	.04	3,900	3,120	4		776
Japan	2.27	221,325	110,663	2,472		108,190
Jordan	.04	3,900	3,120	45		735
Laos	.04	3,900	3,120	45		735
Lebanon	.05	4,875	3,900	56		919
Liberia	.04	3,900	3,120	45	735	
Libya	.04	3,900	3,120	45		735
Luxembourg	.05	4,875	3,900	68	907	
Madagascar (Malagasy Republic)	.04	3,900	3,120	4		776
Mali	.04	3,900	3,120	3		777
Mexico	.74	72,150	57,720	801		13,629
Morocco	.14	13,650	10,920	158		2,572
Nepal	.04	3,900	3,120	45		735
Netherlands	1.01	98,475		1,140	97,335	
New Zealand	.41	39,975		474	39,501	
Nicaragua	.04	3,900	3,120	45		735
Niger	.04	3,900	3,120	3		777
Nigeria	.21	20,475	16,380	13		4,082
Norway	.45	43,875		553	43,322	
Pakistan	.42	40,950	32,760	451		7,733
Panama	.04	3,900	3,120	45		735
Paraguay	.04	3,900	3,120	45		795

See footnote at end of table, p. 371.

1962 assessments in respect of the United Nations Emergency Force special account for the period Jan. 1 to June 30, 1962, as of May 31, 1962—Continued

Member states	Percent	Assessments for 1962	Reductions [1] under resolution 1733 (XVI)	Credits from Tax Equalization Fund for 1960 [2]	Amount received	May 31, 1962, balance due
Peru	0.10	$9,750	$7,800	$124		$1,826
Philippines	.40	39,000	31,200	485		7,315
Poland	1.28	124,800	62,400	1,546		60,854
Portugal	.16	15,600	12,480	226	$2,894	
Rumania	.32	31,200		384		30,816
Saudi Arabia	.07	6,825	5,460	68		1,297
Senegal	.05	4,875	3,900	4		971
Somalia	.04	3,900	3,120	3		777
South Africa	.53	51,675		632		51,043
Spain	.86	83,850	67,080	1,050		15,720
Sudan	.07	6,825	5,460	68		1,297
Sweden	1.30	126,750		1,569	125,181	
Thailand	.16	15,600	12,480	180		2,940
Togo	.04	3,900	3,120	3		777
Tunisia	.05	4,875	3,900	56	919	
Turkey	.40	39,000	31,200	666	7,134	
Ukrainian S.S.R.	1.98	193,050		2,031		191,019
U.S.S.R.	14.97	1,459,575		15,371		1,444,204
United Arab Republic	.30	29,250	23,400	361		5,489
United Kingdom	7.58	739,050		10,333	728,717	
United States	32.02	3,121,950				3,121,950
Upper Volta	.04	3,900	3,120	3		777
Uruguay	.11	10,725	8,580	135		2,010
Venezuela	.52	50,700	40,560	564		9,576
Yemen	.04	3,900	3,120	45		735
Yugoslavia	.38	37,050	29,640	395		7,015
Total	100.00	9,750,000	1,389,474	77,822	2,272,263	6,010,441

[1] Reductions in assessments made possible by voluntary contributions, principally from the United States. For text of resolution see appendix 19.

[2] U.N. staff assessment and U.N. Tax Equalization Fund:

When the U.N. Secretariat was set up some employees had to pay national income taxes and other employees did not. To provide equitable treatment to all employees, the United Nations reimbursed the national income taxes paid by its employees so that all had equal take-home pay for equal work.

The Convention on Privileges and Immunities provides, among other things, that the ratifying governments grant an income tax exemption to citizens employed by the U.N.

The United States has not ratified this convention. The major congressional objections to the convention were that the income tax exemption established a tax-free class of society and reduced U.S. Treasury revenue.

In order to meet this U.S. objection, the U.N. established its "staff assessment plan."

The staff assessment is a levy against all U.N. employees. At first the rate was equivalent to the Canadian income tax, which is slightly higher than the U.S. income tax rate. The current rate is still somewhat more than the U.S. income tax rate. The staff assessment is withheld from each employee's gross salary and is deposited in the Tax Equalization Fund.

Initial procedure

Funds collected from the staff assessment were classified as miscellaneous income, which income was used to reduce the amount members are assessed toward the support of the U.N.

Since the U.N. continued to reimburse its employees for national income taxes which they had to pay, that outlay was an expense of the U.N. and included in the U.N. budget.

Later events

After a few years, all countries, except the United States, had either ratified the convention or made other arrangements to relieve their nationals of income tax liability. Since the tax reimbursement costs were a part of the U.N. budget costs, the other governments complained because they were providing two-thirds of this item which went into the U.S. Treasury.

The present procedure

To meet this objection, and to afford equity as between member governments, the following procedure was put into effect and is used at present:

The Tax Equalization Fund is no longer deducted as miscellaneous income to arrive at the assessment budget. Instead, the Tax Equalization Fund is prorated to all member governments according to the scale of assessments. For those governments that do not impose an income tax on U.N. employees, their equity in the fund is credited against their annual assessments. For the United States, the only government that does impose an income tax, its equity is used to reimburse American employees for the income tax they have had to pay. The tax reimbursement cost is no longer an item in the U.N. budget.

APPENDIX 13

1962 assessments in respect of the Congo ad hoc account for the period Nov. 1, 1961, to June 30, 1962, as of May 31, 1962

Member states	Percent	Gross amount of assessments	Reductions [1] under resolution 1732 (XVI)	Credits from Tax Equalization Fund for 1960	Amount received	May 31, 1962, balance due
Afghanistan	0.05	$40,000	$32,000	$51		$7,949.00
Albania	.04	32,000	25,600	34		6,366.00
Argentina	1.01	808,000	646,400	936		160,664.00
Australia	1.66	1,328,000		1,510		1,326,490.00
Austria	.45	360,000		363		359,637.00
Belgium	1.20	960,000		1,097		958,903.00
Bolivia	.04	32,000	25,600	34		6,366.00
Brazil	1.03	824,000	659,200	860		163,940.00
Bulgaria	.20	160,000	128,000	135		31,865.00
Burma	.07	56,000	44,800	67	$11,133.00	
Byelorussian S.S.R	.52	416,000		396		415,604.00
Cambodia	.04	32,000	25,600	34		6,366.00
Cameroon	.04	32,000	25,600	4	6,396.00	
Canada	3.12	2,496,000		2,624	2,493,376.00	
Central African Republic	.04	32,000	25,600	4	6,396.00	
Ceylon	.09	72,000	57,600	84		14,316.00
Chad	.04	32,000	25,600	4		6,396.00
Chile	.26	208,000	166,400	228		41,372.00
China	4.57	3,656,000	1,828,000	4,226		1,823,774.00
Colombia	.26	208,000	166,400	261		41,339.00
Congo (Brazzaville)	.04	32,000	25,600	4		6,396.00
Congo (Léopoldville)	.07	56,000	44,800	4		11,196.00
Costa Rica	.04	32,000	25,600	34		6,366.00
Cuba	.22	176,000	140,800	211		34,989.00
Cyprus	.04	32,000	25,600	4	6,396.00	
Czechoslovakia	1.17	936,000		734		935,266.00
Dahomey	.04	32,000	25,600	4	149.94	6,246.06
Denmark	.58	464,000		506	463,494.00	
Dominican Republic	.05	40,000	32,000	42		7,958.00
Ecuador	.06	48,000	38,400	51		9,549.00
El Salvador	.04	32,000	25,600	42		6,358.00
Ethiopia	.05	40,000	32,000	51		7,949.00
Federation of Malaya	.13	104,000	83,200	143	20,657.00	
Finland	.37	296,000		303	295,697.00	
France	5.94	4,752,000		5,399		4,746,601.00
Gabon	.04	32,000	25,600	4		6,396.00
Ghana	.09	72,000	57,600	59		14,341.00
Greece	.23	184,000	147,200	194		36,606.00
Guatemala	.05	40,000	32,000	42		7,958.00
Guinea	.04	32,000	25,600	34		6,366.00
Haiti	.04	32,000	25,600	34		6,366.00
Honduras	.04	32,000	25,600	34		6,366.00
Hungary	.56	448,000		354		447,646.00
Iceland	.04	32,000	25,600	34	6,366.00	
India	2.03	1,624,000	812,000	2,075		809,925.00
Indonesia	.45	360,000	288,000	396		71,604.00
Iran	.20	160,000	128,000	177		31,823.00
Iraq	.09	72,000	57,600	76		14,324.00
Ireland	.14	112,000	89,600	135		22,265.00
Israel	.15	120,000	96,000	118		23,882.00
Italy	2.24	1,792,000		1,898		1,790,102.00
Ivory Coast	.04	32,000	25,600	6		6,394.00
Japan	2.27	1,816,000	908,000	1,847		906,153.00
Jordan	.04	32,000	25,600	34		6,366.00
Laos	.04	32,000	25,600	34		6,366.00
Lebanon	.05	40,000	32,000	42		7,958.00
Liberia	.04	32,000	25,600	34	6,366.00	
Libya	.04	32,000	25,600	34		6,366.00
Luxembourg	.05	40,000	32,000	51		7,949.00
Madagascar (Malagasy Republic)	.04	32,000	25,600	6		6,394.00
Mali	.04	32,000	25,600	4		6,396.00
Mexico	.74	592,000	473,600	599		117,801.00
Morocco	.14	112,000	89,600	118		22,282.00
Nepal	.04	32,000	25,600	34		6,366.00
Netherlands	1.01	808,000		852	807,148.00	
New Zealand	.41	328,000		354	327,646.00	
Nicaragua	.04	32,000	25,600	34		6,366.00
Niger	.04	32,000	25,600	4		6,396.00
Nigeria	.21	168,000	134,400	20		33,580.00
Norway	.45	360,000		413	359,587.00	
Pakistan	.42	336,000	268,800	337		66,863.00
Panama	.04	32,000	25,600	34		6,366.00
Paraguay	.04	32,000	25,600	34		6,366.00
Peru	.10	80,000	64,000	93		15,907.00
Philippines	.40	320,000	256,000	363		63,637.00
Poland	1.28	1,024,000	512,000	1,155		510,845.00

See footnote at end of table, p. 373.

1962 assessments in respect of the Congo ad hoc account for the period Nov. 1, 1961, to June 30, 1962, as of May 31, 1962—Continued

Member states	Percent	Gross amount of assessments	Reductions [1] under resolution 1732 (XVI)	Credits from Tax Equalization Fund for 1960	Amount received	May 31, 1962, balance due
Portugal	0.16	$128,000	$102,400	$169		$25,431.00
Rumania	.32	256,000		287		255,713.00
Saudi Arabia	.07	56,000	44,800	51		11,149.00
Senegal	.05	40,000	32,000	6		7,994.00
Somalia	.04	32,000	25,600	4		6,396.00
South Africa	.53	424,000		472		423,528.00
Spain	.86	688,000	550,400	784		136,816.00
Sudan	.07	56,000	44,800	51		11,149.00
Sweden	1.30	1,040,000		1,173	$1,038,827.00	
Thailand	.16	128,000	102,400	135		25,465.00
Togo	.04	32,000	25,600	4		6,396.00
Tunisia	.05	40,000	32,000	42	7,958.00	
Turkey	.40	320,000	256,000	498	63,502.00	
Ukrainian S.S.R	1.98	1,584,000		1,518		1,582,482.00
U.S.S.R	14.97	11,976,000		11,491		11,964,509.00
United Arab Republic	.30	240,000	192,000	270		47,730.00
United Kingdom	7.58	6,064,000		6,563	1,793,822.51	4,263,614.49
United States	32.02	25,616,000				25,616,000.00
Upper Volta	.04	32,000	25,600	4		6,396.00
Uruguay	.11	88,000	70,400	101		17,499.00
Venezuela	.52	416,000	332,800	422		82,778.00
Yemen	.04	32,000	25,600	34		6,366.00
Yugoslavia	.38	304,000	243,200	295		60,505.00
Total	100.00	80,000,000	11,400,800	57,058	7,714,917.45	60,827,224.55

[1] Reductions in contributions made possible by voluntary contributions from the United States. For text of resolution see appendix 20.

APPENDIX 14

U.S. contributions to United Nations operations in the Congo through June 30, 1962 [1]

	U.S. contributions		Total U.N. budgets
	Amount	Percent	
Military:			
Congo military budget for July to December 1960			$60,000,000
U.S. assessed contribution (fiscal year 1961 MSA)	$15,745,211		
U.S. voluntary cash contribution (fiscal year 1961 MSA)	3,900,000		
U.S. waiver of initial airlift (fiscal year 1961 MSA)	10,317,622		
Total	29,962,833	49.94	
Congo military budget for January to October 1961			100,000,000
U.S. assessed contribution (fiscal year 1961 State supplemental)	32,204,061		
U.S. voluntary contribution (cash) ($6,450,000 fiscal year 1961 MSA; $8,855,596 fiscal year 1962 AID)	15,305,596		
Total	47,509,657	47.51	
Congo military budget for November 1961 to June 1962			80,000,000
U.S. assessed contribution (fiscal year 1962 State supplemental) [2]	25,616,000		
U.S. voluntary contribution (cash) (fiscal year 1962 AID)	11,400,800		
Total	37,016,800	46.27	
Total, Congo military [3]	114,489,290	47.70	240,000,000
Economic:			
U.N. Fund for the Congo:			
U.S. cash contribution ($22,950,000 fiscal year 1961 MSA; $15,000,000 fiscal year 1962 AID)	37,950,000		
Other U.N. economic programs:			
U.S. contribution for import financing (fiscal year 1961 MSA)	5,000,000		
U.S. contribution for U.S. commodity import financing (fiscal year 1962 AID)	28,000,000		
U.S. Food for Peace contributions, Public Law 480:			
Title I (fiscal year 1962) [4] $12,200,000			
Title II:			
Fiscal year 1961 10,100,000			
Fiscal year 1962 [4] 4,300,000			
Total 14,400,000			
	26,600,000		
U.S. airlift of flour and food	[5] 721,953		
Total, other U.N. economic programs	60,321,953		
Total, Congo economic	98,271,953		
Other: U.S. air evacuation of troops and civilians	[6] 540,331		

[1] This table deals with Congo operations conducted multilaterally through the United Nations. In addition to contributing to the programs shown on this table, the United States conducts the following programs for the Congo outside the framework of the United Nations:

	Fiscal year 1961	Fiscal year 1962	Total
U.S. Food-for-Peace, Public Law 480, title III, through which U.S. foodstuffs are distributed in the Congo by private voluntary agencies	$600,000	$2,400,000	$3,000,000
Development grant projects, conducted directly by or for the United States in the Congo	2,575,000	3,421,000	5,996,000
Total, nonmultilateral programs	3,175,000	5,821,000	8,996,000

[2] Appropriation request pending.
[3] From July 1, 1962, the U.N. proposes to fund Congo military costs from the proceeds of its $200,000,000 bond issue.
[4] Estimated total through June 30, 1962.
[5] Reimbursed to Department of Defense by Department of State.
[6] Of which $101,144 has been reimbursed to Department of Defense by Department of State.

APPENDIX 15

U.S. contributions to United Nations Emergency Force through June 30, 1962

	U.S. contributions		Total U.N. budgets
	Amount	Percent	
UNEF budget, November 1956 to December 1958			$55,000,000
U.S. assessed contributions:			
Fiscal year 1957 State	$3,333,000		
Fiscal year 1958 State	1,563,063		
Fiscal year 1958 State	8,127,500		
Total	13,023,563		
U.S. voluntary contributions:			
Fiscal year 1957 MSA	3,170,850		
Fiscal year 1958 MSA	9,750,000		
U.S. waiver of initial airlift (fiscal year 1957)	1,191,581		
Total	14,112,431		
Total contributions	27,135,994	49.34	
UNEF budget, 1959			19,000,000
Assessed, fiscal year 1959 State	4,943,146		
Voluntary, fiscal year 1960 MSA	3,500,000		
Total	8,443,146	44.44	
UNEF budget, 1960			20,000,000
Assessed, fiscal year 1960 State	6,497,064		
Voluntary, fiscal year 1961 MSA	3,200,000		
Total	9,697,064	48.48	
UNEF budget, 1961			19,000,000
Assessed, fiscal year 1962 State	6,115,519		
Voluntary, fiscal year 1962 MSA	1,800,000		
Total	7,915,519	41.66	
UNEF budget, 1962			9,750,000
Assessed, fiscal year 1963 State [1]	3,121,950		
Voluntary, fiscal year 1963 AID [1]	1,320,000		
Total	4,441,950	45.56	
Grand total	57,633,673	46.95	122,750,000

[1] Appropriation request pending.

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APPENDIX 16

THE UNITED NATIONS FINANCIAL POSITION AND PROSPECTS

STATEMENT BY THE ACTING SECRETARY-GENERAL AT THE 899TH MEETING OF THE FIFTH COMMITTEE, DECEMBER 11, 1961

Mr. Chairman,

1. I hope the Committee will bear with me a few minutes before it proceeds with its consideration of today's agenda, in order that I might present by way of background, as it were, to the discussion on which you are about to embark, some brief but relevant observations on the state of the United Nations finances.

2. It is not my intention at this time to deal specifically with the question of ONUC and UNEF cost estimates and their financing or to seek to prejudge the General Assembly's decision in this respect. The documentation already issued, including the reports of the Advisory Committee on Administrative and Budgetary Questions, will, I hope, provide a sufficient basis for necessary action.

3. The purpose of this intervention is rather to underline once again the fact that the steadily increasing financial difficulties which have confronted the United Nations during the past several years have become so serious as to now threaten the ability of the Organization to carry out its primary responsibilities and approved programmes.

4. The progressive deterioration in the financial position of the Organization may be seen in the widening gap between the Organization's total unpaid obligations and its total net cash resources to cover such obligations.

5. In referring to the financial position I am, of course, speaking only to the situation that obtains in respect of activities financed in whole, or primarily, by *assessments* levied on Members by the General Assembly. These activities relate to (a) the Working Capital Fund, (b) the regular budget of the United Nations, (c) the UNEF special account and (d) the *ad hoc* account for the expenses of ONUC.

6. Moreover, in referring to the Organization's unpaid obligations I mean the sum represented by the unliquidated obligations entered on the United Nations books of account plus the amounts that should be in various surplus accounts plus the amounts borrowed from the Working Capital Fund and other special or trust funds and accounts in the custody of the Secretary-General. I exclude, however, the Organization's residual liabilities relating to the unpaid balance of the United Nations Headquarters loan or the balance of credits due Members in respect of the transfer of the League of Nations assets.

7. At the end of 1956 the gap to which I have referred—which may be called our cash deficit—amounted to $9.3 million. This increased to $21.2 million at the end of 1957 and again to approximately $29 million at the end of the following two years

8. At the end of 1960 the gap had become $86.9 million and it is now estimated that, at the end of this year—some twenty days from now—it will have reached the amount of $107.5 million.[1]

[1] The total unpaid obligations, net cash resources, and deficit as at the end of each year from 1956 through 1961 were as follows:

[Millions of dollars]

Year end	Unpaid obligations	Net cash resources	Deficit
1956	24.0	14.7	9.3
1957	38.5	17.3	21.2
1958	43.2	13.9	29.3
1959	44.8	16.3	28.5
1960	89.7	2.8	86.9
1961 (estimated)	114.4	6.9	107.5

9. On the assumption that the Organization's expenses will continue during the first half of 1962 at the rate of approximately $17 million per month and that the collection of contributions during that period will total approximately $40 million, the gap between the debts of the Organization and its available net cash resources will have increased to approximately $170 million by 30 June 1962.

10. In view of the present situation and the prospects for the immediate future, I consider it imperative that the General Assembly take appropriate action during the present session to re-establish the financial solvency of the Organization and to provide it with the financial resources necessary to carry out its continuing responsibilities. In the absence of adequate and assured long-term arrangements looking to the Organization's immediate as well as prospective financial needs the consequence of insolvency will have to be faced seriously and soon.

11. It is estimated that by 31 December 1961, the United Nations will have unpaid bills of approximately $82.5 million. In addition, depletion of the Working Capital Fund (plus temporary loans from other United Nations accounts) is likely to account, as of that date, for a further $26.0 million. Thus financial arrangements must be made at this session of the General Assembly which will not only ensure the provision of some $107.5 million for meeting these obligations and needed fund restorations but will provide also for payment of ongoing costs of other authorized activities.

12. Against total current liabilities as indicated above (i.e. unliquidated obligations plus advances from the Working Capital Fund and other special or trust accounts) it is calculated that year-end financial statements will show some $86 million in unpaid assessments.

13. Despite some relative improvement in the course of 1961, the Organization's cash position can be said to be equally critical, with the virtual certainty of its rapidly and progressively deteriorating through the first half of 1962, and the prospect that all reserves will shortly be exhausted. It is also clear that exclusive reliance on the short-term borrowing expedients so far used would no longer be possible or desirable.

14. In short, Mr. Chairman, the United Nations will be facing imminent bankruptcy, if, in addition to earliest possible payment of current and, particularly, of arrear assessments, effective action is not promptly taken for the purpose of (i) enabling outstanding obligations to be settled; (ii) improving the cash position; and (iii) providing needed financing for approved continuing activities.

15. I therefore venture to express the hope that, before it concludes its present session, the General Assembly will devote thought and attention to this continuing financial crisis, and agree upon ways and means by which it could be resolved.

16. The situation requires that all Member States assist us, not only by alleviating the present crisis, but also by providing sound and longer-range financing. This applies to activities for which provision is made under the regular United Nations budget, as also to separately financed operations specifically approved. It was in anticipation of such a spirit of co-operation, and in the confident expectation that all Members share a common interest in preserving the Organization they have built up as a going concern, that I undertook my present responsibilities. The tasks that have been entrusted to me, however, can be successfully accomplished only if pledges of goodwill are accompanied by a readiness to provide the financial support and resources essential for their fulfilment.

Appendix 17

Statement by Ambassador Philip M. Klutznick, United States Representative in Committee Five, on United Nations Emergency Force and Congo Financing, December 15, 1961

Mr. Chairman, we are faced with a great task. The operation in the Congo goes on. Neither the General Assembly nor the Security Council has spoken to stay it. In August I was in the Congo for a brief visit. There, as in this Committee room, I found many differing opinions on many aspects of what was done or what should be done by the United Nations in the Congo. On one thing there was unanimous agreement in mid-August among the people to whom I spoke. These included old settlers and new, Congolese and Europeans, Americans and members of other missions. Without exception and in the hope that some of the aggravating issues would be solved quickly, these people expressed the hope that

a United Nations military force would continue for some time as a symbol of the interest of the international community in the realization of a viable Congo. I have no doubt that many of these people were moved to this conclusion by the recognition that some time was needed by the new Congolese Government to gain firm control of the situation at hand.

Since my visit tragedy and division have stalked the Congo. As we sit here, the African atmosphere is tense with alternate hope and despair; the undertaking begun many months ago is not finished. A Secretary General and his aides were martyred by the cause of Congo unity and independence. An Acting Secretary General equipped with a most recent mandate of the Security Council has shown quiet courage and enheartening determination to make good the promise of this Organization.

In these circumstances, what alternatives are available to the United Nations? Of course, it can sacrifice with finality the investment of men, money, and material by many members by bringing its operation to an abrupt end. Or it can bring to final consumption what could prove to be one of the most meaningful chapters in its history by completing the task which it undertook. All of us have heard the challenging report of U Thant. More resources are needed if this operation is to conform to the political mandates of this Organization.

Here again the report of the Working Group of Fifteen is enlightening. Even though there was a difference of opinion about the legal significance of an assessment by the General Assembly of the cost of the Congo operation, there was substantial agreement that in any appropriate peace or security action the principle of collective responsibility of the membership should prevail. Therefore, while we await with confidence an advisory opinion from the International Court of Justice (ICJ), we should without regard thereto reaffirm the doctrine of mutuality and of collective responsibility which is the hallmark of these United Nations. We have before us an appropriate resolution to authorize the expenditure of required funds for the Congo operation and another for the UNEF, and to assess appropriately the cost among the members of this Organization.

Appropriation and assessment resolutions are not enough. This knowledgeable group understands full well that the cash flow into the coffers of the United Nations is the key question that confronts us. For a variety of reasons which, in large part, have nothing to do with ability to pay, some of our members are just not paying. The mere size of the Congo costs made it clear some time ago that the persistence of some in this unorthodox posture would precipitate a crisis of immeasurable proportions. We have arrived at that point *now!* Some may wish to venture to more dangerous exposures, but the stakes are much too high to risk the precipice on which this Organization rests today.

The adoption of the resolutions of authorization and assessment, assuming that paying habits remain the same, will not provide sufficient cash when added to all authorized borrowings to avert a bare treasury in the spring of 1962. If, for whatever reason, members do not change their paying habits, then the Organization will be bankrupt and unable to pay its bills next spring. This unhappy fact cannot be brushed under the carpet any longer. Now is the time for those who speak of their great concern for world peace, peaceful co-existence, cooperation, and all the sugary words of seduction to show their true colors.

My Government throughout this whole exercise has demonstrated its willingness to meet the problem more than half-way. So have others. We who have paid our bills have no more voting strength than those who have elected to ignore the mandates of this Organization. It is for the many who may suffer from the padlocking of these doors to assert themselves now. My Government would deeply regret the indecent demise through default of the moving ideal embodied in this Organization, but there are limits to our patience and an end to our indulgence.

If these resolutions are not the best answer, let another better response be presented. It will have our serious interest. But one answer whether it be rumored or not is unacceptable. In the discharge of mutuality one state should not be called upon to carry the major burden. This is bad for the United Nations and for that state as well. If the United States is someone's candidate for that role, it should be made clear that it has gone as far as it can and will go. It is unthinkable that the United States pay so much of this bill and its own act will help destroy the United Nations. Neither our government nor our people will play such a foolish role.

We regret the necessity at this critical stage (even for a moment) of leaving the field of facts and figures to consider certain proposals that have been suggested here. For example, it has been seriously urged against the assessment and apportionment resolutions that the state or states responsible should pay all or

a great share of the costs of a peace and security action by the United Nations. This has the lure of reasonableness and the siren's quality of removing the burden from our collective conscience and fixing it on someone else. This is a nice and neat trick if it would work. Let us analyze it calmly and deliberately.

1. Will any sovereign state accept blame or permit itself to voluntarily sit with a dunce's cap in any such situation? States are like people—they can always justify to themselves and to their constituency the justice or propriety of an act. It would require a trial and finding in each instance by some international tribunal before blame could be fixed and the degree of responsibility for costs assessed. Any other procedure would make a mockery of our pretensions to justice and a shambles of our mutuality in this Organization. The process of stigmatizing one nation or another is a lengthy one. It is also a double-edged sword. It may shake up a lot of hidden factors and culprits who charge others while having no little share of the fault themselves. It seems strange and inconsistent for those who hesitate to submit one limited legal phase of our problem to the ICJ to seemingly espouse this proposition with all of its judicial prerequisites and endless political implications.

2. But, assuming the first step is ultimately concluded, can anyone reasonably contend that an alleged culprit state will advance the financial means to pursue a military action while it is under charges of responsibility for having caused the conditions which make a UN security action necessary? Who then is to provide the funds while all of this palavering and judicial processing takes place?

If the suggestion that is made had been pursued in the case of the Suez and in the Congo we would still be debating the subject.

This is obviously an impractical approach even if it is acceptable as a principle. Blame-fixing and fault-finding are exercises that are time consuming but do not meet the exigencies of an emergency military or security program. They can only be looked upon as mere conversation pieces for the aftermath—they do not supply men, material and money when they are needed.

There is another alternative which has been proposed several times. On occasion it has been met with limited approval by some of the states. The proposal paraphrased is simply that all aspects of this type of undertaking must proceed only by agreement between the permanent members of the Security Council. This suggestion has been confused on occasions as being somewhat similar to another that proposes that the permanent members of the Security Council pay a larger share of the cost of a peace and security action. Let us be certain that these are two separate and distinct ideas that bear no honest relationship one to the other.

My government has expressed itself by acts in affirming its belief that in an emergency security situation such as created UNEF and ONUC a major power should volunteer to do something beyond its share as expressed by the normal scale of assessments if it is necessary to do so. We shall do so again in the consideration of this item. However, we have never claimed that this should deprive the entire membership of its role as a General Assembly to act in an appropriate case under the Uniting for Peace resolution or in assessing and allocating costs under Article 17. Perhaps in this we are less protective of our selfish interests than our colleagues of the Soviet Union. Perhaps, in this we are expressing a naive hope that irrespective of occasional differences the total membership can be relied upon to act in the best interest of world tranquility and in a spirit of collective responsibility if the need arises.

The Security Council of eleven members or a lesser number, the five permanent members, should not be looked upon as sacrosanct. We believe that one of the major progressive steps taken in the writing of the Charter is expressed in the mutuality of Article 17 and its companion Article 19 and in the later wisdom of the General Assembly in enacting its epoch making Resolution 377(V) Uniting for Peace.

Any acceptance of the notion that we must move away from these achievements is a backward step in our common search for a universe of peace. It implies that only a few should make the crucial decisions of our day without the prospect of a participation of the many in an appropriate case; it may even imply that only a few should make the decisions, but the many may be called upon to pay for them so long as the few are the great powers. This is an archaic concept which cannot survive the sunlight of today's world.

There are many debates in these halls on many dramatic subjects—disarmament, nuclear testing, apartheid, economic development—but there are none as basic as the debate in which we are engaged in this Committee. We have arrived at an hour when a decision that may rock the very foundations of the world must be made. An organization such as this is not brick and mortar and glass—

it lives only through the personality of the human beings who serve it and through the repute it develops as an entity in the areas in which it serves. There are many places in the world where the people—not governments—but just the ordinary human beings—look to the United Nations as mankind's last and best hope for a universe of peace with justice. Is it conceivable that such a hope can be kept alive in the breasts of men if the organization that expresses it must abandon its mission and lower its escutcheon out of an inability to pay its bills? Is this the portion that the Members of the United Nations have chosen for this instrument that seeks human equanimity? Is it possible that the representatives of the hundred and three nations of the world—a world that expends over $100 billion a year for armaments—will permit the legitimate ambitions of a Congo for freedom and national strength to be aborted for the want of a few million dollars?

Indeed, the answer must come in this debate and from this chamber. The subject of legal technicalities becomes oppressive when there is an avenue for a determination of legal rights among the Members and when that avenue can be sought. Any argument as to efficiency or inefficiency tends to beg the issue—since when have hastily-thrown-together organizations engaged in military or quasi-military operations earned an accolade for superb efficiency? The underlying and inescapable issue turns about our hopes, our beliefs in the peace and future of the United Nations.

These are solemn days for the United Nations Organization. The headlines address themselves to every variety of international political issue that besets mankind. Sometimes, they scream with the violent differences that are openly expressed; on other occasions in more muted tones they exude the notion that small and even imperceptible forward movements are taking place. Even as we discuss these matters of finance military forces under the banner of the United Nations are engaged in making real the resolutions enacted by the Security Council five times without a negative vote and with minor abstentions. The whole notion of a United Nations is undergoing its supreme test in the arena of words and in the crucible of gun fire.

It is in this environment that we listened to the direct and forthright presentation by Mr. Thant bearing on the problem with which this Committee is concerned. It is in other organs of this Organization that the substantive determinations have been made in one instance as recently as November 24, when the Security Council strengthened and again defined the obligations of the Secretary General in the Congo. Our task is to take the first steps to provide the resources which are needed to make possible the political decisions taken. It is sterile debate to question the total of funds requested. Neither the Secretary General nor anyone else can predict with precision what may actually constitute the final accounting in resources needed to achieve the result. All of us hope with him that the efforts in the Congo can be brought to a speedy and satisfactory conclusion. If it takes more in a short time to accomplish his mission than a chronic and continuing effort would require, who among us would choose to save dollars while continuing to expose men of whatever nationality to the dangers of an unending military engagement. The price of victory for the people of the Congo and for the United Nations may be great or small, but we have entered into a path from which there is no turning without dishonor.

My Government has publicly and repeatedly stated by word and responded by act to demonstrate our support of the political actions of the General Assembly and the Security Council. We will do no less now. We have supported the resolution submitting the question of the character of obligation incurred in this connection for an advisory opinion of the ICJ. We have done this not to punish or compel anyone; but only to clarify the real task before us. We shall support the resolutions appropriating sums necessary to meet the estimates of UNEF and ONUC, authorizing the Secretary General to incur the necessary expenditures and assessing the costs. As on prior occasions with respect to the assessment of the cost of both UNEF and the Congo operations, my Government is prepared to make voluntary contributions in addition to our regular assessments to defray the loss incurred through the deductions justly made to relieve less developed countries from a substantial share of the burden.

We are prepared to make a voluntary contribution on the order of $11.4 million toward the cost of ONUC, to cover the cost of the reductions in assessments provided in the draft resolution before us. We are also prepared to offer, subject to Congressional action, a voluntary contribution on the order of $1.3 million toward the cost of UNEF for the first six months of 1962.

The adoption of these resolutions by the requisite two-thirds majority will enable the Secretary General to carry on until June 30, 1962.

We now address ourselves to U Thant's suggestion that provision be made for sound and longer-range financing. We believe that the United Nations would be taking an epochal step in authorizing the issuance and sale under the conditions specified of a $200 million United Nations bond issue. My Government is prepared to support and has consistently urged the payment of United Nations obligations on a "pay-as-you-go" basis. Unfortunately, a combination of circumstances has rendered this impossible under current conditions. The adoption of the assessment resolutions, if the customary payment pattern persists, or even if modestly improved, will fail to provide the cash needed by the Secretary General to meet commitments he must make and which the General Assembly has authorized. In this situation, there is great wisdom in the Secretary General's call for longer-range financing.

The position of the United States must be clarified. Only the Congress can authorize the purchase of such bonds. It will not convene until after the first of the year. The United States Delegation believes that the character of the crisis is such that all States Members should be prepared to take extraordinary steps. Normally, we would feel compelled to abstain or vote against a proposal of this kind until it had received the blessing of the Congress. For the reason we have stated, the United States, subject to the conditions here expressed, will vote for this proposal. We are directed to advise you that the President of the United States will submit the request for authority to participate in this bond issue at an appropriate level of purchase to the Congress when it convenes in the sincere hope that the United States will be enabled to do its share in making this historic proposal a reality. We firmly believe that such a measure is essential to establish a period without financial crisis to permit all of us to soberly and calmly survey the experience to date in an atmosphere relieved of the tensions of prospective bankruptcy.

We would appeal to our colleagues to move quickly and confidently to put our house in order. This is one way in which we can bring a new tone to these halls as we near the close of a General Assembly which began under the pall of tragic martyrdom. We can by these acts affirm our determination that Dag Hammarskjold and his valiant comrades did not give up their lives for naught.

We can do something no less important. We recall with a glow of happiness that moment of unanimity when U Thant assumed the duties of Acting Secretary General. The brilliant words of nomination which identified him as a man of faith, of fairness, of splendid judgment and serene personality did not exceed the talents he has so far shown in the execution of his exacting duties. His consecrated efforts to bring some order out of the chaos that was inevitable in the wake of the sudden and tragic demise of his predecessor; his fairness in trying to involve all of the Members in the major matters with which he is concerned; his quiet courage which has restored an air of real strength to our work—all this suggests that we must join to lessen the heavy load resting on his shoulders. We seek in all friendship and earnestness to give our fulsome support to this accomplished and dedicated leader. It may well be that the destiny of all mankind rests in his hands and in his ability to make the United Nations responsive to the common urge of all ordinary people for a universe of peace where justice prevails. My Government shall not fall short of discharging its fullest measure of support toward this end. This is the spirit and the objective of our willingness to join in giving the Acting Secretary General the tools he needs.

APPENDIX 18

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/5038)]

1691 (XVI). *Scale of assessments for the apportionment of the expenses of the United Nations*

A

The General Assembly

Resolves that:

1. The scale of assessments for Members'[1] contributions to the United Nations budget for the financial years 1962, 1963 and 1964 shall be as follows:

Member State	*Percent*	*Member State*	*Percent*
Afghanistan	0.05	Japan	2.27
Albania	.04	Jordan	.04
Argentina	1.01	Laos	.04
Australia	1.66	Lebanon	.05
Austria	.45	Liberia	.04
Belgium	1.20	Libya	.04
Bolivia	.04	Luxembourg	.05
Brazil	1.03	Madagascar	.04
Bulgaria	.20	Mali	.04
Burma	.07	Mexico	.74
Byelorussian Soviet Socialist Republic	.52	Morocco	.14
Cambodia	.04	Nepal	.04
Cameroun	.04	Netherlands	1.01
Canada	3.12	New Zealand	.41
Central African Republic	.04	Nicaragua	.04
Ceylon	.09	Niger	.04
Chad	.04	Nigeria	.21
Chile	.26	Norway	.45
China	4.57	Pakistan	.42
Colombia	.26	Panama	.04
Congo (Brazzaville)	.04	Paraguay	.04
Congo (Leopoldville)	.07	Peru	.10
Costa Rica	.04	Philippines	.40
Cuba	.22	Poland	1.28
Cyprus	.04	Portugal	.16
Czechoslovakia	1.17	Rumania	.32
Dahomey	.04	Saudi Arabia	.07
Denmark	.58	Senegal	.05
Dominican Republic	.05	Somalia	.04
Ecuador	.06	South Africa	.53
El Salvador	.04	Spain	.86
Ethiopia	.05	Sudan	.07
Federation of Malaya	.13	Sweden	1.30
Finland	.37	Thailand	.16
France	5.94	Togo	.04
Gabon	.04	Tunisia	.05
Ghana	.09	Turkey	.40
Greece	.23	Ukrainian Soviet Socialist Republic	1.98
Guatemala	.05	Union of Soviet Socialist Republics	14.97
Guinea	.04	United Arab Republic	[2].30
Haiti	.04	United Kingdom of Great Britain and Northern Ireland	7.58
Honduras	.04	United States of America	32.02
Hungary	.56	Upper Volta	.04
Iceland	.04	Uruguay	.11
India	2.03	Venezuela	.52
Indonesia	.45	Yemen	.04
Iran	.20	Yugoslavia	.38
Iraq	.09		
Ireland	.14		
Israel	.15		
Italy	2.24	Total	100.00
Ivory Coast	.04		

[1] Not including the Member States admitted to the Organization at the sixteenth session of the General Assembly.

[2] Allocation between Syria and the United Arab Republic to be determined.

2. Subject to rule 161 of the rules of procedure of the General Assembly, the scale of assessments given in paragraph 1 above shall be reviewed by the Committee on Contributions in 1964, when a report shall be submitted for the consideration of the Assembly at its nineteenth session;

3. Notwithstanding the terms of regulation 5.5 of the Financial Regulations of the United Nations, the Secretary-General shall be empowered to accept, at his discretion and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the financial years 1962, 1963 and 1964 in currencies other than United States dollars;

4. Subject to rule 161 of the rules of procedure of the General Assembly, States which are not Members of the United Nations but which participate in certain of its activities shall be called upon to contribute towards the 1962, 1963 and 1964 expenses of such activities on the basis of the following rates:

Non-member State:	*Percent*
Federal Republic of Germany	5.70
Liechtenstein	.04
Monaco	.04
Republic of Korea	.19
Republic of Viet-Nam	.16
San Marino	.04
Switzerland	.95

the following countries being called upon to contribute:

(*a*) To the International Court of Justice: Liechtenstein, San Marino and Switzerland;

(*b*) To the international control of narcotic drugs: Federal Republic of Germany, Liechtenstein, Monaco, Republic of Korea, Republic of Viet-Nam, San Marino and Switzerland;

(*c*) To the International Bureau for Declarations of Death of Missing Persons: Federal Republic of Germany;

(*d*) To the Economic Commission for Asia and the Far East: Republic of Korea and Republic of Viet-Nam;

(*e*) To the Economic Commission for Europe: Federal Republic of Germany;

5. Notwithstanding the provisions of paragraph 1 above, the Committee on Contributions shall at its meeting in 1962 examine the scale of assessments for the years 1962, 1963 and 1964, in the light of the discussion in the Fifth Committee at the sixteenth session and in the light of such further information as might be made available to it, and shall report thereon to the General Assembly at its seventeenth session; in the event that the Assembly should at its seventeenth session revise the scale set out in paragraph 1 above, the contributions for 1962 shall be adjusted accordingly.

1082nd plenary meeting,
18 December 1961.

B

The General Assembly,

Bearing in mind the provisions of regulation 5.5 of the Financial Regulations of the United Nations and the existing arrangements for facilitating the payment of contributions to the regular budget of the United Nations in currencies other than the United States dollar,

Aware of the difficulties experienced by many Member States in securing United States dollars for the payment of their contributions to the regular budget of the United Nations,

Taking into account paragraphs 17 and 35 of the report of the Committee on Contributions,[3]

Considering that it is desirable to expand the existing arrangements for facilitating the payment of contributions,

Recommends the Committee on Contributions:

(*a*) To study all the possible ways and means of expanding the existing arrangements for facilitating the payment of contributions by Member States to the regular budget of the United Nations in currencies other than the United States dollar;

(*b*) To submit a detailed report and recommendations on this matter to the General Assembly at its seventeenth session.

1082nd plenary meeting,
18 December 1961.

[3] *Official Records of the General Assembly, Sixteenth Session, Supplement No. 10* (A/4775 and Corr. 1).

APPENDIX 19

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/5065)]

1733 (XVI). *United Nations Emergency Force: cost estimates for the maintenance of the Force*

The General Assembly,

Recalling its resolutions 1089 (XI) of 21 December 1956, 1151 (XII) of 22 November 1957, 1337 (XIII) of 13 December 1958, 1441 (XIV) of 5 December 1959 and 1575 (XV) of 20 December 1960,

Having examined the budget estimates for the United Nations Emergency Force submitted by the Secretary-General for the year 1962 [1] and the observations and recommendations thereon of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Decides* to continue the special account for the expenses of the United Nations Emergency Force;

2. *Authorizes* the Secretary-General to expend, during 1962, at an average monthly rate not to exceed $1,625,000 for the continuing cost of the United Nations Emergency Force;

3. *Decides* to appropriate an amount of $9.75 million for the operations of the United Nations Emergency Force for the period 1 January to 30 June 1962;

4. *Decides* to apportion the amount of $9.75 million among all States Members of the United Nations in accordance with the regular scale of assessments for 1962,[3] subject to the provisions of paragraph 6 below;

5. *Appeals* to all Member States who are in a position to assist to make voluntary contributions to help defray the costs of the United Nations Emergency Force;

6. *Decides* to reduce:

(*a*) By 80 per cent the assessment of Member States whose contributions to the regular budget range from 0.04 per cent to 0.25 per cent inclusive;

(*b*) By 80 per cent the assessment of Member States receiving assistance during 1961 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget range from 0.26 per cent to 1.25 per cent inclusive;

(*c*) By 50 per cent the assessment of Member States receiving assistance during 1961 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget are 1.26 per cent and above;

7. *Decides* to apply the voluntary contributions of Member States to offset the deficit resulting from the implementation of the provisions of paragraph 6 above.

1086th plenary meeting,
20 December 1961.

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[1] A/4784.
[2] A/4812.
[3] See resolution 1691 (XVI) of 18 December 1961.

APPENDIX 20

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/5066)]

1732 (XVI). *United Nations operations in the Congo: cost estimates and financing*

The General Assembly,

Recalling the Security Council resolutions of 14 July 1960,[1] 22 July 1960,[2] 9 August 1960,[3] 21 February 1961,[4] and 24 November 1961,[5] and General Assembly resolutions 1474 (ES–IV) of 20 September 1960, 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961, 1619 (XV) of 21 April 1961 and 1633 (XVI) of 30 October 1961,

Having considered the report of the Secretary-General on the estimated cost of United Nations operations in the Congo in 1962 [6] and the report of the Advisory Committee on Administrative and Budgetary Questions thereon,[7]

Bearing in mind that the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that, therefore, a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses,

Bearing in mind that the permanent members of the Security Council have a special responsibility for the maintenance of international peace and security and, therefore, for contributing to the financing of peace and security operations,

1. Decides to continue the *ad hoc* account for the expenses of the United Nations operations in the Congo;

2. *Authorizes* the Secretary-General to expend, during 1962, at an average monthly rate not to exceed $10 million for the continuing cost of the United Nations operations in the Congo;

3. *Decides* to appropriate an amount of $80 million for the operations of the United Nations in the Congo for the period 1 November 1961 to 30 June 1962;

4. *Decides* to apportion as expenses of the Organization the amount of $80 million among the Member States in accordance with the scale of assessment for the regular budget,[8] subject to the provisions of paragraph 5 below, pending the establishment of a different scale of assessment to defray the extraordinary expenses of the Organization resulting from these operations;

5. *Decides* to reduce:

(*a*) By 80 per cent the assessment of Member States whose contributions to the regular budget range from 0.04 per cent to 0.25 per cent inclusive;

(*b*) By 80 per cent the assessment of Member States receiving assistance during 1961 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget range from 0.26 per cent to 1.25 per cent inclusive;

(*c*) By 50 per cent the assessment of Member States receiving assistance during 1961 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget are 1.26 per cent and above;

6. *Urges* the permanent members of the Security Council to make sizable additional contributions;

7. *Appeals* to all Member States who are in a position to assist to make voluntary contributions to help defray the costs of the United Nations operations in the Congo;

8. *Calls upon* the Government of Belgium, a State directly concerned with the situation in the Republic of the Congo (Leopoldville), to make a substantial contribution;

9. *Decides* to apply the additional contributions of Member States under paragraphs 6, 7 and 8 above to offset the deficit resulting from the implementation of the provisions of paragraph 5.

1086th plenary meeting,
20 December 1961.

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[1] *Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960, document S/4387.*
[2] *Ibid.*, document S/4405.
[3] *Ibid.*, document S/4426.
[4] *Ibid., Sixteenth Year, Supplement for January, February and March 1961*, document S/4741.
[5] *Ibid., Supplement for October, November and December 1961*, document S/5002.
[6] A/C.5/904.
[7] A/5019.
[8] See resolution 1691 (XVI) of 18 December 1961.

APPENDIX 21

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/5075)]

1734 (XVI). *Budget for the financial year 1962*

A. BUDGET APPROPRIATIONS FOR THE FINANCIAL YEAR 1962

The General Assembly

Resolves that for the financial year 1962:

1. Appropriations totalling $US82,144,740 are hereby voted for the following purposes:

A. UNITED NATIONS

Part I. Sessions of the General Assembly, the councils, commissions and committees; special meetings and conferences

Sec.		U.S. dollars
1.	Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies	1, 155, 240
2.	Special meetings and conferences	1, 532, 000
	Total, part I	2, 687, 240

Part II. Staff costs and related expenses

3.	Salaries and wages	40, 765, 550
4.	Common staff costs	9, 399, 650
5.	Travel of staff	2, 065, 000
6.	Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; hospitality	100, 000
	Total, part II	52, 330, 200

Part III. Buildings, equipment and common services

7.	Buildings and improvements to premises	4, 364, 500
8.	Permanent equipment	438, 500
9.	Maintenance, operation and rental of premises	3, 458, 200
10.	General expenses	3, 684, 800
11.	Printing	1, 286, 650
	Total, part III	13, 232, 650

Part IV. Special expenses

12.	Special expenses	194, 600
	Total, part IV	194, 600

Part V. Technical programmes

13.	Economic development	2, 135, 000
14.	Social activities	2, 105, 000
15.	Human rights activities	140, 000
16.	Public administration	1, 945, 000
17.	Narcotic drugs control	75, 000
	Total, part V	6, 400, 000

Part VI. Special missions and related activities

18.	Special missions	2, 490, 650
19.	United Nations Field Service	1, 357, 000
	Total, part VI	3, 847, 650

A. UNITED NATIONS—continued

Part VII. Office of the United Nations High Commissioner for Refugees

Sec.		U.S. dollars
20.	Office of the United Nations High Commissioner for Refugees	2, 525, 800
	Total, part VII	2, 525, 800

B. INTERNATIONAL COURT OF JUSTICE

Part VIII. International Court of Justice

21.	International Court of Justice	926, 600
	Total, part VIII	926, 600
	Grand total	82, 144, 740

2. The Secretary-General is authorized:

(*a*) To administer as a unit the provisions under sections 1, 3, and 5 in a total amount of $117,900 relating to the Permanent Central Opium Board and the Drug Supervisory Body;

(*b*) To transfer credits between sections of the budget with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The appropriations under sections 1, 3, 4 and 5 in a total amount of $248,400 relating to the United Nations Joint Staff Pension Board and the United Nations Staff Pension Committee shall be administered in accordance with article XXVII of the Regulations of the United Nations Joint Staff Pension Fund;

4. In addition to the appropriations under paragraph 1 above, an amount of $17,500 is hereby appropriated from the income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

1086th plenary meeting.
20 December 1961.

B. Income Estimates for the Financial Year 1962

The General Assembly

Resolves that for the financial year 1962:

1. Estimates of income other than assessments on Member States totalling $US14,062,050 are approved as follows:

Part I. Income from staff assessment

Sec.	U.S. dollars
1. Staff assessment income	8, 670, 250
Total, part I	8, 670, 250

Part II. Other income

2. Funds provided from extra-budgetary accounts	1, 666, 800
3. General income	1, 400, 000
4. Sale of United Nations postage stamps	1, 275, 000
5. Sale of publications	375, 000
6. Services to visitors and catering services	675, 000
Total, part II	5, 391, 800
Grand total	14, 062, 050

2. The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

3. Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services and the sale of publications, not provided for under the budget appropriations, may be charged against the income derived from those activities.

1086th plenary meeting,
20 December 1961.

C. Financing of Appropriations for the Financial Year 1962

The General Assembly

Resolves that for the financial year 1962:

1. Budget appropriations totalling $US82,144,740, decreased by revised appropriations for 1961 totalling $1,320,000,[1] shall be financed as follows, in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations:

(*a*) As to $5,391,800, by income other than staff assessment approved under resolution B above;

(*b*) As to $1,308,823, by the balance on surplus account for the financial year 1960;

(*c*) As to $74,124,117, by assessment on Member States in accordance with General Assembly resolution 1691 (XVI) of 18 December 1961;

2. There shall be set off against the assessment on Member States:

(*a*) Their respective shares in the Tax Equalization Fund, subject to the provisions of General Assembly resolution 973 (X) of 15 December 1955, comprising:

(i) $8,670,250, being the estimated staff assessment income for 1962;

(ii) $172,117, being the excess of staff assessment income for 1960 over estimated income;

(*b*) Their credits in respect of the transfer of the League of Nations assets, in accordance with General Assembly resolution 250 (III) of 11 December 1948.

1086th plenary meeting
20 December 1961

APPENDIX 22

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/5075)]

1736 (XVI). *Working Capital Fund for the financial year 1962*

The General Assembly

Resolves that:

1. The Working Capital Fund shall be established for the year ending 31 December 1962 at an amount of $US25 million, to be derived:

(*a*) As to $23,920,842, from cash advances by Members in accordance with the provisions of paragraphs 2 and 3 below;

(*b*) As to $1,079,158, by transfer from surplus account as follows:

(i) $551,170 being the balance of surplus account as at 31 December 1957 not applied against Members' assessments in accordance with General Assembly resolution 1340 (XIII) of 13 December 1958;

(ii) $527,988 being the balance of surplus account as at 31 December 1958, not applied against Members' assessments in accordance with General Assembly resolution 1445 (XIV) of 5 December 1959;

2. Members shall make cash advances to the Working Capital Fund as required under paragraph 1(*a*) above in accordance with the scale adopted by the General Assembly for contributions of Members to the budget for the financial year 1962;[1]

3. There shall be set off against this allocation of advances the amounts paid by Members to the Working Capital Fund for the financial year 1961 under General Assembly resolution 1586 (XV) of 20 December 1960, provided that, should such advance paid by any Member to the Working Capital Fund for the financial year 1961 exceed the amount of that Member's advance under the provisions of paragraph 2 above, the excess shall be set off against the amount of contributions payable by that Member in respect of the budget for the financial year 1962;

4. The Secretary-General is authorized to advance from the Working Capital Fund:

(*a*) Such sums as may be necessary to finance budgetary appropriations pending receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(*b*) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolutions approved by the General Assembly, in particular resolution 1735 (XVI) of 20 December 1961 relating to unforeseen and extraordinary expenses; the Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(*c*) Such sums as, together with net sums outstanding for the same purpose, do not exceed $125,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities; advances in excess of the total $125,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

(*d*) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, such sums as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the financial year in which payment is made; the Secretary-General shall make provision in the budget estimates of each year, during the life of the related policies, to cover the charges applicable to each such year;

(*e*) Such sums as may be necessary to enable the Tax Equalization Fund to meet current commitments pending accumulation of credits; such advances shall be repaid as soon as credits are available in that Fund;

(*f*) Such sums, not to exceed $100,000 during the period 1961 to 1964, as may be necessary to finance awards made for the international encouragement of scientific research into the control of cancerous diseases, pursuant to General Assembly resolution 1398 (XIV) of 20 November 1959; the Secretary-General shall make provision in the annual budget estimates for reimbursing the Working Capital Fund;

5. Should the provisions in paragraph 1 above prove inadequate to meet the purposes normally related to the Working Capital Fund, the Secretary-General is authorized to utilize in 1962, under the conditions approved in General Assembly resolution 1448 (XIV) of 5 December 1959, cash from special funds and accounts in his custody or the proceeds of loans authorized by the Assembly.

1086th plenary meeting,
20 December 1961.

[1] See resolution 1691 (XVI) of 18 December 1961.

Appendix 23

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/5062)]

1731 (XVI). *Administrative and budgetary procedures of the United Nations*

The General Assembly,

Recognizing its need for authoritative legal guidance as to obligations of Member States under the Charter of the United Nations in the matter of financing the United Nations operations in the Congo and in the Middle East,

1. *Decides* to submit the following question to the International Court of Justice for an advisory opinion:

"Do the expenditures authorized in General Assembly resolutions 1583 (XV) and 1590 (XV) of 20 December 1960, 1595 (XV) of 3 April 1961, 1619 (XV) of 21 April 1961 and 1633 (XVI) of 30 October 1961 relating to the United Nations operations in the Congo undertaken in pursuance of the Security Council resolutions of 14 July,[1] 22 July [2] and 9 August 1960 [3] and 21 February [4] and 24 November 1961,[5] and General Assembly resolutions 1474 (ES-IV) of 20 September 1960 and 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961, and the expenditures authorized in General Assembly resolutions 1122 (XI) of 26 November 1956, 1089 (XI) of 21 December 1956, 1090 (XI) of 27 February 1957, 1151 (XII) of 22 November 1957, 1204 (XII) of 13 December 1957, 1337 (XIII) of 13 December 1958, 1441 (XIV) of 5 December 1959 and 1575 (XV) of 20 December 1960 relating to the operations of the United Nations Emergency Force undertaken in pursuance of General Assembly resolutions 997 (ES-I) of 2 November 1956, 998 (ES-I) and 999 (ES-I) of 4 November 1956, 1000 (ES-I) of 5 November 1956, 1001 (ES-I) of 7 November 1956, 1121 (XI) of 24 November 1956 and 1263 (XIII) of 14 November 1958, constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?;"

2. *Requests* the Secretary-General in accordance with Article 65 of the Statute of the International Court of Justice, to transmit the present resolution to the Court accompanied by all documents likely to throw light upon the question.

1086th plenary meeting,
20 December 1961.

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[1] *Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960*, document S/4387.
[2] *Ibid.*, document S/4405.
[3] *Ibid.*, document S/4406.
[4] *Ibid., Sixteenth Year, Supplement for January, February and March 1961*, document S/4741.
[5] *Ibid.*, document S/5002.

APPENDIX 24

SUMMARY OF RESOLUTIONS AUTHORIZING UNITED NATIONS PRESENCE IN THE CONGO

Resolution of July 13, 1960.—On the basis of the request from the Government of the Congo, the Security Council adopted a resolution authorizing 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, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security of forces may be able, in the opinion of the Government, to meet fully their tasks." No finding was made that a threat to international peace and security existed.

Resolution of July 22, 1960.—The Security Council passed a further resolution, in the preamble of which it stated that the complete restoration of law and order in the Congo would effectively contribute to the maintenance of international peace and security. That resolution called upon Belgium to withdraw its troops and requested all states to refrain from any action that might impede the restoration of law and order or that might undermine the territorial integrity and political independence of the Congo.

Resolution of August 9, 1960.—In early August, United Nations troops were forcibly stopped from entering Katanga. The Secretary General immediately brought this situation to the attention of the Security Council which, in its resolution of August 9, made clear that the Secretary General's responsibilities were to cover Katanga as well as the other Provinces of the Congo. The Council specifically affirmed that the U.N. forces in the Congo were not to be a party to or intervene in the resolution of any internal political conflicts.

General Assembly resolution of September 20, 1960.—After the dismissal of Lumumba in September 1960, the Security Council met once again but could not act because of a Soviet veto. The matter was then referred to the General Assembly under the "uniting for peace" resolution. The General Assembly passed a resolution repeating, in essence, much of the July 22 resolution of the Security Council. In addition, it established the United Nations Congo fund and called upon all states to refrain from providing materials of war and military personnel to the Congo, except upon request of the United Nations through the Secretary General.

Security Council resolution of February 21, 1961.—The Security Council passed a further resolution enlarging the mandate of the United Nations forces in the Congo to include prevention of civil war, by the "use of force, if necessary, in the last resort." The resolution also urged that measures be taken for the withdrawal of all foreign military personnel, political advisers not under the United Nations command, and mercenaries. The resolution of February 21 also said that the situation in the Congo threatened international peace and security and called for the formation of a Congolese Government on the basis of conciliation and without external interference.

Security Council resolution of November 24, 1961.—The United Nations mandate was expanded to include an authorization to use the "requisite measure of force, if necessary," for the expulsion of foreign military personnel.

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RESOLUTION ADOPTED BY THE SECURITY COUNCIL AT ITS 873D MEETING ON 13 JULY 1960 (APPROVED 14 JULY 1960)

The Security Council,

Considering the report of the Secretary-General on a request for United Nations action in relation to the Republic of the Congo.

Considering the request for military assistance addressed to the Secretary-General by the President and the Prime Minister of the Republic of the Congo (document S/4382),

1. *Calls upon* the Government of Belgium to withdraw their troops from the territory of the Republic of the Congo;

2. *Decides* 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, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security forces may be able, in the opinion of the Government, to meet fully their tasks;

3. *Requests* the Secretary-General to report to the Security Council as appropriate.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL AT ITS 879TH MEETING ON 22 JULY 1960

The Security Council,

Having considered the first report by the Secretary-General on the implementation of Security Council resolution S/4387 of 14 July 1960 (document S/4389),

Appreciating the work of the Secretary-General and the support so readily and so speedily given to him by all Member States invited by him to give assistance.

Noting that as stated by the Secretary-General the arrival of the troops of the United Nations force in Leopoldville has already had a salutary effect,

Recognizing that an urgent need still exists to continue and to increase such efforts,

Considering that the complete restoration of law and order in the Republic of the Congo would effectively contribute to the maintenance of international peace and security,

Recognizing that the Security Council recommended the admission of the Republic of the Congo to membership in the United Nations as a unit,

1. *Calls* upon the Government of Belgium to implement speedily the Security Council resolution of 14 July 1960, on the withdrawal of their troops and authorizes the Secretary-General to take all necessary action to this effect;

2. *Requests* all States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of Congo of its authority and also to refrain from any action which might undermine the territorial integrity and the political independence of the Republic of the Congo;

3. *Commends* the Secretary-General for the prompt action he has taken to carry out resolution S/4387 of the Security Council and his first report;

4. *Invites* the specialized agencies of the United Nations to render to the Secretary-General such assistance as he may require;

5. *Requests* the Secretary-General to report further to the Security Council as appropriate.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL ON 9 AUGUST 1960 (886TH MEETING)

The Security Council,

Recalling its resolution of 22 July 1960 (S/4405), *inter alia*, calling upon the Government of Belgium to implement speedily the Security Council resolution of 14 July (S/4387) on the withdrawal of their troops and authorizing the Secretary-General to take all necessary action to this effect,

Having noted the second report by the Secretary-General on the implementation of the aforesaid two resolutions and his statement before the Council,

Having considered the statements made by the representatives of Belgium and the Republic of the Congo to this Council at this meeting,

Noting with satisfaction the progress made by the United Nations in carrying out the Security Council resolutions in respect of the territory of the Republic of the Congo other than the Province of Katanga,

Noting however that the United Nations had been prevented from implementing the aforesaid resolutions in the Province of Katanga although it was ready, and in fact attempted, to do so.

Recognizing that the withdrawal of Belgium troops from the Province of Katanga will be a positive contribution to and essential for the proper implementation of the Security Council resolutions,

1. *Confirms* the authority given to the Secretary-General by the Security Council resolutions of 14 July and 22 July 1960 and requests him to continue to carry out the responsibility placed on him thereby;

2. *Calls upon* the Government of Belgium to withdraw immediately its troops from the Province of Katanga under speedy modalities determined by the Secretary-General and to assist in every possible way the implementation of the Council's resolutions;

3. *Declares* that the entry of the United Nations force into the Province of Katanga is necessary for the full implementation of this resolution;

4. *Reaffirms* that the United Nations force in the Congo will not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise;

5. *Calls upon* all Member States, in accordance with Articles 25 and 49 of the Charter, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Security Council;

6. *Requests* the Secretary-General to implement this resolution and to report further to the Security Council as appropriate.

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

1474 (ES-IV). QUESTION CONSIDERED BY THE SECURITY COUNCIL AT ITS 906TH MEETING ON 16 SEPTEMBER 1960

The General Assembly,

Having considered the situation in the Republic of the Congo,

Taking note of the resolutions of 14 July (S/4387), 22 July (S/4405) and 9 August 1960 (S/4426) of the Security Council,

Taking into account the unsatisfactory economic and political conditions that continue in the Republic of the Congo,

Considering that, with a view to preserving the unity, territorial integrity and political independence of the Congo, to protecting and advancing the welfare of its people, and to safeguarding international peace, it is essential for the United Nations to continue to assist the Central Government of the Congo.

1. *Fully supports* the resolutions of 14 and 22 July and 9 August 1960 of the Security Council;

2. *Requests* the Secretary-General to continue to take vigorous action in accordance with the terms of the aforesaid resolutions and to assist the Central Government of the Congo in the restoration and maintenance of law and order throughout the territory of the Republic of the Congo and to safeguard its unity, territorial integrity and political independence in the interests of international peace and security;

3. *Appeals* to all Congolese within the Republic of the Congo to seek a speedy solution by peaceful means of all their internal conflicts for the unity and integrity of the Congo, with the assistance, as appropriate, of Asian and African representatives appointed by the Advisory Committee on the Congo, in consultation with the Secretary-General, for the purpose of conciliation;

4. *Appeals* to all Member Governments for urgent voluntary contributions to a United Nations Fund for the Congo to be used under United Nations control and in consultation with the Central Government for the purpose of rendering the fullest possible assistance to achieve the objective mentioned in the preamble;

5. *Requests:*

(*a*) All States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Republic of the Congo of its authority and also to refrain from any action which might undermine the unity, territorial integrity and the political independence of the Republic of the Congo;

(*b*) All Member States, in accordance with Articles 25 and 49 of the Charter of the United Nations, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Security Council;

6. Without prejudice to the sovereign rights of the Republic of the Congo, *calls upon* all States to refrain from the direct and indirect provision of arms or other materials of war and military personnel and other assistance for military purposes in the Congo during the temporary period of military assistance through the United Nations, except upon the request of the United Nations through the Secretary-General for carrying out the purposes of this resolution and of the resolutions of 14 and 22 July and 9 August 1960 of the Security Council.

863rd plenary meeting,
20 September 1960.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL AT ITS 942ND MEETING ON 20–21 FEBRUARY 1961

A

The Security Council,

Having considered the situation in the Congo,

Having learnt with deep regret the announcement of the killing of the Congolese leaders, Mr. Patrice Lumumba, Mr. Maurice Mpolo and Mr. Joseph Okito,

Deeply concerned at the grave repercussions of these crimes and the danger of wide-spread civil war and bloodshed in the Congo and the threat to international peace and security,

Noting the report of the Secretary-General's Special Representative (S/4691) dated 12 February 1961 bringing to light the development of a serious civil war situation and preparations therefor,

1. *Urges* that the United Nations take immediately all appropriate measures to prevent the occurrence of civil war in the Congo, including arrangements for cease-fires, the halting of all military operations, the prevention of clashes, and the use of force, if necessary, in the last resort;

2. *Urges* that measures be taken for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries;

3. *Calls* upon all States to take immediate and energetic measures to prevent the departure of such personnel for the Congo from their territories, and for the denial of transit and other facilities to them;

4. *Decides* that an immediate and impartial investigation be held in order to ascertain the circumstances of the death of Mr. Lumumba and his colleagues and that the perpetrators of these crimes be punished;

5. *Reaffirms* the Security Council resolutions of 14 July, 22 July and 9 August 1960 and the General Assembly resolution 1474 (ES–IV) of 20 September 1960, and reminds all States of their obligation under these resolutions.

B

The Security Council,

Gravely concerned at the continuing deterioration in the Congo, and the prevalence of conditions which seriously imperil peace and order, and the unity and territorial integrity of the Congo, and threaten international peace and security,

Noting with deep regret and concern the systematic violations of human rights and fundamental freedoms and the general absence of rule of law in the Congo,

Recognizing the imperative necessity of the restoration of parliamentary institutions in the Congo in accordance with the fundamental law of the country, so that the will of the people should be reflected through the freely elected Parliament,

Convinced that the solution of the problem of the Congo lies in the hands of the Congolese people themselves without any interference from outside and that there can be no solution without conciliation,

Convinced further that the imposition of any solution, including the formation of any government not based on genuine conciliation would, far from settling any issues, greatly enhance the dangers of conflict within the Congo and threat to international peace and security,

1. *Urges* the convening of the Parliament and the taking of necessary protective measures in that connexion;

2. *Urges* that Congolese armed units and personnel should be re-organized and brought under discipline and control, and arrangements be made on impartial and equitable bases to that end and with a view to the elimination of any possibility of interference by such units and personnel in the political life of the Congo;

3. *Calls* upon all States to extend their full co-operation and assistance and take such measures as may be necessary on their part, for the implementation of this resolution.

RESOLUTION ADOPTED BY THE SECURITY COUNCIL AT ITS 982D MEETING ON 24 NOVEMBER 1961

The Security Council,

Recalling its resolutions S/4387, S/4405, S/4426 and S/4741,

Recalling further General Assembly resolutions 1474 (ES–IV), 1592 (XV), 1599 (XV), 1600 (XV) and 1601 (XV),

Reaffirming the policies and purposes of the United Nations with respect to the Congo (Leopoldville) as set out in the aforesaid resolutions, namely:

(a) To maintain the territorial integrity and the political independence of the Republic of the Congo;

(b) To assist the Central Government of the Congo in the restoration and maintenance of law and order;

(c) To prevent the occurrence of civil war in the Congo;

(d) To secure the immediate withdrawal and evacuation from the Congo of all foreign military, para-military and advisory personnel not under the United Nations command, and all mercenaries; and

(e) To render technical assistance,

Welcoming the restoration of the national Parliament of the Congo in accordance with the *Loi fondamentale* and the consequent formation of a Central Government on 2 August 1961,

Deploring all armed action in opposition to the authority of the Government of the Republic of the Congo, specifically secessionist activities and armed action now being carried on by the Provincial Administration of Katanga with the aid of external resources and foreign mercenaries, and *completely rejecting* the claim that Katanga is a "sovereign independent nation",

Noting with deep regret the recent and past actions of violence against United Nations personnel,

Recognizing the Government of the Republic of the Congo as exclusively responsible for the conduct of the external affairs of the Congo,

Bearing in mind the imperative necessity of speedy and effective action to implement fully the policies and purposes of the United Nations in the Congo to end the unfortunate plight of the Congolese people, necessary both in the interests of world peace and international co-operation, and stability and progress of Africa as a whole,

1. *Strongly deprecates* the secessionist activities illegally carried out by the provincial administration of Katanga, with the aid of external resources and manned by foreign mercenaries;

2. *Further deprecates* the armed action against United Nations forces and personnel in the pursuit of such activities;

3. *Insists* that such activities shall cease forthwith, and *calls* upon all concerned to desist therefrom;

4. *Authorizes* the Secretary-General to take vigorous action, including the use of requisite measure of force, if necessary, for the immediate apprehension, detention pending legal action and/or deportation of all foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries as laid down in paragraph A–2 of the Security Council resolution of 21 February 1961;

5. *Further requests* the Secretary-General to take all necessary measures to prevent the entry or return of such elements under whatever guise and also of arms, equipment or other material in support of such activities;

6. *Requests* all States to refrain from the supply of arms, equipment or other material which could be used for warlike purposes, and to take the necessary measures to prevent their nationals from doing the same, and also to deny transportation and transit facilities for such supplies across their territories, except in accordance with the decisions, policies and purposes of the United Nations;

7. *Calls upon* all Member States to refrain from promoting, condoning, or giving support by acts of omission or commission, directly or indirectly, to activities against the United Nations often resulting in armed hostilities against the United Nations forces and personnel;

8. *Declares* that all secessionist activities against the Republic of the Congo are contrary to the *Loi fondamentale* and Security Council decisions and specifically *demands* that such activities which are now taking place in Katanga shall cease forthwith;

9. *Declares* full and firm support for the Central Government of the Congo, and the determination to assist that Government in accordance with the decisions of the United Nations to maintain law and order and national integrity, to provide technical assistance and to implement those decisions;

10. *Urges* all Member States to lend their support, according to their national procedures, to the Central Government of the Republic of the Congo, in conformity with the Charter and the decisions of the United Nations;

11. *Requests* all Member States to refrain from any action which may directly or indirectly impede the policies and purposes of the United Nations in the Congo and is contrary to its decisions and the general purpose of the Charter.

APPENDIX 25

COMPOSITION OF CONGO FORCES

Many member states responded to the United Nations Security Council's call for contingents to form a force to go into the Congo in implementation of its resolution of July 14, 1960. The number of countries contributing reached 28 in November 1960. As of that date the number of troops was 19,707. As of May 2, 1962, 18 countries had placed at the disposal of UNOC 17,632 officers, men, and supporting administrative personnel.

Austria	47	Malaya	1,518
Brazil	49	Netherlands	6
Canada	308	Nigeria	1,642
Denmark	90	Norway	145
Ethiopia	3,018	Pakistan	680
Ghana	674	Sierra Leone	110
India	6,194	Sweden	1,017
Ireland	715	Tunisia	1,049
Italy	135		
Liberia	235	Total	17,632

APPENDIX 26

COMPOSITION OF UNEF FORCES

	Initial	As of July 1961		Initial	As of July 1961
1. Brazil	537	625	7. Indonesia	584	----
2. Canada	1,188	936	8. Norway	455	614
3. Colombia	526	----	9. Sweden	325	463
4. Denmark	388	562	10. Yugoslavia	759	708
5. Finland	253	----			
6. India	944	1,251	Total	5,959	5,159

NOTE.—Since its original composition the Indonesian, Finnish, and Colombian contingents have been withdrawn.

APPENDIX 27

SUMMARY DESCRIPTION OF UNITED NATIONS AND ITS ACTIVITIES

In order to place the present situation facing the United Nations in perspective, it may be helpful to recall in general the organization and activities of the United Nations.

A. MEMBERSHIP

The United Nations now has 104 members. They are: Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian S.S.R., Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Léopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Malagasy, Mali, Mauritania, Mexico, Mongolian People's Republic, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Rumania, Saudi Arabia, Senegal, Sierra Leone, Somali Republic, South Africa, Spain, Sudan, Sweden, Syrian A.R., Tanganyika, Thailand, Togolese Republic, Tunisia, Turkey, Ukrainian S.S.R., U.S.S.R., United Arab Republic, United Kingdom, United States, Upper Volta, Uruguay, Venezuela, Yemen, and Yugoslavia.

B. THE PRINCIPAL ORGANS OF THE UNITED NATIONS

1. THE GENERAL ASSEMBLY

The General Assembly of the United Nations includes all the member states. Each member state has one vote in the General Assembly.

The General Assembly may discuss any questions or any matters within the scope of the United Nations Charter and make recommendations to the member states of the United Nations and to the Security Council on any such questions or matters except those being dealt with by the Security Council. The General Assembly controls the finances of the United Nations, it approves the budget of the Organization, and decides how expenses of the Organization shall be apportioned among the member states.

When the General Assembly meets, it organizes itself into the following main committees (committees of the whole): First Committee (Political and Security), Special Political Committee, Second (Economic and Financial) Committee, Third (Social, Humanitarian, and Cultural) Committee, Fourth (Trusteeship) Committee, Fifth (Administrative and Budgetary) Committee, Sixth (Legal) Committee.

Questions before the Assembly are normally considered in one of the main committees before final action is taken in plenary meetings.

2. THE SECURITY COUNCIL

The Security Council consists of 11 member states of the United Nations. Five of these—United States, United Kingdom, China, France, and Union of Soviet Socialist Republics—are permanent members of the Council. Six other states are elected by the General Assembly as nonpermanent members for 2-year terms, and at present these six states are: Chile, Ghana, Ireland, Rumania, United Arab Republic, and Venezuela.

The Security Council has the primary responsibility for the maintenance of international peace and security. It concerns itself with the pacific settlement of disputes and with action with respect to threats to the peace, breaches of the peace, and acts of aggression.

It was action by the Security Council (Resolution S/4387, adopted at the 873d Security Council), which initiated the United Nations military action in the Congo on July 14, 1960. In contrast, it was action by the General Assembly [A/RES/998 (ES–1, November 4, 1956, at 563d plenary meeting] which established the United Nations Emergency Force in the Middle East. In this latter case the Assembly acted under the so-called Uniting for Peace Resolution [A/RES/377 (V) adopted at 302d plenary meeting, in Document A/1775], since action by the Security Council had been vetoed by the United Kingdom and France.

3. THE ECONOMIC AND SOCIAL COUNCIL

The Economic and Social Council consists of 18 member states of the United Nations, elected by the General Assembly. They serve for 3-year terms. The present membership of the Economic and Social Council is the following: United States of America, Australia, Brazil, Colombia, Denmark, El Salvador, Ethiopia, France, India, Italy, Japan, Jordan, Poland, Senegal, Union of Soviet Socialist Republics, United Kingdon of Great Britain and Northern Ireland, Uruguay, and Yugoslavia.

The Economic and Social Council makes or initiates studies and reports with respect to international economic, social, cultural, educational, health, and related matters and makes recommendations with respect to these to the General Assembly, to the member states and to the specialized agencies of the United Nations. It also makes recommendations for the purpose of promoting respect for and observance of human rights and the fundamental freedoms for all.

4. TRUSTEESHIP COUNCIL

The Trusteeship Council now consists of 10 member states, which are: United States of America, Australia, Belgium, Bolivia, China, France, India, New Zealand, Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland. Under the Charter, the membership is to be balanced equally between the states which administer trust territories and those which do not, with the five permanent members of the Security Council automatically included.

The functions of the Trusteeship Council relate to the international trusteeship system established under the Charter of the United Nations. The system relates to territories held under mandate at the time the Charter was adopted, to territories detached from enemy states as a result of the Second World War, and territories voluntarily placed under the system by states responsible for their administration. The terms of trusteeship for each territory are agreed with the states administering the territories. At the present time the territories within the trusteeship system are the following: Nauru, New Guinea, Ruanda Urundi, and Territory of the Pacific Islands.

The Trusteeship Council, under the authority of the General Assembly, may consider reports submitted by states administering trust territories, accept petitions and examine them in consultation with the administering authorities, provide for periodic visits to the territories at times agreed with the administering authorities, and take other actions in conformity with trusteeship agreements.

It should be noted that in the case of strategic trust territories, such as the Trust Territory of the Pacific Islands, administered by the United States, the Trusteeship Council reports to the Security Council rather than to the General Assembly.

5. THE INTERNATIONAL COURT OF JUSTICE

The International Court of Justice, which is the principal judicial organ of the United Nations, consists of 15 members, no two of whom may be nationals of the same state. They are elected by joint action of the Security Council and the General Assembly, serve for 9-year terms, and may be reelected. Included in the present membership are nationals of: United States of America, Poland, Panama, France, United Arab Republic, Argentina, Mexico, China, Greece, Australia, United Kingdom of Great Britain and Northern Ireland, Union of Soviet Socialist Republics, Japan, Peru, and Italy.

The International Court of Justice deals with cases submitted to it by states which accept its jurisdiction, and it renders advisory opinions on questions submitted to it by the General Assembly or the Security Council or by other organs of the United Nations and specialized agencies when authorized by the General Assembly.

6. THE UNITED NATIONS SECRETARIAT

a. Charter positions

Articles 97 through 101 of the Charter provide as follows:

"Article 97

"The Secretariat shall comprise a Secretary General and such staff as the Organization may require. The Secretary General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

"Article 98

"The Secretary General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary General shall make an annual report to the General Assembly on the work of the Organization.

"Article 99

"The Secretary General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

"Article 100

"1. In the performance of their duties the Secretary General and the staff shall not seek or receive instructions from any government or from other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

"2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary General and the staff and not to seek to influence them in the discharge of their responsibilities.

"Article 101

"1. The staff shall be appointed by the Secretary General under regulations established by the General Assembly.

"2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

"3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible."

b. Organization [1]

c. The Secretary General

As indicated by the Charter provisions, the chief administrative officer of the United Nations and the head of the Secretariat is the Secretary General. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council.

The first Secretary General of the United Nations was Trygve Lie of Norway (February 1, 1946, to April 10, 1953), followed by Dag Hammarskjold of Sweden (April 10, 1953, until his death on September 18, 1961). The present Secretary General is U Thant of Burma, who was appointed on November 3, 1961, to serve on an interim basis for the balance of the unexpired term of Dag Hammarskjold, that is, until April 10, 1963.

The election of a Secretary General to serve a new term commencing April 10, 1963, will be considered at the next (17th) session of the General Assembly, which commences September 18, 1962. The normal term of office for a Secretary General has in the past been 5 years.

[1] The organization chart for the United Nations faces page 400.

d. The professional staff of the Secretariat

The professional staff of the Secretariat as of August 31, 1961, numbered 1,220.

The top level of the professional staff consists of individuals holding the rank of Under Secretary. Of these Under Secretaries, the Secretary General has recently designated eight to serve as his principal advisers. These are:

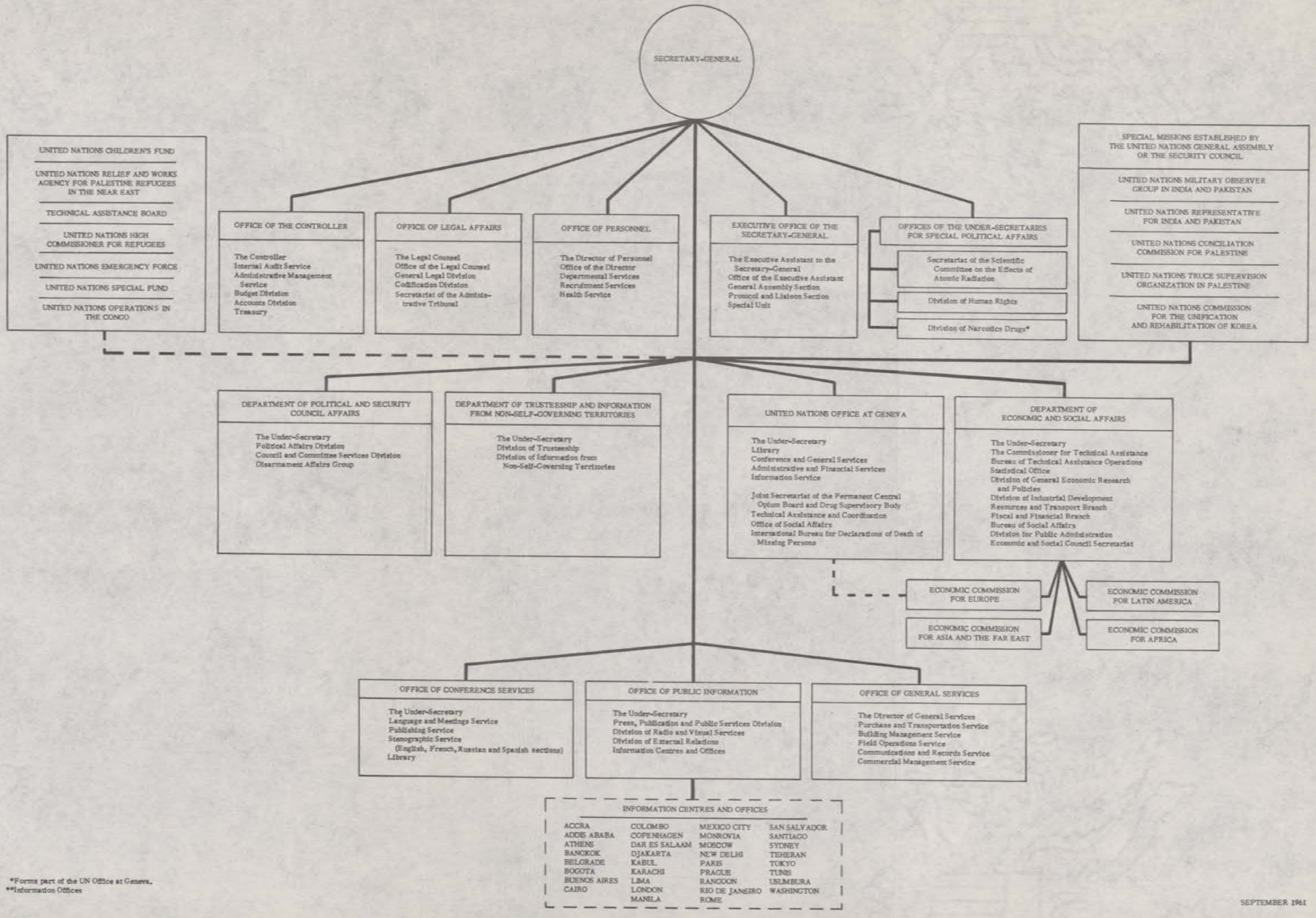
Name	Country	Assignment
Godfrey K. J. Amachree	Nigeria	Assignment not yet announced.
Georgy P. Arkadev	U.S.S.R.	Under Secretary for Political and Security Council Affairs.
Ralph J. Bunche	United States of America.	Under Secretary for Special Political Affairs.
Philippe de Seynes	France	Under Secretary in Charge of Department of Economic and Social Affairs.
Omar Loutfi	United Arab Republic	Under Secretary for Special Political Affairs.
Chakravarthi V. Narasimhan	India	Chef de Cabinet and Under Secretary for Special Political Affairs.
Jiri Nosek	Czechoslovakia	Under Secretary in Charge of Department Conference Services.
Hernane Tavares de Sa	Brazil	Under Secretary in Charge of Office of Public Information.

In addition to the foregoing, the United Nations officials holding the rank of Under Secretary are:[1]

Name	Country	Assignment
Bruce Turner	New Zealand	Controller.
William A. Hamilton	United Kingdom	Director of Personnel.
Constantin A. Stavropoulos	Greece	Legal Counsel.
Dragoslav Protitch	Yugoslavia	Under Secretary in Charge of Trusteeship and Non-Self-Governing Territories.
Victor Hoo	China	Commissioner for Technical Assistance.
David B. Vaughan	United States of America.	Director, Office of General Services.
Sir Alexander MacFarquhar	United Kingdom	Special Adviser for Civilian Affairs in the Congo.
Sture Linner	Sweden	Officer in Charge, ONUC.
Gen. Seon McKeown	Ireland	Commander, United Nations Military Force in Congo (ONUC).
Maj. Gen. P. S. Gyani	India	Commander, United Nations Emergency Force in Middle East (UNEF).
Gen. Carl C. Von Horn	Sweden	Chief of Staff, United Nations Truce Supervision Organization in Palestine (UNTSO).
Pier Spinelli	Italy	Director of European Office.
Robert Gardiner	Ghana	Executive Secretary for Economic Commission for Africa (ECA).
U Nyun	Burma	Executive Secretary for Economic Commission for Asia and the Far East (ECAFE).
Raul Prebisch	Argentina	Executive Secretary for Economic Commission for Latin America (ECLA).
Vladimir Velebit	Yugoslavia	Executive Secretary of Economic Commission for Europe (ECE).
John Davis	United States of America.	Director, United Nations Relief and Works Agency for Palestine Refugees in the Near East.
Paul Hoffman	United States of America.	Managing Director of the Special Fund.
Roberto Heurtematte	Panama	Assistant Managing Director of the Special Fund.
Maurice Pate	United States of America.	Director of Children's Fund (UNICEF).
David Owen	United Kingdom	Chairman of Technical Assistance Board.

[1] Some of the above, because of their status, are not counted in geographic distribution totals shown later in this appendix.

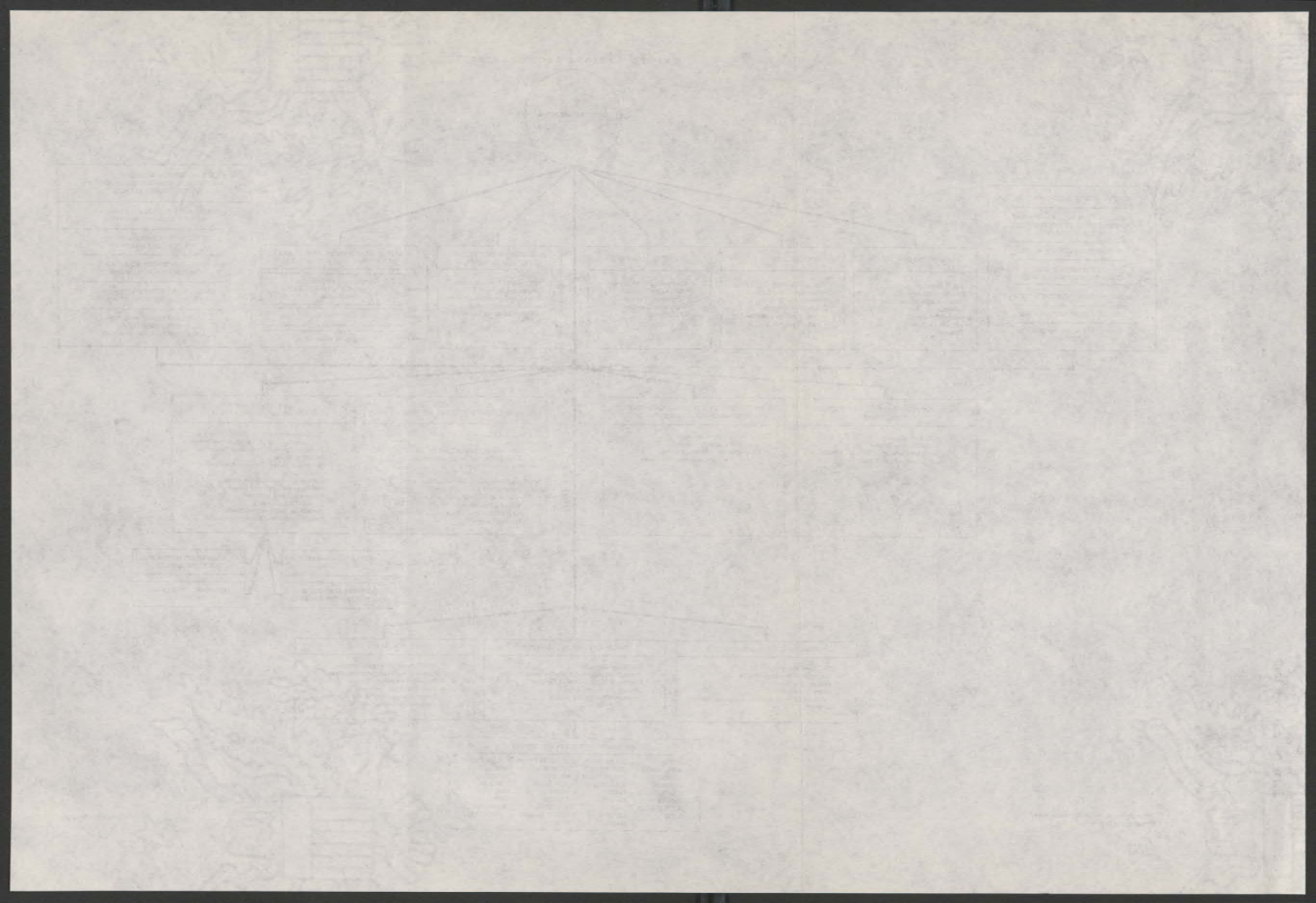
UNITED NATIONS SECRETARIAT



*Forms part of the UN Office at Geneva.
**Information Offices

SEPTEMBER 1961

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Below the Under Secretaries are seven professional grades. The present gross salary scales for these grades and for the Under Secretaries are shown in the following table:

Under Secretary		$27,000
D–2	Director	$20,500–22,300
D–1	Principal officer	16,300–20,500
P–5	Senior officer	14,000–18,000
P–4	First officer	11,400–15,200
P–3	Second officer	9,300–12,800
P–2	Associate officer	7,500– 9,800
P–1	Assistant officer	5,750– 7,750

All staff members have deducted from their gross salaries a staff assessment which might be termed an internal income tax. The present staff assessment rates are roughly equivalent to Federal plus New York State income tax rates.

In addition to the salaries indicated, the professional staff of the Secretariat receives a post adjustment allowance which varies with the post of assignment to compensate for increases in cost of living at the assignment post in comparison with the cost of living at the base post, namely, Geneva.

In recruiting professional staff, the Secretary General is required by the Charter to give due regard to the desirability of recruiting all staff on as broad a geographical basis as possible. As of August 31, 1961, the geographical distribution of the professional staff was as shown in the following table (A/C.5/890, table I).

TABLE I.—*Staff in professional and higher level posts subject to geographical distribution and staff in the G–5 level at headquarters as of Aug. 31, 1961 (by nationality and level)*

Nationality	Number of staff Aug. 31, 1960	U–S	D–2	D–1	P–5	P–4	P–3	P–2	P–1	G–5	Number of staff Aug. 31, 1961	Desirable range posts (including G–5)
Afghanistan	3						2	1			3	1–3
Albania												1–3
Argentina	16	1			4	4	5	2		1	17	12–20
Australia	22		1	1	3	5	5	5		1	21	19–31
Austria	7			1			2	3	1		7	4–7
Belgium	21			2	3	5	5	2	2	2	21	14–23
Bolivia	7				3		2	2			7	1–3
Brazil	16	1			3	3	4	4		1	16	11–18
Bulgaria	3						1	2	1		4	2–3
Burma	5	1				2		2			5	1–3
Byelorussian Soviet Socialist Republic						1					1	5–8
Cambodia							1		1		2	1–3
Cameroun												1–3
Canada	39		1	2	9	8	8	8	2	7	45	33–55
Central African Republic												1–3
Ceylon	5					3	1	2			6	1–3
Chad												1–3
Chile	18			1	1	3	3	5	3	1	17	3–5
China	51	1	1	2	12	12	13	6	3	2	52	53–88
Colombia	10			1		1	5	3			10	3–6
Congo (Brazzaville)												1–3
Congo (Léopoldville)									1		1	1–3
Costa Rica	3					2		1			3	1–3
Cuba	4					1	3	1			5	3–4
Cyprus												1–3
Czechoslovakia	10			2	1	4	4				11	9–15
Dahomey								1			1	1–3
Denmark	12				1	5	2	3			11	6–10
Dominican Republic	3						1	2			3	1–3
Ecuador	7					2	2	3		1	8	1–3
El Salvador												1–3
Ethiopia	3						1	1	1		3	1–3
Federal Republic of Germany (nonmember)	2						1	1			2	
Federation of Malaya	2								1		1	2–3
Finland	8				2			3	1		6	4–6
France	92	1	4	6	15	23	20	11	1	11	92	68–113
Gabon												1–3
Ghana	4		1			1	1		1		4	1–3
Greece	8	1			3	1	2	3			10	2–4
Guatemala	2			1				1			2	1–3
Guinea												1–3
Haiti	4						2	1		1	4	1–3
Honduras									1		1	1–3
Hungary	3					1	2	2			5	4–7
Iceland	2					1				1	2	1–3
India	62	1	1	3	6	16	23	9	2	1	62	26–43
Indonesia	8					2	1	5	1		9	5–8
Iran	7				1	4	2				7	2–4
Iraq	2				1		1				2	1–3
Ireland	3					1	4			1	6	2–3
Israel	5				1	2	1	1			5	1–3
Italy	21	1		1		2	7	9	4		24	24–40
Ivory Coast												1–3
Japan	24			1	1	2	9	12	1		26	23–39
Jordan	6					1	3	1	1		6	1–3
Laos												1–3
Lebanon	6					2	2	3			7	1–3
Liberia	1								1		1	1–3
Libya												1–3
Luxembourg	2							2			2	1–3
Madagascar						1					1	1–3
Mali												1–3
Mexico	9				2	3	4			1	10	7–12
Morocco	1							1	1		2	1–3
Nepal	1							1	1		2	1–3
Netherlands	23			2	5	12	1	1	1	1	23	11–18
New Zealand	9	1			2	2	2				7	4–7
Nicaragua	1						1				1	1–3
Niger												1–3
Nigeria						1	1	1	2		5	2–4
Norway	17			2	1	4	8			2	17	5–9
Pakistan	12			2	1	4	4	1			12	4–7
Panama	3	1			1			1			3	1–3

TABLE I.—*Staff in professional and higher level posts subject to geographical distribution and staff in the G–5 level at headquarters as of Aug. 31, 1961 (by nationality and level)*—Continued

Nationality	Number of staff Aug. 31, 1960	U–S	D–2	D–1	P–5	P–4	P–3	P–2	P–1	G–5	Number of staff Aug. 31, 1961	Desirable range posts (including G–5)
Paraguay	3	----	----	----	----	1	2	1	----	----	4	1–3
Peru	5	----	----	----	----	3	1	1	----	----	5	1–3
Philippines	8	----	----	----	----	3	1	3	----	3	10	4–7
Poland	23	----	----	3	6	7	5	1	1	----	23	14–24
Portugal	2	----	----	----	----	----	----	----	1	----	1	2–4
Republic of Vietnam (nonmember)	1	----	----	----	----	----	----	----	----	----	----	----
Rumania	2	----	----	----	----	----	1	1	----	----	2	4–6
Saudi Arabia	2	----	----	----	----	----	1	1	----	----	2	1–3
Senegal	1	----	----	----	----	----	----	----	1	----	1	1–3
Somalia	----	----	----	----	----	----	----	----	----	----	----	1–3
South Africa	13	----	1	1	1	6	1	4	----	----	14	6–10
Spain	16	----	----	----	1	3	----	12	----	----	16	10–16
Sudan	2	1	----	----	----	----	1	1	----	----	3	1–3
Sweden	17	----	----	2	2	5	3	2	1	2	17	15–24
Switzerland (nonmember)	21	----	----	1	2	3	6	6	4	----	22	----
Thailand	6	----	----	----	----	----	1	5	----	----	6	2–3
Togo	1	----	----	----	----	----	----	1	1	----	2	1–3
Tunisia	----	----	----	----	----	----	----	----	1	----	1	1–3
Turkey	9	----	----	----	----	2	1	6	----	----	9	6–10
Ukrainian Soviet Socialist Republic	----	----	----	----	----	----	1	1	----	----	2	19–32
Union of Soviet Socialist Republics	44	1	3	5	5	12	23	10	----	----	59	144–192
United Arab Republic	19	----	----	----	1	2	12	5	1	----	21	3–6
United Kingdom of Great Britain and Northern Ireland	126	1	3	13	16	29	26	23	7	6	[1] 124	82–137
United States of America	364	3	10	9	44	56	62	68	4	115	[2] 371	343–457
Upper Volta	----	----	----	----	----	----	----	1	----	----	1	1–3
Uruguay	2	----	----	----	----	1	----	----	----	----	1	1–3
Venezuela	1	----	----	----	----	----	1	----	----	----	1	5–9
Yemen	1	----	----	----	----	----	----	1	----	----	1	1–3
Yugoslavia	9	2	----	1	2	2	2	1	----	----	10	4–6
Stateless	1	----	----	----	----	1	1	1	----	1	4	----
Total	1,314	18	26	65	162	283	324	285	57	162	1,382	----

[1] Includes 1 staff member from the Federation of Rhodesia and Nyasaland; 1 from Jamaica; 3 from Kenya; 2 from Singapore and 1 from Trinidad.
[2] Includes 1 staff member from the Virgin Islands.

NOTE.—The above figures do not include staff in the following categories:

Staff appointed by the General Assembly or the Security Council, and staff specifically recruited for service with special missions (shown in table VIII)	116
Staff members who have permanent residence status in the United States	11
Staff in posts with special language requirements (shown in table VII)	498
Staff on leave without pay	28
Staff on secondment to the Technical Assistance Board, Special Fund and other United Nations bodies	119
General service staff	2,798
Manual workers	241
Field service personnel	353
Total	5,546

Thus, as of August 31, 1961, 256 of the total of 1,220 professional staff members were U.S. nationals. By grade, the breakdown of U.S. nationals in professional grades was:

Under Secretary	3	P–4	56
D–2	10	P–3	62
D–1	9	P–2	68
P–5	44	P–1	4

The majority of professional staff serve on a career basis and hold what are called permanent contracts. At present between 21 and 25 percent of the professional staff hold fixed-term contracts.

e. Language staff

Because of the necessity to deal with the five official languages of the United Nations, namely English, French, Chinese, Spanish, and Russian, the United Nations is required to employ a number of language experts. As of August 31, 1961, the United Nations employed 498 language staff whose grades ranged from G–5 to P–5. Ninety of the language staff were nationals of the United States. However, language staff are not counted for purposes of geographical distribution in the Secretariat.

f. General service staff

The general service staff, consisting of stenographers, typists, clerks, telephone operators, messengers, etc., numbered 2,798, as of August 31, 1961. This staff is normally recruited locally at the post where the staff is employed and is paid at a level comparable to the best prevailing wages paid in the locality by comparable employers.

The gross salary scale for the general service staff in New York is the following:

G–5	Principal	$5,790–$8,880
G–4	Senior	4,860– 6,800
G–3	Intermediate	4,280– 5,610
G–2	Junior	3,690– 4,860
G–1	Messenger	3,240– 4,280

The general service salary scales are subject to staff assessment just as are the professional salaries.

Of the total general service staff, as of August 31, 1961, approximately one-half were U.S. nationals.

g. Other staff

The United Nations also employs, from time to time, consultants and experts on special contracts. It also employs field service personnel (numbering 353 as of August 31, 1961) and manual workers (241 as of August 31, 1961).

h. Status of staff (privileges and immunities)

The General Assembly in 1947 recommended for adoption by all governments a convention on the privileges and immunities of the United Nations which would provide certain privileges and immunities for the staff of the Secretariat. Sixty-five member states have thus far acceded to this convention. The United States has not yet acceded to this convention.

The United States by legislation (Public Law 291, 79th Cong.) has provided limited special status for Secretariat staff.

1. All Secretariat staff members are accorded immunity from suit and legal process in connection with acts performed by them in their official capacity and falling within the scope of their functions as Secretariat employees. (They have no immunity in connection with acts performed in any other capacity.)

2. Staff members who are not U.S. nationals are exempt from customs duties on household effects they bring with them on their arrival in this country. (They are not entitled to duty-free imports after arrival.)

3. Staff members who are not U.S. nationals or permanent residents are entitled to exemption from Federal and State income taxes on their salaries. (U.S. nationals on the staff pay Federal and State income taxes on their salaries but are reimbursed for these taxes by the United Nations.)

i. United Nations staff costs

In the United Nations budget for 1962 the following amounts are provided for staff costs:

Salaries and wages	$40, 765, 550
Common staff costs	9, 399, 650
Travel of staff	2, 065, 000
Total	52, 230, 200

These figures do not include the staff costs of the International Court of Justice or the voluntary programs.

C. United Nations Programs Financed by Assessments

Up until 1956 all activities of the United Nations other than those which were considered emergency programs and large operational programs in the economic and social field were financed within the regular budget of the United Nations. This meant that the costs of these operations were assessed against all member states under Article 17 of the Charter, and states thus incurred binding legal obligations to pay their assessed shares.

When the General Assembly established the United Nations Emergency Force in the Middle East in 1956, it set up a special account to finance this operation. However, it assessed the expenses of the operation against all member states just as it did regular budget expenses. The same procedure was followed by the General Assembly when the Security Council initiated the United Nations military operation in the Congo in 1960.

Details of the method of financing and apportioning the regular budget expenses and the costs of the United Nations Emergency Force and the United Nations military operation in the Congo are set forth in part V of the main text.

D. The United Nations Voluntary Programs

From time to time since its inception, the United Nations has established emergency programs or large operational programs in the economic and social field. Because of the nature of these programs, the General Assembly has not assessed the costs against all member states but has sought voluntary financial contributions from those states best able to make them. Programs of this kind which are presently in existence are: United Nations Children's Fund (UNICEF), United Nations High Commissioner for Refugees (UNHCR), Expanded Program of Technical Assistance (ETAP), the Special Fund, and the United Nations Fund for the Congo.

Further details concerning the financing of these programs are set forth in part V of the main text.

E. The Specialized Agencies of the United Nations

Although the specialized agencies do not figure directly in the consideration of the financial situation facing the United Nations, they are mentioned here because of their close relationship with the United Nations. While these agencies are separate international organizations and have their own administrative budgets, these budgets are reviewed by the United Nations Advisory Committee on Administrative and Budgetary Questions which makes recommendations to the agencies. Further, the reports of these agencies are reviewed by the Economic and Social Council in an attempt to insure that there is no overlap or duplication in the international efforts undertaken by the various bodies. In view of the membership of the United States in these agencies and its contributions to their budgets, a statement of the expenditures of the agencies and the contributions of the United States thereto is set forth below.

The specialized agencies in question include: Food and Agriculture Organization (FAO), International Civil Aviation Organization (ICAO), International Labor Organization (ILO), Inter-Governmental Maritime Consultative Organization (IMCO), International Telecommunication Union (ITU), United Nations Educational, Scientific and Cultural Organization (UNESCO), Universal Postal Union (UPU), World Health Organization (WHO), and World Meteorological Organization (WMO). The International Atomic Energy Agency (IAEA) is in a somewhat similar category.

The total expenditures for the United Nations, specialized agencies and special programs of the United Nations for calendar years 1946 through 1961 is contained in the following table:

United Nations, specialized agencies and special programs total expenditures, calendar years 1946–61

[In thousands]

	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	Total
A. United Nations and specialized agencies:																	
United Nations	$19,330	$27,290	$38,388	$42,575	$43,746	$48,628	$50,270	$49,292	$48,510	$50,090	$50,508	$53,173	$62,506	$61,946	$65,264	$72,696	$784,212
Food and Agriculture Organization	377	5,173	4,174	4,655	4,505	4,582	4,830	5,064	5,500	5,974	6,397	7,006	9,147	10,530	10,665	10,872	99,451
Intergovernmental Maritime Consultative Organization														164	256	233	653
International Civil Aviation Organization	719	1,690	2,285	2,345	2,946	3,021	3,192	3,150	3,087	3,255	3,349	3,900	3,999	4,497	4,666	4,880	50,981
International Labor Organization	2,711	3,721	4,148	5,034	5,267	5,835	6,390	6,510	6,575	7,041	7,291	7,706	8,521	9,096	9,617	10,414	105,877
International Telecommunication Union			897	2,994	1,639	1,382	1,592	1,456	1,327	1,291	1,685	1,471	1,890	2,696	2,414	2,920	25,654
United Nations Educational, Scientific and Cultural Organization	1,053	6,213	6,697	7,780	7,163	7,989	8,726	7,973	9,019	9,151	11,437	10,613	12,316	12,591	13,779	15,095	147,595
Universal Postal Union	132	168	866	297	302	354	417	435	433	429	441	523	452	619	635	798	7,301
World Health Organization	116	1,719	4,443	4,777	6,108	6,259	7,939	8,113	8,135	9,275	9,983	12,091	13,961	15,379	16,919	18,975	144,192
World Meteorological Organization						186	179	272	327	395	371	418	441	502	655	671	4,417
Subtotal	24,438	45,974	61,898	70,457	71,676	78,236	83,535	82,265	82,913	86,901	91,462	96,901	113,233	118,020	124,870	137,554	1,370,333
B. United Nations Emergency Force												29,909	23,914	18,949	19,096	19,000	110,868
C. United Nations operations in the Congo:																	
Military															60,000	100,000	160,000
Economic															1,902	35,000	36,902
Subtotal															61,902	135,000	196,902
D. International Refugee Organization		75,676	132,167	119,402	85,447												412,692
E. Special programs financed by voluntary contributions:																	
International Civil Aviation Organization joint support program				2,018	906	1,376	1,515	1,604	1,595	1,606	1,789	2,089	2,253	1,899	1,858	1,984	22,492
United Nations Childrens' Fund		815	31,454	46,665	35,933	22,571	13,526	12,506	14,474	14,161	18,005	21,349	22,436	23,784	23,006	27,000	327,685

United Nations, specialized agencies and special programs total expenditures, calendar years 1946–61—Continued

[In thousands]

	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	Total
E. Special programs financed by voluntary contributions—Continued																	
United Nations Educational, Scientific, and Cultural Organization—Aid to Africa																$1,504	$1,504
United Nations expanded technical assistance program						$6,642	$22,306	$22,662	$19,465	$25,405	$30,483	$31,574	$33,825	$32,829	$34,413	43,737	303,341
United Nations High Commissioner for Refugees [1]								848	400	1,129	1,241	3,460	5,480	4,614	4,981	6,000	28,153
United Nations Korean Reconstruction Agency [2]						497	4,133	58,219	46,654	31,515	3,574	2,596	1,156	345	211		148,900
United Nations Relief for Hungarian Refugees											739	6,967	2,217	1,067	664	253	11,907
United Nations Relief and Works Agency for Palestine Refugees in the Near East [3]				$39,116	$19,220	42,131	26,779	29,192	29,223	32,280	32,199	52,046	31,776	34,138	34,701	39,334	442,135
United Nations Special Fund														694	2,771	31,531	34,996
World Health Organization, community water development program															55	300	355
World Health Organization, malaria eradication program												28	3,027	3,749	3,895	5,769	16,468
World Health Organization, medical research program													55	245	341	1,620	2,261
Subtotal		$815	$31,454	87,799	56,059	73,217	68,259	125,031	111,811	106,096	88,030	120,109	102,225	103,364	106,896	159,032	1,340,197
Total	$24,438	122,465	225,519	277,658	213,182	151,453	151,794	207,296	194,724	192,997	179,492	246,919	239,372	240,333	312,764	450,586	3,430,992

[1] The figure shown for the United Nations High Commissioner for Refugees includes expenditures of the 4-year U.N. refugee fund (1955–58) and funds received in connection with the world refugee year program (1959–60).

[2] The fiscal year for UNKRA is July 1–June 30. In each case, the fiscal year is shown under the calendar year in which it ends. Figures represent obligations incurred for annual programs.

[3] Prior to 1957, the fiscal year for UNRWA was July 1–June 30. From 1949 through 1956, the fiscal year is shown under the calendar year in which it ends. The 1957 figure covers the 18-month period from July 1 to December 31, 1957.

The U.S. contributions to the United Nations, specialized agencies, and special programs for calendar years 1946 through 1961 are contained in the following table:

U.S. contributions to the United Nations, specialized agencies, and special programs, calendar years 1946–61

[In thousands of dollars]

	1946		1947		1948		1949		1950		1951		1952		1953	
	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent
A. Permanent organizations assessed budgets:																
United Nations	[1] $15,649	39.89	$10,950	39.89	$13,841	39.89	$16,601	39.89	$13,576	39.79	$16,394	38.92	$15,441	36.90	$15,167	35.12
Food and Agriculture Organization	1,250	25.00	1,250	25.00	1,250	25.00	1,250	25.00	1,355	27.10	1,368	27.01	1,567	30.00	1,554	30.00
Intergovernmental Maritime Consultative Organization																
International Civil Aviation Organization	[2] 107	[2] 11.95	287	15.00	689	19.29	465	18.66	443	18.47	620	24.98	724	24.97	772	27.00
International Labor Organization	488	17.34	522	15.65	1,092	19.13	848	18.35	1,270	22.00	1,467	25.00	1,539	25.00	1,421	25.00
International Telecommunication Union	8	7.76	59	7.76	7	7.76	59	7.76	146	8.04	457	12.00	109	7.83	113	7.98
United Nations Educational, Scientific, and Cultural Organization			3,500	44.03	3,601	41.88	2,887	38.47	2,815	37.82	2,786	35.00	2,856	33.33	2,846	33.33
Universal Postal Union	6	4.60	7	4.38	9	4.33	12	4.34	12	4.38	14	4.31	19	4.63	18	4.36
World Health Organization					1,861	38.77	1,918	38.54	3,071	36.00	2,481	35.00	2,867	33.33	2,994	33.33
World Meteorological Organization											25	12.67	36	12.67	36	11.89
Subtotal	17,508		16,575		22,350		24,040		22,688		25,612		25,158		24,921	
B. United Nations Emergency Force																
C. United Nations operations in the Congo:																
Military																
Economic																
Subtotal																
D. International Refugee Organization					71,025	60.64	70,644	57.33	70,448	57.34	25,000	57.24				

See footnotes at end of table, p. 413.

U.S. contributions to the United Nations, specialized agencies, and special programs, calendar years 1946–61—Continued

[In thousands of dollars]

	1954		1955		1956		1957		1958		1959		1960 estimate		1961 estimate		Total
	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	
A. Permanent organizations assessed budgets:																	
United Nations	$13,407	33.33	$13,212	33.33	$16,775	33.33	$16,361	33.33	$16,562	32.51	$20,302	32.51	$19,269	32.51	$22,333	32.51	$255,840
Food and Agriculture Organization	1,641	30.00	1,528	30.00	1,822	31.50	2,085	31.50	2,713	32.51	2,712	32.51	2,999	32.51	2,999	32.51	29,343
Intergovernmental Maritime Consultative Organization											56	19.52	41	17.29	33	14.14	130
International Civil Aviation Organization	775	29.71	837	32.60	904	33.31	1,172	33.33	1,147	33.33	1,470	33.00	1,301	32.95	1,371	32.95	13,084
International Labor Organization	1,528	25.00	1,634	25.00	1,639	25.00	1,750	25.00	1,928	25.00	2,132	25.00	1,975	25.00	2,449	25.00	23,682
International Telecommunication Union	138	9.60	118	8.99	130	11.71	117	8.96	146	8.93	222	8.89	195	8.89	324	10.39	2,348
United Nations Educational, Scientific, and Cultural Organization	3,154	33.33	2,747	30.00	3,152	30.00	3,383	31.30	3,401	31.30	3,790	30.74	3,833	30.74	4,677	31.46	49,428
Universal Postal Union	18	4.36	18	4.36	18	4.34	20	4.32	18	4.31	25	4.29	26	4.29	29	4.29	269
World Health Organization	2,988	33.33	3,350	33.33	3,410	31.64	3,868	29.96	4,666	32.38	4,744	31.71	5,355	31.71	6,070	31.71	49,643
World Meteorological Organization	36	11.45	36	10.76	60	15.48	63	15.35	66	15.19	71	15.19	126	19.09	118	19.03	673
Subtotal	23,685		23,480		27,910		28,819		30,647		35,524		35,120		40,403		424,440
B. United Nations Emergency Force							17,817	47.17	8,127	47.17	8,443	44.44	9,697	48.48	7,916	41.66	52,000
C. United Nations operations in the Congo:																	
Military													29,963	49.94	47,510	47.51	77,473
Economic													10,000	52.63	18,512	(1)	28,512
Subtotal													39,963		66,022		105,985
D. International Refugee Organization																	237,117

	1946		1947		1948		1949		1950		1951		1952		1953	
	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent
E. Special programs financed by voluntary contributions:																
International Civil Aviation Organization, joint support program [3]					$613	57.50	$1,103	57.50	$548	52.28	$650	53.19	$676	49.20	$654	42.04
United Nations Children's Fund			$15,000	71.55	27,123	71.55	18,151	71.55	14,626	71.55	5,850	71.55	6,667	71.28	9,814	68.79
United Nations Educational, Scientific, and Cultural Organization—aid to Africa																
United Nations expanded technical assistance program											12,007	59.93	11,400	60.65	12,767	57.20
United Nations High Commissioner for Refugees program																
United Nations High Commissioner for Refugees program, special projects																
United Nations Hungarian Refugee Relief program																
United Nations Korean Reconstruction Agency [4]																
United Nations Refugee Fund													10,000	66.35	40,750	66.35
United Nations Relief for Palestine Refugees [4]							8,000	67.48	8,000	67.48						
United Nations Relief and Works Agency for Palestine Refugees in the Near East [5]									19,200	67.48	8,250	67.48	50,000	67.48	16,000	67.48
United Nations Special Fund																
World Health Organization:																
Community water development program																
Malaria eradication program [6]																
Research program																
Subtotal			15,000		27,736		27,254		42,374		26,757		78,743		79,985	
Total	$17,508		31,575		121,111		121,938		135,510		77,369		103,901		104,906	

See footnotes at end of table, p. 413.

U.S. contributions to the United Nations, specialized agencies, and special programs, calendar years 1946–61—Continued

[In thousands of dollars]

	1954		1955		1956		1957		1958		1959		1960 estimate		1961 estimate		Total
	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	Contribution	Percent	
E. Special programs financed by voluntary contributions:																	
International Civil Aviation Organization, joint support program [3]	$656	41.37	$557	40.31	$537	40.95	$927	42.12	$820	42.12	$672	42.74	$740	39.66	$658	27.21	$9,811
United Nations Children's Fund	8,300	60.99	9,000	57.58	9,700	55.41	10,000	55.00	11,000	52.50	11,000	50.00	12,000	48.00	12,000	46.00	180,231
United Nations Educational, Scientific, and Cultural Organization—aid to Africa															1,000	66.49	1,000
United Nations expanded technical assistance program	13,862	55.40	15,000	54.22	14,415	50.00	15,270	49.54	14,086	45.00	11,863	40.00	14,655	40.00	17,813	40.00	153,138
United Nations High Commissioner for Refugees program											1,200	33.33	1,100	33.33	1,300	33.33	3,600
United Nations High Commissioner for Refugees program, special projects							225	51.21	100	36.36	1,070	49.84	1,210	49.84			2,605
United Nations Hungarian Refugee Relief program							5,000	50.00	1,225	33.33							6,225
United Nations Korean Reconstruction Agency [4]	15,000	66.35	27,153	66.35													92,903
United Nations Refugee Fund			1,200	33.33	1,300	33.33	1,500	33.33	1,333	33.33							5,333
United Nations Relief for Palestine Refugees [4]																	16,000
United Nations Relief and Works Agency for Palestine Refugees in the Near East [5]	15,000	67.48	16,700	67.48	16,700	67.48	30,622	67.48	22,996	67.48	23,000	67.48	23,000	67.48	23,500	67.48	264,968
United Nations Special Fund											10,325	40.00	15,825	40.00	18,812	40.00	44,962
World Health Organization:																	
Community water development program													300	100.00	175	100.00	475
Malaria eradication program [6]									5,000	90.72	3,000	90.72	3,000	90.72	4,000	90.72	15,000
Research program											300	100.00	500	100.00	500	100.00	1,300
Subtotal	52,818		69,610		42,652		63,544		56,560		62,430		72,330		79,758		797,551
Total	76,503		93,090		70,562		110,180		95,334		106,397		157,110		194,099		1,617,093

[1] This figure includes $6,153,500 advanced to the working capital fund for calendar 1945.

[2] The first 3 financial periods were on a fiscal year base. The figures shown are for the Agency's fiscal year and are listed under the calendar year in which the fiscal year ended. The second ICAO Assembly passed a resolution changing the fiscal year to coincide with the calendar year and also voted a budget for July 1, 1948, to Dec. 31, 1948. Consequently, the figure for calendar year 1948 reflects an 18-month contribution ($458,232 for July 1, 1947, to June 30, 1948, and $230,762 for July 1, 1948, to Dec. 31, 1948).

[3] Prior to 1957, the ICAO joint support program financed 3 projects, of which 2 were contributed to on a split-year basis. The amounts shown prior to 1957 are the amounts paid from U.S. fiscal year funds. Starting in 1957, under the new Geneva agreements, the amounts represent the U.S. contribution to 2 projects and are calendar year contributions without regard to the U.S. fiscal year from which contributions were made.

[4] The fiscal year of these programs is July 1–June 30. The figures shown are for the Agency's fiscal year and are listed under the calendar year in which the fiscal year ended.

[5] Until 1957, UNRWA's fiscal year was July 1–June 30. The figures shown are for the Agency's fiscal year and are listed under the calendar year in which the fiscal year ended. In 1957 UNRWA changed its fiscal year to a calendar year base. The amount shown for calendar year 1957 is for an 18-month period—$19,872,000 for the period July 1, 1956, to June 30, 1957, and $10,750,000 for the period July 1, 1957, to Dec. 31, 1957. The percentage figure shown is a composite percentage based on total U.S. contributions to Dec. 31, 1960, against total government contributions to Dec. 31, 1960.

[6] The percentage shown is a composite percentage based on total U.S. contributions to June 30, 1961, against total government contributions to June 30, 1961.

[7] Total pledges from other governments are not complete; therefore, the U.S. percentage cannot be determined at this time.

The scale of assessments for the specialized agencies for the years 1956–61 is contained in the following table. (Data for years prior to 1956 can be found in printed hearings on the annual appropriations for the State Department.)

Food and Agriculture Organization—Scale of assessments

Member countries	Calendar year 1959		Calendar year 1960 (same scale applies for calendar year 1961)	
	Percent	Assessment	Percent	Assessment
Afghanistan	0.08	$6,658	0.08	$7,380
Argentina	1.54	128,167	1.46	134,692
Australia	2.17	180,598	2.35	216,799
Austria	.47	39,116	.56	51,663
Belgium	1.67	138,986	1.71	157,756
Bolivia	.07	5,826	.04	3,690
Brazil	1.43	119,012	1.34	123,622
Burma	.14	11,651	.10	9,226
Cambodia	.04	3,329	.04	3,690
Canada	4.17	347,048	4.09	377,323
Ceylon	.15	12,484	.13	11,993
Chile	.39	32,458	.35	32,289
Colombia	.49	40,780	.41	37,825
Costa Rica	.04	3,329	.04	3,690
Cuba	.35	29,129	.33	30,444
Denmark	.86	71,573	.79	72,882
Dominican Republic	.07	5,826	.07	6,458
Ecuador	.07	5,826	.08	7,380
El Salvador	.08	6,658	.07	6,458
Ethiopia	.15	12,484	.08	7,380
Finland	.49	40,780	.47	43,360
France	7.51	625,020	8.42	776,787
German Federal Republic	5.60	466,060	7.01	646,708
Ghana	.09	7,490	.09	8,303
Greece	.26	21,638	.30	27,677
Guatemala	.09	7,490	.07	6,458
Haiti	.04	3,329	.04	3,690
Honduras	.04	3,329	.04	3,690
Iceland	.04	3,329	.04	3,690
India	3.91	325,410	3.23	297,984
Indonesia	.67	55,761	.62	57,198
Iran	.35	29,129	.28	25,832
Iraq	.16	13,316	.12	11,071
Ireland	.24	19,974	.21	19,374
Israel	.22	18,309	.18	16,606
Italy	2.74	228,037	2.96	273,075
Japan	2.59	215,553	2.88	265,695
Jordan	.04	3,329	.04	3,690
Korea	.18	14,980	.28	25,832
Laos	.04	3,329	.04	3,690
Lebanon	.07	5,826	.07	6,458
Liberia	.04	3,329	.04	3,690
Libya	.04	3,329	.04	3,690
Luxembourg	.08	6,658	.08	7,380
Malaya	.30	24,967	.22	20,296
Mexico	.92	76,567	.93	85,797
Morocco	.16	13,316	.18	16,606
Nepal	.04	3,329	.04	3,690
Netherlands	1.51	125,670	1.33	122,699
New Zealand	.57	47,438	.55	50,740
Nicaragua	.04	3,329	.04	3,690
Norway	.65	54,096	.64	59,043
Pakistan	.73	60,754	.53	48,895
Panama	.07	5,826	.04	3,690
Paraguay	.04	3,329	.04	3,690
Peru	.20	16,645	.14	12,916
Philippines	.54	44,941	.56	51,663
Poland	2.05	170,611	1.80	166,059
Portugal	.32	26,632	.26	23,986
Saudi Arabia	.09	7,490	.08	7,380
Spain	1.50	124,838	1.22	112,551
Sudan	.15	12,484	.08	7,380
Sweden	1.93	160,624	1.83	168,826
Switzerland	1.32	109,857	1.28	118,087
Thailand	.22	18,309	.21	19,374
Tunisia	.07	5,826	.07	6,458
Turkey	.82	68,245	.78	71,959
Union of South Africa	.90	74,903	.74	68,269
United Arab Republic	.58	48,271	.42	38,747
United Kingdom	10.29	856,385	10.23	943,769
United States	32.51	2,705,645	32.51	2,999,210
Uruguay	.22	18,309	.16	14,761

Food and Agriculture Organization—Scale of assessments—Continued

Member countries	Calendar year 1959		Calendar year 1960 (same scale applies for calendar year 1961)	
	Percent	Assessment	Percent	Assessment
Venezuela	0.57	$47,438	0.66	$60,888
Vietnam	.22	18,309	.26	23,986
Yemen	.04	3,329	.04	3,690
Yugoslavia	.47	39,116	.46	42,437
Total	100.00	8,322,500	100.00	9,225,500
Total number of members	76		76	

Member countries	Calendar year 1956 [1]		Calendar year 1957 [1]		Calendar year 1958 [2]	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	0.08	$5,168	0.08	$5,296	0.08	$6,658
Argentina	1.63	105,298	1.63	107,906	1.54	128,167
Australia	2.29	147,934	2.29	151,598	2.17	180,598
Austria	.49	31,654	.49	32,438	.47	39,116
Belgium	1.75	113,050	1.75	115,850	1.67	138,986
Bolivia	.06	3,876	.06	3,972	.07	5,826
Brazil	1.52	98,192	1.52	100,624	1.43	119,012
Burma	.14	9,044	.14	9,268	.14	11,651
Cambodia	.04	2,584	.04	2,648	.04	3,329
Canada	4.61	297,806	4.61	305,182	4.17	347,048
Ceylon	.15	9,690	.15	9,930	.15	12,484
Chile	.42	27,132	.42	27,804	.39	32,458
Colombia	.52	33,592	.52	34,424	.49	40,780
Costa Rica	.04	2,584	.04	2,648	.04	3,329
Cuba	.38	24,548	.38	25,156	.35	29,129
Denmark	.91	58,786	.91	60,242	.86	71,573
Dominican Republic	.06	3,876	.06	3,972	.07	5,826
Ecuador	.06	3,876	.06	3,972	.07	5,826
Egypt	.51	32,946	.51	33,762	.47	39,116
El Salvador	.08	5,168	.08	5,296	.08	6,658
Ethiopia	.15	9,690	.15	9,930	.15	12,484
Finland	.52	33,592	.52	34,424	.49	40,780
France	7.91	510,986	7.91	523,642	7.51	625,020
German Federal Republic	5.85	377,910	5.85	387,270	5.60	466,060
Ghana					.09	7,490
Greece	.28	18,088	.28	18,536	.26	21,638
Guatemala	.09	5,814	.09	5,958	.09	7,490
Haiti	.04	2,584	.04	2,648	.04	3,329
Honduras	.04	2,584	.04	2,648	.04	3,329
Iceland	.04	2,584	.04	2,648	.04	3,329
India	4.13	266,798	4.13	273,406	3.91	325,410
Indonesia	.71	45,866	.71	47,002	.67	55,761
Iran	.38	24,548	.38	25,156	.35	29,129
Iraq	.16	10,336	.16	10,592	.16	13,316
Ireland	.27	17,442	.27	17,874	.24	19,974
Israel	.22	14,212	.22	14,564	.22	18,309
Italy	2.88	186,048	2.88	190,656	2.74	228,037
Japan	2.73	176,358	2.73	180,726	2.59	215,553
Jordan	.04	2,584	.04	2,648	.04	3,329
Korea	.11	7,106	.11	7,282	.18	14,980
Laos	.04	2,584	.04	2,648	.04	3,329
Lebanon	.06	3,876	.06	3,972	.07	5,826
Liberia	.04	2,584	.04	2,648	.04	3,329
Libya	.04	2,584	.04	2,648	.04	3,329
Luxembourg	.08	5,168	.08	5,296	.08	6,658
Malaya					.30	24,967
Mexico	.98	63,308	.98	64,876	.92	76,567
Morocco					.16	13,316
Nepal	.04	2,584	.04	2,648	.04	3,329
Netherlands	1.59	102,714	1.59	105,258	1.51	125,670
New Zealand	.61	39,406	.61	40,382	.57	47,438
Nicaragua	.04	2,584	.04	2,648	.04	3,329
Norway	.69	44,574	.69	45,678	.65	54,096
Pakistan	.76	49,096	.76	50,312	.73	60,754
Panama	.06	3,876	.06	3,972	.07	5,826
Paraguay	.04	2,584	.04	2,648	.04	3,329
Peru	.20	12,920	.20	13,240	.20	16,645
Philippines	.57	36,822	.57	37,734	.54	44,941
Poland					2.05	170,611
Portugal	.34	21,964	.34	22,508	.32	26,632
Saudi Arabia	.09	5,814	.09	5,958	.09	7,490
Spain	1.59	102,714	1.59	105,258	1.50	124,838

See footnotes at end of table, p. 416.

Food and Agriculture Organization—Scale of assessments—Continued

Member countries	Calendar year 1956 [1]		Calendar year 1957 [1]		Calendar year 1958 [2]	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Sudan					0.15	$12,484
Sweden	2.02	$130,492	2.02	$133,724	1.93	160,624
Switzerland	1.60	103,360	1.60	105,920	1.32	109,857
Syria	.10	6,460	.10	6,620	.11	9,155
Thailand	.23	14,858	.23	15,226	.22	18,309
Tunisia	.06	3,876	.06	3,972	.07	5,826
Turkey	.88	56,848	.88	58,256	.82	68,245
Union of South Africa	.99	63,954	.99	65,538	.90	74,903
United Kingdom	10.87	702,202	10.87	719,594	10.29	856,385
United States	31.50	2,034,900	31.50	2,085,300	32.51	2,705,645
Uruguay	.23	14,858	.23	15,226	.22	18,309
Venezuela	.60	38,760	.60	39,720	.57	47,438
Vietnam	.22	14,212	.22	14,564	.22	18,309
Yemen	.04	2,584	.04	2,648	.04	3,329
Yugoslavia	.51	32,946	.51	33,762	.47	39,116
Total	100.00	6,460,000	100.00	6,620,000	100.00	8,322,500

[1] Total members, 72.
[2] Total members, 77.

Intergovernmental Maritime Consultative Organization [1]*—Scale of assessments*

Member countries	Calendar year 1959		Calendar year 1960		Calendar year 1961	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Argentina	1.46	$3,458	1.33	$3,401	1.27	$2,960
Australia	1.22	2,894	1.14	2,895	1.11	2,571
Belgium	1.20	2,851	1.17	2,982	1.15	2,671
Bulgaria					.86	2,000
Burma	.84	2,000	.78	2,000	.86	2,000
Canada	2.60	6,148	2.36	6,024	2.35	5,453
China	2.01	4,765	1.90	4,840	1.83	4,260
Denmark			1.95	4,971	1.76	4,091
Dominican Republic	.84	2,000	.78	2,000	.86	2,000
Ecuador	.84	2,000	.78	2,000	.86	2,000
Finland			1.18	3,003	1.14	2,658
France	4.28	10,145	3.97	10,118	3.63	8,429
Germany, Federal Republic	4.13	9,776	3.97	10,114	3.52	8,179
Ghana			.78	2,000	.86	2,000
Greece	1.81	4,282	1.92	4,900	2.65	6,172
Haiti	.84	2,000	.78	2,000	.86	2,000
Honduras	1.05	2,479	.89	2,272	.86	2,000
Iceland					.90	2,092
India					2.06	4,791
Iran	.84	2,000	.78	2,000	.86	2,000
Ireland	.93	2,194	.86	2,198	.92	2,128
Israel	.97	2,292	.90	2,302	.95	2,210
Italy	4.62	10,942	4.28	10,901	3.75	8,718
Ivory Coast					.86	2,000
Japan	4.96	11,742	4.89	12,462	4.47	10,384
Kuwait					.86	2,000
Liberia	6.87	16,278	7.10	18,091	5.33	12,391
Mexico	.94	2,229	.88	2,244	.93	2,165
Netherlands	3.59	8,517	3.29	8,394	2.79	6,498
New Zealand					.96	2,228
Nigeria					.86	2,000
Norway	6.45	15,295	6.31	16,080	5.30	12,319
Pakistan	.92	2,181	.88	2,241	.95	2,205
Panama	3.45	8,174	3.21	8,179	2.54	5,902
Poland					1.10	2,570
Senegal					.86	2,000
Sweden			2.70	6,884	2.34	5,451
Switzerland	.90	2,139	.85	2,173	.92	2,138
Turkey	1.20	2,844	1.10	2,793	1.12	2,600
U.S.S.R.	5.99	14,202	5.59	14,253	5.66	13,158
United Arab Republic	.92	2,183	.87	2,210	.93	2,159
United Kingdom	13.81	32,738	12.54	31,983	10.09	23,463
United States	19.52	46,252	17.29	44,092	14.14	32,877
Yugoslavia					1.12	2,609
Total	100.00	237,000	100.00	255,000	100.00	232,500
Total number of members	30		34		44	

[1] I.M.C.O. was established effective 1959.

International Civil Aviation Organization—Scale of assessments

[In Canadian dollars]

Member countries	Calendar year 1959			Calendar year 1960		Calendar year 1961	
	Units	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	2	0.13	$4,896	0.13	$5,025	0.13	$5,274
Argentina	19	1.27	46,512	1.21	46,766	1.20	48,684
Australia	35	2.34	85,680	2.52	97,398	2.50	101,425
Austria	5	.34	12,240	.40	15,460	.41	16,634
Belgium	23	1.54	56,304	1.64	63,386	1.63	66,129
Bolivia	2	.13	4,896	.13	5,025	.13	5,274
Brazil	29	1.94	70,992	1.71	66,091	1.68	68,158
Burma	2	.13	4,896	.13	5,025	.13	5,274
Cambodia	2	.13	4,896	.13	5,025	.13	5,274
Canada	62	4.14	151,776	4.45	171,992	4.70	190,679
Ceylon	2	.13	4,896	.13	5,025	.13	5,274
Chile	6	.40	14,688	.39	15,073	.39	15,822
China	10	.67	24,480	.67	25,895	.67	27,182
Colombia	12	.80	29,376	.63	24,349	.62	25,153
Costa Rica	2	.13	4,896	.13	5,025	.13	5,274
Cuba	6	.40	14,688	.41	15,846	.41	16,634
Czechoslovakia	13	.87	31,824	.85	32,852	.85	34,485
Denmark	13	.87	31,824	.93	35,944	.93	37,730
Dominican Republic	2	.13	4,896	.13	5,025	.13	5,274
Ecuador	2	.13	4,896	.13	5,025	.13	5,274
El Salvador	2	.13	4,896	.13	5,025	.13	5,274
Ethiopia	2	.13	4,896	.13	5,025	.13	5,274
Finland	7	.47	17,136	.42	16,233	.42	17,039
France	109	7.27	266,832	7.88	304,562	7.83	317,663
Germany	73	4.87	178,704	5.21	201,366	5.17	209,747
Ghana	2	.13	4,896	.13	5,025	.13	5,274
Greece	4	.27	9,792	.27	10,435	.27	10,954
Guatemala	2	.13	4,896	.13	5,025	.13	5,274
Guinea				.13	5,025	.13	5,274
Haiti	2	.13	4,896	.13	5,025	.13	5,274
Honduras	2	.13	4,896	.13	5,025	.13	5,274
Iceland	2	.13	4,896	.13	5,025	.13	5,274
India	43	2.87	105,264	2.60	100,490	2.56	103,859
Indonesia	11	.73	26,928	.54	20,871	.52	21,096
Iran	3	.20	7,344	.21	8,116	.21	8,520
Iraq	2	.13	4,896	.13	5,025	.13	5,274
Ireland	5	.34	12,240	.24	9,276	.24	9,737
Israel	4	.27	9,792	.23	8,889	.23	9,331
Italy	39	2.60	95,472	2.46	95,079	2.43	98,585
Japan	35	2.33	85,680	2.24	86,576	2.22	90,066
Jordan	2	.13	4,896	.13	5,025	.13	5,274
Korea	3	.20	7,344	.19	7,343	.19	7,708
Laos	2	.13	4,896	.13	5,025	.13	5,274
Lebanon	3	.20	7,344	.21	8,116	.21	8,520
Liberia	2	.13	4,896	.13	5,025	.13	5,274
Libya	2	.13	4,896	.13	5,025	.13	5,274
Luxembourg	2	.13	4,896	.13	5,025	.13	5,274
Malaya	3	.20	7,344	.16	6,184	.16	6,491
Mexico	22	1.47	53,856	1.36	52,564	1.34	54,364
Morocco	2	.13	4,896	.20	7,730	.22	8,925
Netherlands	39	2.60	95,472	2.53	97,784	2.51	101,831
New Zealand	7	.47	17,136	.51	19,711	.51	20,691
Nicaragua	2	.13	4,896	.13	5,025	.13	5,274
Norway	11	.73	26,928	.80	30,920	.83	33,673
Pakistan	9	.60	22,032	.49	18,938	.48	19,474
Paraguay	2	.13	4,896	.13	5,025	.13	5,274
Peru	2	.13	4,896	.14	5,411	.14	5,680
Philippines	7	.47	17,136	.44	17,006	.44	17,851
Poland	26	1.74	63,648	1.28	49,472	1.22	49,496
Portugal	4	.27	9,792	.23	8,889	.23	9,331
Spain	18	1.20	44,064	1.04	40,196	1.02	41,381
Sudan	2	.13	4,896	.13	5,025	.13	5,274
Sweden	24	1.60	58,752	1.76	68,024	1.82	73,838
Switzerland	19	1.27	46,512	1.39	53,723	1.53	62,072
Thailand	3	.20	7,344	.21	8,116	.21	8,520
Tunisia	2	.13	4,896	.13	5,024	.13	5,274
Turkey	9	.60	22,032	.56	21,644	.56	22,719
Union of South Africa	12	.80	29,376	.71	27,441	.71	28,805
United Arab Republic	8	.54	19,584	.35	13,527	.33	13,388
United Kingdom	142	9.47	347,616	9.96	384,954	9.88	400,832
United States	495	33.00	1,211,760	32.95	1,273,518	32.95	1,336,782
Uruguay	2	.13	4,896	.13	5,024	.13	5,274
Venezuela	11	.73	26,928	.69	26,668	.69	27,993
Vietnam	3	.20	7,344	.22	8,503	.22	8,925
Total	1,500	100.00	3,672,000	100.00	3,865,000	100.00	4,057,000
Total number of members		73		74		74	

International Civil Aviation Organization—Scale of assessments—Continued

[In Canadian dollars]

Member countries	Calendar year 1956 [1]			Calendar year 1957 [2]			Calendar year 1958 [3]		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
Afghanistan	2	0.13	$3,567	2	0.13	$4,089	2	0.13	$3,984
Argentina	24	1.60	42,803	21	1.40	42,934	21	1.40	41,830
Australia	40	2.67	71,338	36	2.40	73,601	36	2.40	71,710
Austria	2	.13	3,567	4	.27	8,178	4	.27	7,968
Belgium	26	1.73	46,370	23	1.54	47,023	23	1.54	45,814
Bolivia	2	.13	3,567	2	.13	4,089	2	.13	3,984
Brazil	33	2.20	58,854	29	1.94	59,290	29	1.94	57,766
Burma	2	.13	3,567	2	.13	4,089	2	.13	3,984
Cambodia				2	.13	4,089	2	.13	3,984
Canada	72	4.80	128,409	63	4.20	128,803	63	4.20	125,492
Ceylon	3	.20	5,350	2	.13	4,089	2	.13	3,984
Chile	6	.40	10,701	6	.40	12,267	6	.40	11,952
China	10	.67	17,834	10	.67	20,445	10	.67	19,919
Colombia	13	.87	23,185	13	.87	26,578	13	.87	25,895
Cuba	7	.47	12,484	6	.40	12,267	6	.40	11,952
Czechoslovakia	15	1.00	26,752	13	.87	26,578	13	.87	25,895
Denmark	15	1.00	26,752	14	.94	28,623	14	.94	27,887
Dominican Republic	2	.13	3,567	2	.13	4,089	2	.13	3,984
Ecuador	2	.13	3,567	2	.13	4,089	2	.13	3,984
Egypt	7	.47	12,484	6	.40	12,267	6	.40	11,952
El Salvador	2	.13	3,567	2	.13	4,089	2	.13	3,984
Ethiopia	3	.20	5,350	2	.13	4,089	2	.13	3,984
Finland	7	.47	12,484	7	.47	14,311	7	.47	13,943
France	115	7.66	205,098	111	7.40	226,938	111	7.40	221,105
Germany				68	4.54	139,025	68	4.54	135,451
Greece	4	.27	7,134	4	.27	8,178	4	.27	7,968
Guatemala	2	.13	3,567	2	.13	4,089	2	.13	3,984
Haiti	2	.13	3,567	2	.13	4,089	2	.13	3,984
Honduras	2	.13	3,567	2	.13	4,089	2	.13	3,984
Iceland	2	.13	3,567	2	.13	4,089	2	.13	3,984
India	48	3.20	85,606	43	2.87	87,913	43	2.87	85,653
Indonesia	11	.73	19,618	11	.73	22,489	11	.73	21,911
Iran	3	.20	5,350	3	.20	6,134	3	.20	5,976
Iraq	2	.13	3,567	2	.13	4,089	2	.13	3,984
Ireland	6	.40	10,701	5	.33	10,222	5	.33	9,960
Israel	5	.34	8,917	4	.27	8,178	4	.27	7,968
Italy	39	2.60	69,555	38	2.54	77,690	38	2.54	75,693
Japan	36	2.40	64,205	35	2.34	71,557	35	2.34	69,718
Jordan	2	.13	3,567	2	.13	4,089	2	.13	3,984
Korea	2	.13	3,567	2	.13	4,089	2	.13	3,984
Laos				2	.13	4,089	2	.13	3,984
Lebanon	2	.13	3,567	2	.13	4,089	2	.13	3,984
Liberia	2	.13	3,567	2	.13	4,089	2	.13	3,984
Libya	2	.13	3,567	2	.13	4,089	2	.13	3,984
Luxembourg	2	.13	3,567	2	.13	4,089	2	.13	3,984
Mexico	26	1.73	46,370	23	1.54	47,023	23	1.54	45,814
Netherlands	40	2.67	71,338	40	2.67	81,780	40	2.67	79,677
New Zealand	7	.47	12,484	7	.47	14,311	7	.47	13,943
Nicaragua	2	.13	3,567	2	.13	4,089	2	.13	3,984
Norway	12	.80	21,402	11	.73	22,489	11	.73	21,911
Pakistan	11	.73	19,618	9	.60	18,400	9	.60	17,927
Paraguay	2	.13	3,567	2	.13	4,089	2	.13	3,984
Peru	3	.20	5,350	2	.13	4,089	2	.13	3,984
Philippines	11	.73	19,618	8	.53	16,356	8	.53	15,935
Poland	28	1.87	49,937	25	1.67	51,112	25	1.67	49,798
Portugal	5	.34	8,917	4	.27	8,178	4	.27	7,968
Spain	22	1.47	39,236	20	1.34	40,890	20	1.34	39,839
Sweden	27	1.80	48,153	25	1.67	51,112	25	1.67	49,798
Switzerland	19	1.27	33,886	20	1.34	40,890	20	1.34	39,839
Syria	2	.13	3,567	2	.13	4,089	2	.13	3,984
Thailand	4	.27	7,134	3	.20	6,134	3	.20	5,976
Turkey	9	.60	16,051	9	.60	18,400	9	.60	17,927
Union of South Africa	13	.87	23,185	12	.80	24,534	12	.80	23,903
United Kingdom	157	10.46	280,003	145	9.67	296,450	145	9.67	288,830
United States	500	33.31	891,729	500	33.33	1,022,242	500	33.33	995,967
Uruguay	3	.20	5,350	3	.20	6,134	3	.20	5,976
Venezuela	12	.80	21,402	11	.73	22,489	11	.73	21,911
Vietnam	2	.13	3,567	2	.13	4,089	2	.13	3,984
Total	1,501	100.00	2,676,971	1,500	100.00	3,066,727	1,500	100.00	2,987,901

[1] Total members, 65.
[2] Total members, 68.
[3] Total members, 68.

International Labor Organization: Scale of assessments

Member countries	Calendar year 1959		Calendar year 1960		Calendar year 1961	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	0.12	$10,236	0.12	$10,805	0.12	$11,829
Albania	.12	10,236	.12	10,805	.12	11,829
Argentina	1.55	132,213	1.53	137,760	1.52	149,828
Australia	1.88	160,361	1.88	169,273	1.88	185,313
Austria	.35	29,854	.35	31,514	.35	34,500
Belgium	1.40	119.418	1.40	126,055	1.40	137,999
Bolivia	.12	10,236	.12	10,805	.12	11,829
Brazil	1.54	131,360	1.52	136,859	1.50	147,856
Bulgaria	.20	17,060	.20	18,008	.20	19,714
Burma	.16	13,648	.16	14,406	.16	15,771
Byelorussian S.S.R.	.45	38,384	.45	40,517	.45	44,357
Cameroun					.12	11,829
Canada	3.53	301,104	3.51	316,037	3.50	344,999
Ceylon	.13	11,089	.13	11,705	.13	12,814
Chile	.36	30,707	.36	32,414	.36	35,485
China	2.04	174,009	2.04	183,680	2.04	201,085
Colombia	.41	34,972	.41	36,916	.41	40,414
Costa Rica	.12	10,236	.12	10,805	.12	11,829
Cuba	.32	27,295	.32	28,812	.32	31,543
Czechoslovakia	.93	79,328	.93	83,736	.93	91,671
Denmark	.78	66,533	.78	70,230	.77	75,899
Dominican Republic	.12	10,236	.12	10,805	.12	11,829
Ecuador	.12	10,236	.12	10,805	.12	11,829
El Salvador	.12	10,236	.12	10,805	.12	11,829
Ethiopia	.12	10,236	.12	10,805	.12	11,829
Finland	.30	25,589	.30	27,012	.30	29,571
France	6.10	520,321	6.10	549,238	6.10	601,284
Germany, Federal Republic of	4.34	370,196	4.34	390,770	4.34	427,798
Ghana	.12	10,236	.12	10,805	.12	11,829
Greece	.21	17,913	.21	18,908	.21	20,700
Guatemala	.12	10,236	.12	10,805	.12	11,829
Guinea			.12	10,805	.12	11,829
Haiti	.12	10,236	.12	10,805	.12	11,829
Honduras	.12	10,236	.12	10,805	.12	11,829
Hungary	.42	35,825	.42	37,816	.42	41,400
Iceland	.12	10,236	.12	10,805	.12	11,829
India	3.32	283,191	3.30	297,129	3.28	323,313
Indonesia	.43	36,678	.43	38,717	.43	42,385
Iran	.31	26,442	.31	27,912	.31	30,557
Iraq	.13	11,089	.13	11,705	.13	12,814
Ireland	.28	23,884	.28	25,211	.27	26,614
Israel	.12	10,236	.12	10,805	.12	11,829
Italy	2.42	206,422	2.42	217,895	2.41	237,556
Japan	2.00	170,597	2.00	180,078	2.00	197,142
Jordan	.12	10,236	.12	10,805	.12	11,829
Lebanon	.12	10,236	.12	10,805	.12	11,829
Liberia	.12	10,236	.12	10,805	.12	11,829
Libya	.12	10,236	.12	10,805	.12	11,829
Luxembourg	.12	10,236	.12	10,805	.12	11,829
Malaya	.22	18,766	.22	19,809	.22	21,685
Mexico	.77	65,680	.77	69,330	.77	75,899
Morocco	.14	11,942	.14	12,605	.14	13,800
Netherlands	1.22	104,064	1.22	109,848	1.21	119.271
New Zealand	.50	42,649	.50	45,019	.50	49,285
Nicaragua	.12	10,236	.12	10,805	.12	11,829
Norway	.53	45,208	.53	47,721	.53	52,242
Pakistan	.71	60,562	.70	63,027	.69	68,014
Panama	.12	10,236	.12	10,805	.12	11,829
Paraguay	.12	10,236	.12	10,805	.12	11,829
Peru	.21	17,913	.21	18,908	.21	20,700
Philippines	.37	31,560	.37	33,314	.37	36,471
Poland	1.24	105,770	1.24	111,648	1.24	122,228
Portugal	.31	26,442	.31	27,912	.31	30,557
Rumania	.50	42,649	.50	45,019	.49	48,300
South Africa, Union of	.91	77,622	.89	80,135	.88	86,742
Spain	1.14	97,240	1.14	102,644	1.13	111,385
Sudan	.12	10,236	.12	10,805	.12	11,829
Sweden	1.73	147,566	1.72	154,867	1.71	168,556
Switzerland	1.44	122,830	1.42	127,855	1.41	138,985
Thailand	.21	17,913	.21	18,908	.21	20,700
Togo					.12	11,829
Tunisia	.12	10,236	.12	10,805	.12	11,829
Turkey	.77	65,680	.77	69,330	.76	74,914
Ukrainian S.S.R.	1.00	85,299	1.00	90,039	1.00	98,571
United Arab Republic	.59	50,326	.58	52,223	.57	56,185
United Kingdom	10.08	859,810	10.03	903,092	9.97	982,754
United States	25.00	2,132,464	25.00	2,250,977	25.00	2,464,277
Uruguay	.19	16,207	.19	17,107	.19	18,728
U.S.S.R.	10.00	852,986	10.00	900,391	10.00	985,711
Venezuela	.42	35,825	.50	45,019	.50	49,285
Vietnam	.21	17,913	.21	18,908	.21	20,700
Yugoslavia	.42	35,825	.42	37,816	.42	41,400
Total	100.00	8,529,857	100.00	9,003,909	100.00	9,857,110
Total number of members	79		80		82	

International Labor Organization: Scale of assessments—Continued

Member countries	Calendar year 1956 [1]		Calendar year 1957 [2]		Calendar year 1958 [3]	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	0.12	$8,875	0.12	$9,141	0.12	$9,568
Albania	.12	8,875	.12	9,141	.12	9,568
Argentina	1.64	121,290	1.61	122,645	1.58	125,972
Australia	1.94	143,477	1.92	146,260	1.90	151,485
Austria	.35	25,885	.35	26,662	.35	27,905
Belgium	1.43	105,759	1.42	108,172	1.41	112,418
Bolivia	.12	8,875	.12	9,141	.12	9,568
Brazil	1.64	121,290	1.61	122,645	1.57	125,174
Bulgaria	.21	15,531	.21	15,997	.20	15,946
Burma	.16	11,833	.16	12,189	.16	12,756
Byelorussian S.S.R	.45	33,281	.45	34,280	.45	35,878
Canada	3.63	268,465	3.60	274,238	3.56	283,835
Ceylon	.13	9,614	.13	9,903	.13	10,364
Chile	.37	27,364	.37	28,186	.36	28,702
China	3.04	224,830	3.04	231,578	2.04	162,647
Colombia	.41	30,322	.41	31,233	.41	32,689
Costa Rica	.12	8,875	.12	9,141	.12	9,568
Cuba	.32	23,666	.32	24,377	.32	25,513
Czechoslovakia	.96	70,999	.95	72,368	.94	74,945
Denmark	.81	59,905	.80	60,942	.79	62,986
Dominican Republic	.12	8,875	.12	9,141	.12	9,568
Ecuador	.12	8,875	.12	9,141	.12	9,568
Egypt	.50	36,979	.49	37,327	.48	38,270
El Salvador	.12	8,875	.12	9,141	.12	9,568
Ethiopia	.12	8,875	.12	9,141	.12	9,568
Finland	.30	22,187	.30	22,853	.30	23,918
France	6.21	459,275	6.18	470,775	6.14	489,536
Germany, Federal Republic of	4.35	321,714	4.35	331,370	4.35	346,821
Ghana					.12	9,568
Greece	.21	15,531	.21	15,997	.21	16,743
Guatemala	.12	8,875	.12	9,141	.12	9,568
Haiti	.12	8,875	.12	9,141	.12	9,568
Honduras	.12	8,875	.12	9,141	.12	9,568
Hungary	.50	36,979	.50	38,089	.50	39,864
Iceland	.12	8,875	.12	9,141	.12	9,568
India	3.41	252,194	3.38	257,479	3.35	267,092
Indonesia	.43	31,802	.43	32,756	.43	34,283
Iran	.31	22,927	.31	23,615	.31	24,716
Iraq	.13	9,614	.13	9,903	.13	10,364
Ireland	.31	22,927	.30	22,853	.29	23,121
Israel	.12	8,875	.12	9,141	.12	9,568
Italy	2.50	184,893	2.48	188,919	2.45	195,336
Japan	2.00	147,915	2.00	152,354	2.00	159,458
Jordan			.12	9,141	.12	9,568
Lebanon	.12	8,875	.12	9,141	.12	9,568
Liberia	.12	8,875	.12	9,141	.12	9,568
Libya	.12	8,875	.12	9,141	.12	9,568
Luxembourg	.12	8,875	.12	9,141	.12	9,568
Mexico	.80	59,166	.79	60,180	.78	62,188
Morocco			.14	10,665	.14	11,162
Netherlands	1.25	92,447	1.24	94,460	1.23	98,066
New Zealand	.51	37,718	.51	38,850	.50	39,864
Nicaragua					.12	9,568
Norway	.53	39,197	.53	40,374	.53	42,256
Pakistan	.74	54,728	.73	55,609	.72	57,405
Panama	.12	8,875	.12	9,141	.12	9,568
Paraguay					.12	9,568
Peru	.21	15,531	.21	15,997	.21	16,743
Philippines	.37	27,364	.37	28,186	.37	29,499
Poland	1.24	91,707	1.24	94,460	1.24	98,864
Portugal	.33	24,406	.33	25,139	.32	25,513
Rumania					.50	39,864
South Africa	.97	71,738	.95	72,368	.93	74,148
Spain					1.14	90,891
Sudan			.12	9,141	.12	9,568
Sweden	1.80	133,123	1.78	135,595	1.75	139,526
Switzerland	1.50	110,936	1.49	113,504	1.47	117,201
Syria	.12	8,875	.12	9,141	.12	9,568
Thailand	.22	16,271	.22	16,759	.21	16,743
Tunisia			.12	9,141	.12	9,568
Turkey	.80	59,166	.79	60,180	.78	62,188
Ukrainian S.S.R	1.00	73,957	1.00	76,177	1.00	79,729
United Kingdom	10.60	783,947	10.44	795,289	10.24	816,425
United States	25.00	1,848,932	25.00	1,904,427	25.00	1,993,225
Uruguay	.19	14,052	.19	14,474	.19	15,148
U.S.S.R	10.00	739,573	10.00	761,771	10.00	797,290
Venezuela	.35	25,885	.35	26,662		
Vietnam	.21	15,531	.21	15,997	.21	16,743
Yugoslavia	.45	33,281	.44	33,518	.43	34,283
Total	100.00	7,395,729	100.00	7,617,708	100.00	7,972,901

[1] Total members, 70. [2] Total members, 74. [3] Total members, 78.

International Telecommunication Union: Scale of assessments [1]

Member countries	Calendar year 1959			Calendar year 1960			Calendar year 1961		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
Afghanistan	1	0.16	$2,045	1	0.16	$3,235	½	0.09	$2,709
Albania	½	.08	1,023	½	.08	1,618	½	.09	2,709
Argentina	25	4.05	51,133	25	4.04	80,881	15	2.83	81,265
Australia	20	3.24	40,906	20	3.23	64,705	20	3.78	108,354
Austria	½	.08	1,023	½	.08	1,618	1	.19	5,418
Belgian Congo and Territory of Ruanda-Urundi	2	.33	4,091	2	.32	6,470	1	.19	5,418
Belgium	8	1.30	16,363	8	1.29	25,882	4	.76	21,672
Bermuda—British Caribbean group	½	.08	1,023	½	.08	1,618	½	.09	2,709
Bolivia	3	.49	6,136	3	.49	9,706	3	.57	16,253
Brazil	25	4.05	51,133	25	4.04	80,881	25	4.72	135,442
British East Africa	½	.08	1,023	½	.08	1,618	½	.09	2,709
British West Africa	½	.08	1,023	½	.08	1,618	½	.09	2,709
Bulgaria	1	.16	2,045	1	.16	3,235	1	.19	5,418
Burma	3	.49	6,136	3	.49	9,706	3	.57	16,253
Byelorussian S. S. R	3	.49	6,136	3	.49	9,706	1	.19	5,418
Cambodia	1	.16	2,045	1	.16	3,235	1	.19	5,418
Canada	20	3.24	40,906	20	3.23	64,705	18	3.40	97,519
Ceylon	1	.16	2,045	1	.16	3,235	1	.19	5,418
Chile	3	.49	6,136	3	.49	9,706	3	.57	16,253
China	15	2.43	30,680	15	2.42	48,528	15	2.83	81,265
Colombia	3	.49	6,136	3	.49	9,706	3	.57	16,253
Costa Rica	3	.49	6,136	3	.49	9,706	3	.57	16,253
Cuba	2	.33	4,091	2	.32	6,470	1	.19	5,418
Czechoslovakia	8	1.30	16,363	8	1.29	25,882	5	.94	27,088
Denmark	5	.81	10,227	5	.81	16,176	5	.94	27,088
Dominican Republic	3	.49	6,136	3	.49	9,706	3	.57	16,253
Ecuador	1	.16	2,045	1	.16	3,235	1	.19	5,418
El Salvador	3	.49	6,136	3	.49	9,706	3	.57	16,253
Ethiopia	1	.16	2,045	1	.16	3,235	1	.19	5,418
Finland	3	.49	6,136	3	.49	9,706	3	.57	16,253
France	30	4.86	61,360	30	4.85	97,057	30	5.67	162,530
French territories	20	3.24	40,906	20	3.23	64,705	5	.94	27,088
Germany	20	3.24	40,906	20	3.23	64,705	20	3.78	108,354
Ghana	½	.08	1,023	½	.08	1,618	1	.19	5,418
Greece	3	.49	6,136	3	.49	9,706	1	.19	5,418
Guatemala	1	.16	2,045	1	.16	3,235	1	.19	5,418
Guinea				1	.16	3,235	1	.19	5,418
Haiti	1	.16	2,045	1	.16	3,235	1	.19	5,418
Honduras	2	.33	4,091	2	.32	6,470	2	.38	10,835
Hungary	1	.16	2,045	1	.16	3,235	1	.19	5,418
Iceland	½	.08	1,023	½	.08	1,618		.09	2,709
India	20	3.24	40,906	20	3.23	64,705	20	3.78	108,354
Indonesia	10	1.62	20,453	10	1.62	32,352	5	.94	27,088
Iran	1	.16	2,045	1	.16	3,235	1	.19	5,418
Iraq	1	.16	2,045	1	.16	3,235	1	.19	5,418
Ireland	3	.49	6,136	3	.49	9,706	3	.57	16,253
Israel	1	.16	2,045	1	.16	3,235	1	.19	5,418
Italy	20	3.24	40,906	20	3.23	64,705	8	1.51	43,341
Japan	25	4.05	51,133	25	4.04	80,881	25	4.72	135,442
Jordan	1	.16	2,045	1	.16	3,235	½	.09	2,709
Korea	1	.16	2,045	1	.16	3,235	1	.19	5,418
Kuwait				1	.16	3,235	1	.19	5,418
Laos	½	.08	1,023	½	.08	1,618	½	.09	2,709
Lebanon	½	.08	1,023	½	.08	1,618	½	.09	2,709
Liberia	3	.49	6,136	3	.49	9,706	3	.57	16,253
Libya	½	.08	1,023	½	.08	1,618	½	.09	2,709
Luxembourg	½	.08	1,023	½	.08	1,618	½	.09	2,709
Malaya	½	.08	1,023	½	.08	1,618	½	.09	2,709
Mexico	8	1.30	16,363	8	1.29	25,882	8	1.51	43,341
Monaco	½	.08	1,023	½	.08	1,618	½	.09	2,709
Morocco	1	.16	2,045	1	.16	3,235	1	.19	5,418
Nepal	½	.08	1,023	½	.08	1,618	½	.09	2,709
Netherlands (and Surinam, Netherlands Antilles, New Guinea)	10	1.62	20,453	10	1.61	32,352	10	1.89	54,177
New Zealand	5	.81	10,227	5	.81	16,176	5	.94	27,088
Nicaragua	3	.49	6,136	3	.49	9,706	1	.19	5,418
Norway	5	.81	10,227	5	.81	16,176	5	.94	27,088
Pakistan	15	2.43	30,680	15	2.42	48,528	15	2.83	81,265
Panama	3	.49	6,136	3	.49	9,706	3	.57	16,253
Paraguay	1	.16	2,045	1	.16	3,235	1	.19	5,418
Peru	2	.33	4,091	2	.32	6,470	2	.38	10,835
Philippines	1	.16	2,045	1	.16	3,235	1	.19	5,418
Poland	10	1.62	20,453	10	1.61	32,352	3	.57	16,253
Portugal	8	1.30	16,363	8	1.29	25,882	8	1.51	43,341

See footnote at end of table, p. 422.

International Telecommunication Union: Scale of assessments [1]—Continued

Member countries	Calendar year 1959			Calendar year 1960			Calendar year 1961		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
Portuguese Provinces	8	1.30	$16,362	8	1.29	$25,882	8	1.51	$43,341
Rhodesia and Nyasaland	½	.08	1,023	½	.08	1,618	1	.19	5,418
Rumania	1	.16	2,045	1	.16	3,235	1	.19	5,418
Saudi Arabia	1	.16	2,045	1	.16	3,235	1	.19	5,418
Singapore-British Borneo group	½	.08	1,023	½	.08	1,618	½	.09	2,709
Somaliland (trust territory under Italian administration)	½	.08	1,023	½	.08	1,618	½	.09	2,709
Spain	3	.49	6,136	3	.49	9,706	3	.57	16,253
Spanish Provinces in Africa	1	.16	2,045	1	.16	3,235	1	.19	5,418
Sudan	1	.16	2,045	1	.16	3,235	1	.19	5,418
Sweden	10	1.62	20,453	10	1.61	32,352	10	1.89	54,177
Switzerland	10	1.62	20,453	10	1.61	32,352	10	1.89	54,177
Thailand	5	.81	10,227	5	.81	16,176	3	.57	16,253
Tunisia	1	.16	2,045	1	.16	3,235	1	.19	5,418
Turkey	5	.81	10,227	5	.81	16,176	5	.94	27,088
Ukrainian S.S.R.	5	.81	10,227	5	.81	16,176	3	.57	16,253
Union of South Africa (and Territory of South West Africa)	13	2.11	26,589	13	2.10	42,058	8	1.51	43,341
United Arab Republic	6	.97	12,272	6	.97	19,412	5	.94	27,088
U.S.S.R.	30	4.86	61,360	30	4.85	97,057	30	5.67	162,530
United Kingdom	30	4.86	61,360	30	4.85	97,057	30	5.67	162,530
United Kingdom colonies	8	1.30	16,362	8	1.29	25,882	1	.19	5,418
United States	30	4.86	61,360	30	4.85	97,057	30	5.67	162,530
United States territories	25	4.05	51,133	25	4.04	80,881	25	4.72	135,442
Uruguay	3	.49	6,136	3	.49	9,706	1	.19	5,418
Vatican City	½	.08	1,023	½	.08	1,618	½	.09	2,709
Venezuela	10	1.62	20,453	10	1.61	32,352	5	.94	27,088
Vietnam	1	.16	2,045	1	.16	3,235	1	.19	5,418
Yemen	1	.16	2,045	1	.16	3,235	1	.19	5,418
Yugoslavia	1	.16	2,045	1	.16	3,235	1	.19	5,418
Total	617	100.00	1,261,964	619	100.00	2,002,613	529½	100.00	2,868,670
Total number of members		99			101			101	

[1] The scale of assessment was converted from Swiss francs into dollars at the rate of 4.30 Swiss francs to $1.

International Telecomunication Union: Scale of assessments—Continued

Member countries	Calendar year 1956 [1]			Calendar year 1957 [1]			Calendar year 1958 [1]		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
Afghanistan	1	0.16	$2,056	1	0.16	$2,056	1	0.16	$2,056
Albania	½	.08	1,028	½	.08	1,028	½	.08	1,028
Argentina	25	4.07	51,402	25	4.07	51,402	25	4.07	51,402
Australia	20	3.26	41,121	20	3.26	41,121	20	3.26	41,121
Austria	½	.08	1,028	½	.08	1,028	½	.08	1,028
Belgian Congo and Territory of Ruanda-Urundi	2	.33	4,112	2	.33	4,112	2	.33	4,112
Belgium	8	1.30	16,449	8	1.30	16,449	8	1.30	16,449
Bermuda-British Caribbean group	½	.08	1,028	½	.08	1,028	½	.08	1,028
Bolivia	3	.49	6,168	3	.49	6,168	3	.49	6,168
Brazil	25	4.07	51,402	25	4.07	51,402	25	4.07	51,402
British East Africa	½	.08	1,028	½	.08	1,028	½	.08	1,028
British West Africa	½	.08	1,028	½	.08	1,028	½	.08	1,028
Bulgaria	1	.16	2,056	1	.16	2,056	1	.16	2,056
Burma	3	.49	6,168	3	.49	6,168	3	.49	6,168
Byelorussian S. S. R.	3	.49	6,168	3	.49	6,168	3	.49	6,168
Cambodia	1	.16	2,056	1	.16	2,056	1	.16	2,056
Canada	20	3.26	41,121	20	3.26	41,121	20	3.26	41,121
Ceylon	1	.16	2,056	1	.16	2,056	1	.16	2,056
Chile	3	.49	6,168	3	.49	6,168	3	.49	6,168
China	15	2.44	30,841	15	2.44	30,841	15	2.44	30,841
Colombia	3	.49	6,168	3	.49	6,168	3	.49	6,168
Costa Rica	3	.49	6,168	3	.49	6,168	3	.49	6,168
Cuba	2	.33	4,112	2	.33	4,112	2	.33	4,112
Czechoslovakia	8	1.30	16,449	8	1.30	16,449	8	1.30	16,449
Denmark	5	.81	10,280	5	.81	10,280	5	.81	10,280
Dominican Republic	3	.49	6,168	3	.49	6,168	3	.49	6,168
Ecuador	1	.16	2,056	1	.16	2,056	1	.16	2,056
Egypt	5	.81	10,280	5	.81	10,280	5	.81	10,280
El Salvador	3	.49	6,168	3	.49	6,168	3	.49	6,168
Ethiopia	1	.16	2,056	1	.16	2,056	1	.16	2,056
Finland	3	.49	6,168	3	.49	6,168	3	.49	6,168
France	30	4.88	61,682	30	4.88	61,682	30	4.88	61,682
French territories	20	3.26	41,121	20	3.26	41,121	20	3.26	41,121
Germany	20	3.26	41,121	20	3.26	41,121	20	3.26	41,121
Greece	3	.49	6,168	3	.49	6,168	3	.49	6,168
Guatemala	1	.16	2,056	1	.16	2,056	1	.16	2,056
Haiti	1	.16	2,056	1	.16	2,056	1	.16	2,056
Honduras	2	.33	4,112	2	.33	4,112	2	.33	4,112
Hungary	1	.16	2,056	1	.16	2,056	1	.16	2,056
Iceland	½	.08	1,028	½	.08	1,028	½	.08	1,028
India	20	3.26	41,121	20	3.26	41,121	20	3.26	41,121
Indonesia	10	1.63	20,561	10	1.63	20,561	10	1.63	20,561
Iran	1	.16	2,056	1	.16	2,056	1	.16	2,056
Iraq	1	.16	2,056	1	.16	2,056	1	.16	2,056
Ireland	3	.49	6,168	3	.49	6,168	3	.49	6,168
Israel	1	.16	2,056	1	.16	2,056	1	.16	2,056
Italy	20	3.26	41,121	20	3.26	41,121	20	3.26	41,121
Japan	25	4.07	51,402	25	4.07	51,402	25	4.07	51,402
Jordan	1	.16	2,056	1	.16	2,056	1	.16	2,056
Korea	1	.16	2,056	1	.16	2,056	1	.16	2,056
Laos	½	.08	1,028	½	.08	1,028	½	.08	1,028
Lebanon	½	.08	1,028	½	.08	1,028	½	.08	1,028
Liberia	3	.49	6,168	3	.49	6,168	3	.49	6,168
Libya	½	.08	1,028	½	.08	1,028	½	.08	1,028
Luxembourg	½	.08	1,028	½	.08	1,028	½	.08	1,028
Malaya-Borneo group	½	.08	1,028	½	.08	1,028	½	.08	1,028
Mexico	8	1.30	16,449	8	1.30	16,449	8	1.30	16,449
Monaco	½	.08	1,028	½	.08	1,028	½	.08	1,028
Morocco	1	.16	2,056	1	.16	2,056	1	.16	2,056
Netherlands (and Surinam, Netherlands Antilles, New Guinea)	10	1.63	20,561	10	1.63	20,561	10	1.63	20,561
New Zealand	5	.81	10,280	5	.81	10,280	5	.81	10,280
Nicaragua	3	.49	6,168	3	.49	6,168	3	.49	6,168
Norway	5	.81	10,280	5	.81	10,280	5	.81	10,280
Pakistan	15	2.44	30,841	15	2.44	30,841	15	2.44	30,841
Panama	3	.49	6,168	3	.49	6,168	3	.49	6,168
Paraguay	1	.16	2,056	1	.16	2,056	1	.16	2,056
Peru	2	.33	4,112	2	.33	4,112	2	.33	4,112
Philippines	1	.16	2,056	1	.16	2,056	1	.16	2,056
Poland	10	1.63	20,561	10	1.63	20,561	10	1.63	20,561
Portugal	8	1.30	16,449	8	1.30	16,449	8	1.30	16,449
Portuguese Colonies	8	1.30	16,449	8	1.30	16,449	8	1.30	16,449
Rhodesia and Nyasaland	½	.08	1,028	½	.08	1,028	½	.08	1,028

See footnotes at end of table, p. 424.

International Telecommunication Union: Scale of Assessments—Continued

Member countries	Calendar year 1956 [1]			Calendar year 1957 [1]			Calendar year 1958 [1]		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
Rumania	1	0.16	$2,056	1	0.16	$2,056	1	0.16	$2,056
Saudi Arabia	1	.16	2,056	1	.16	2,056	1	.16	2,056
Somaliland, territory under	½	.08	1,028	½	.08	1,028	½	.08	1,028
Spain	3	.49	6,168	3	.49	6,168	3	.49	6,168
Spanish Morocco	1	.16	2,056	1	.16	2,056	1	.16	2,056
Sweden	10	1.63	20,561	10	1.63	20,561	10	1.63	20,561
Switzerland	10	1.63	20,561	10	1.63	20,561	10	1.63	20,561
Syria	1	.16	2,056	1	.16	2,056	1	.16	2,056
Thailand	5	.82	10,280	5	.82	10,280	5	.82	10,280
Tunisia	1	.16	2,056	1	.16	2,056	1	.16	2,056
Turkey	5	.82	10,280	5	.82	10,280	5	.82	10,280
Ukranian S. S. R.	5	.82	10,280	5	.82	10,280	5	.82	10,280
Union of South Africa (and Territory of South-West Africa)	13	2.12	26,729	13	2.12	26,729	13	2.12	26,729
U. S. S. R.	30	4.88	61,682	30	4.88	61,682	30	4.88	61,682
United Kingdom	30	4.88	61,682	30	4.88	61,682	30	4.88	61,682
United Kingdom colonies	8	1.30	16,449	8	1.30	16,449	8	1.30	16,449
United States	30	4.88	61,682	30	4.88	61,682	30	4.88	61,682
United States territories	25	4.07	51,402	25	4.07	51,402	25	4.07	51,402
Uruguay	3	.49	6,168	3	.49	6,168	3	.49	6,168
Vatican City	½	.08	1,028	½	.08	1,028	½	.08	1,028
Venezuela	10	1.63	20,561	10	1.63	20,561	10	1.63	20,561
Vietnam	1	.16	2,056	1	.16	2,056	1	.16	2,056
Yemen	1	.16	2,056	1	.16	2,056	1	.16	2,056
Yugoslavia	1	.16	2,056	1	.16	2,056	1	.16	2,056
Total	614½	100.00	1,263,449	614½	100.00	1,263,449	614½	100.00	1,263,449

[1] 96 members.

NOTE.—These scales of assessments were converted into U.S. dollars from Swiss francs at the rate of 4.28 Swiss francs to $1.

United Nations Educational, Scientific, and Cultural Organization—Scale of assessments

Member countries	Calendar year 1959		Calendar year 1960		Calendar year 1961	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	0.06	$7,568	0.06	$7,775	0.06	$9,043
Albania	.04	5,046	.04	5,183	.04	6,028
Argentina	1.05	132,447	1.05	136,057	1.07	161,257
Australia	1.69	213,177	1.69	218,986	1.73	260,723
Austria	.41	51,718	.41	53,127	.42	63,297
Belgium	1.23	155,153	1.23	159,380	1.26	189,891
Bolivia	.04	5,046	.04	5,183	.04	6,028
Brazil	.96	121,095	.96	124,394	.99	149,200
Bulgaria	.15	18,921	.15	19,437	.15	22,606
Burma	.07	8,830	.07	9,070	.08	12,057
Byelorussian S.S.R.	.44	55,502	.44	57,014	.45	67,818
Cambodia	.04	5,046	.04	5,183	.04	6,028
Cameroun [1]					.04	6,028
Canada	2.94	370,853	2.94	380,958	3.01	453,628
Central African Republic [1]					.04	6,028
Ceylon	.09	11,353	.09	11,662	.10	15,071
Chad [1]					.04	6,028
Chile	.25	31,535	.25	32,394	.26	39,184
China	4.74	597,905	4.74	614,198	2.50	376,768
Colombia	.29	36,581	.29	37,577	.30	45,212
Congo (Brazzaville) [1]					.04	6,028
Congo (Léopoldville) [1]					.04	6,028
Costa Rica	.04	5,046	.04	5,183	.04	6,028
Cuba	.23	29,012	.23	29,803	.24	36,170
Cyprus [1]					.04	6,028
Czechoslovakia	.82	103,435	.82	106,254	.84	126,594
Dahomey [1]					.04	6,028
Denmark	.57	71,900	.57	73,859	.58	87,410
Dominican Republic	.05	6,307	.05	6,479	.05	7,535
Ecuador	.06	7,568	.06	7,775	.06	9,043
El Salvador	.05	6,307	.05	6,479	.05	7,535

See footnotes at end of table, p. 425.

United Nations Educational, Scientific, and Cultural Organization—Scale of assessments—Continued

Member countries	Calendar year 1959		Calendar year 1960		Calendar year 1961	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Ethiopia	0.06	$7,568	0.06	$7,775	0.06	$9,043
Finland	.34	42,888	.34	44,056	.35	52,748
France	6.05	763,149	6.05	783,945	6.19	932,877
Gabon [1]					.04	6,028
Germany (Federal Republic)	5.04	635,747	5.04	653,071	5.16	777,648
Ghana	.06	7,568	.06	7,775	.07	10,550
Greece	.22	27,751	.22	28,507	.22	33,156
Guatemala	.05	6,307	.05	6,479	.05	7,535
Guinea [1]					.04	6,028
Haiti	.04	5,046	.04	5,183	.04	6,028
Honduras	.04	5,046	.04	5,183	.04	6,028
Hungary	.40	50,456	.40	51,831	.41	61,790
India	2.33	293,907	2.33	301,916	2.38	358,683
Indonesia	.44	55,502	.44	57,014	.45	67,818
Iran	.20	25,228	.20	25,916	.20	30,141
Iraq	.08	10,091	.08	10,366	.09	13,564
Israel	.13	16,398	.13	16,845	.13	19,592
Italy	2.13	268,679	2.13	276,000	2.18	328,541
Ivory Coast					.06	9,043
Japan	2.07	261,110	2.07	268,225	2.12	319,499
Jordan	.04	5,046	.04	5,183	.04	6,028
Korea	.20	25,228	.20	25,916	.20	30,141
Kuwait [1]					.06	9,043
Laos	.04	5,046	.04	5,183	.04	6,028
Lebanon	.05	6,307	.05	6,479	.05	7,535
Liberia	.04	5,046	.04	5,183	.04	6,028
Libya	.04	5,046	.04	5,183	.04	6,028
Luxembourg	.06	7,568	.06	7,775	.06	9,043
Malagasy Republic [1]					.06	9,043
Malaya	.16	20,182	.16	20,733	.16	24,113
Mali [1]					.04	6,028
Mexico	.67	84,514	.67	86,817	.69	103,988
Monaco	.04	5,046	.04	5,183	.04	6,028
Morocco	.13	16,398	.13	16,845	.13	19,592
Nepal	.04	5,046	.04	5,183	.04	6,028
Netherlands	.95	119,833	.95	123,099	.98	147,693
New Zealand	.40	50,456	.40	51,831	.41	61,790
Nicaragua	.04	5,046	.04	5,183	.04	6,028
Niger [1]					.04	6,028
Nigeria [1]					.20	30,141
Norway	.46	58,024	.46	59,606	.47	70,832
Pakistan	.38	47,933	.38	49,240	.39	58,776
Panama	.04	5,046	.04	5,183	.04	6,028
Paraguay	.04	5,046	.04	5,183	.04	6,028
Peru	.10	12,614	.10	12,958	.11	16,578
Philippines	.41	51,717	.41	53,127	.42	63,297
Poland	1.29	162,721	1.29	167,155	1.32	198,933
Rumania	.32	40,365	.32	41,465	.33	49,733
Saudi Arabia	.06	7,568	.06	7,775	.06	9,043
Senegal [1]					.06	9,043
Somalia [1]					.04	6,028
Spain	.88	111,003	.88	114,028	.90	135,636
Sudan	.06	7,568	.06	7,775	.06	9,043
Sweden	1.31	165,244	1.31	169,746	1.34	201,948
Switzerland	.92	116,049	.92	119,212	.94	141,665
Thailand	.15	18,921	.15	19,437	.15	22,606
Togo [1]					.04	6,028
Tunisia	.05	6,307	.05	6,479	.05	7,535
Turkey	.56	70,638	.56	72,563	.57	85,903
Ukrainian S.S.R.	1.70	214,439	1.70	220,282	1.74	262,230
U.S.S.R.	12.88	1,624,688	12.88	1,668,960	13.18	1,986,319
United Arab Republic	.30	37,842	.30	38,873	.31	46,719
United Kingdom	7.36	928,393	7.36	953,691	7.53	1,134,824
United States	30.74	3,877,554	30.74	3,983,216	31.46	4,741,243
Upper Volta Republic [1]					.04	6,028
Uruguay	.11	13,875	.11	14,254	.12	18,085
Venezuela	.47	59,286	.47	60,901	.48	72,339
Vietnam	.19	23,967	.19	24,620	.19	28,634
Yugoslavia	.33	41,626	.33	42,761	.34	51,240
Total	100.00	12,614,034	100.00	12,957,763	101.00	[2] 15,221,408
Total number of members	81		81		100	

[1] Member states admitted in November 1960. The 11th General Conference resolved that these member states would be assessed in addition to the scale of assessment of 100 percent. Their assessment will be incorporated into the 100-percent scale in 1963.

[2] Excluding the new members, total assessments amount to $15,070,703.

United Nations Educational, Scientific, and Cultural Organization—Scale of assessments—Continued

Member countries	Calendar year 1956 [1]		Calendar year 1957 [2]		Calendar year 1958 [3]	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	0.07	$7,356	0.06	$6,990	0.06	$7,046
Argentina	1.19	125,052	1.10	128,157	1.10	129,181
Australia	1.44	151,324	1.55	180,585	1.55	182,028
Austria	.30	31,526	.34	39,612	.34	39,929
Belgium	1.24	130,307	1.19	138,643	1.19	139,750
Bolivia	.04	4,203	.05	5,825	.05	5,872
Brazil	1.19	125,052	1.02	118,837	1.02	119,786
Bulgaria			.13	15,146	.13	15,267
Burma	.12	12,610	.09	10,486	.09	10,569
Byelorussian S.S.R	.48	50,441	.45	52,428	.45	52,847
Cambodia	.04	4,203	.04	4,660	.04	4,697
Canada	2.77	291,088	2.93	341,363	2.93	344,091
Ceylon	.12	12,610	.10	11,651	.10	11,744
Chile	.27	28,374	.28	32,622	.28	32,882
China	5.06	531,734	4.83	562,725	4.83	567,222
Colombia	.37	38,882	.35	40,777	.35	41,103
Costa Rica	.04	4,203	.04	4,660	.04	4,697
Cuba	.27	28,374	.25	29,127	.25	29,359
Czechoslovakia	.85	89,323	.79	92,040	.79	92,776
Denmark	.67	70,408	.62	72,234	.62	72,811
Dominican Republic	.04	4,203	.05	5,825	.05	5,872
Ecuador	.04	4,203	.05	5,825	.05	5,872
Egypt	.36	37,831	.34	39,612	.34	39,929
El Salvador	.05	5,255	.06	6,990	.06	7,046
Ethiopia			.10	11,651	.10	11,744
Finland			.35	40,777	.35	41,103
France	5.31	558,006	5.35	623,309	5.35	628,290
Germany, Federal Republic of	3.92	411,936	3.94	459,035	3.94	462,703
Greece	.19	19,966	.19	22,136	.19	22,313
Guatemala	.06	6,305	.07	8,155	.07	8,221
Haiti	.04	4,203	.04	4,660	.04	4,697
Honduras	.04	4,203	.04	4,660	.04	4,697
Hungary	.45	47,289	.43	50,098	.43	50,498
India	2.97	312,105	2.79	325,053	2.79	327,650
Indonesia	.50	52,543	.48	55,923	.48	56,370
Iran	.23	24,170	.25	29,127	.25	29,359
Iraq	.10	10,509	.11	12,816	.11	12,918
Israel	.15	15,763	.15	17,476	.15	17,616
Italy	2.00	210,172	1.95	227,187	1.95	229,003
Japan	1.80	189,154	1.84	214,372	1.84	216,085
Jordan, Hashemite Kingdom of	.04	4,203	.04	4,660	.04	4,697
Korea	.11	11,559	.12	13,981	.12	14,093
Laos	.04	4,203	.04	4,660	.04	4,697
Lebanon	.04	4,203	.05	5,825	.05	5,872
Liberia	.04	4,203	.04	4,660	.04	4,697
Libya	.04	4,203	.04	4,660	.04	4,697
Luxembourg	.05	5,255	.06	6,990	.06	7,046
Mexico	.72	75,662	.66	76,894	.66	77,509
Monaco	.04	4,203	.04	4,660	.04	4,697
Morocco			.11	12,816	.11	12,918
Nepal	.04	4,203	.04	4,660	.04	4,697
Netherlands	1.13	118,747	1.08	125,827	1.08	126,832
New Zealand	.39	40,983	.40	46,603	.40	46,975
Nicaragua	.04	4,203	.04	4,660	.04	4,697
Norway	.45	47,289	.46	53,593	.46	54,021
Pakistan	.60	63,052	.52	60,583	.52	61,067
Panama	.04	4,203	.05	5,825	.05	5,872
Paraguay			.04	4,660	.04	4,697
Peru	.16	16,814	.14	16,311	.14	16,441
Philippines	.41	43,085	.38	44,272	.38	44,626
Poland	1.56	163,934	1.46	170,099	1.46	171,459
Rumania			.47	54,758	.47	55,196
Saudi Arabia	.06	6,305	.07	8,155	.07	8,221
Spain	1.13	118,747	1.07	124,662	1.07	125,658
Sudan			.10	11,651	.10	11,744
Sweden	1.23	129,256	1.37	159,614	1.37	160,889
Switzerland	.91	95,628	.95	110,681	.95	111,566
Syria	.07	7,356	.07	8,155	.07	8,221
Thailand	.16	16,814	.15	17,476	.15	17,616
Tunisia			.05	5,825	.05	5,872
Turkey	.58	60,950	.59	68,739	.59	69,288
Ukrainian S.S.R	1.80	189,154	1.74	202,721	1.74	204,341
Union of South Africa	.70	73,560				
Union of Soviet Socialist Republics	13.57	1,426,014	13.11	1,527,397	13.11	1,539,603
United Kingdom	7.96	836,484	7.33	853,991	7.33	860,815
United States	30.00	3,152,574	31.30	[4] 3,646,646	31.30	[5] 3,675,787

See footnotes at end of table, p. 427.

United Nations Educational, Scientific, and Cultural Organization—Scale of assessments—Continued

Member countries	Calendar year 1956 [1]		Calendar year 1957 [2]		Calendar year 1958 [3]	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Uruguay	0.16	$16,814	0.15	$17,476	0.15	$17,616
Venezuela	.40	42,034	.40	46,603	.40	46,975
Vietnam	.15	15,763	.14	16,311	.14	16,441
Yugoslavia	.40	42,034	.34	39,612	.34	39,929
Total	100.00	10,508,580	100.00	11,650,627	100.00	11,743,728

[1] Number of members 72.
[2] Number of members, 79.
[3] Number of members, 79.
[4] The United States was also assessed an additional $39,000 toward the UNESCO working capital fund, due to the increase in its percentage share, and was entitled to a credit from past budgetary surpluses of $302.647, making its net contribution for 1957 $3,382,999.
[5] The United States is entitled to a credit from past budgetary surpluses of $274,685. Its net contribution for 1958, therefore, is $3,401,102.

Universal Postal Union:[1] *Scale of assessments,*[2] *1959*

Country	Class	Units	Percent	Assessment
Afghanistan	VI	3	0.33	$1,864
Albania	VI	3	.33	1,864
Algeria	III	15	1.62	9,322
Argentina	I	25	2.68	15,536
Australia	I	25	2.68	15,536
Austria	V	5	.54	3,107
Belgium	III	15	1.61	9,322
Belgian Congo	VI	3	.32	1,864
Bolivia	VI	3	.32	1,864
Brazil	I	25	2.68	15,536
Bulgaria	V	5	.54	3,107
Burma	VI	3	.32	1,864
Byelorussian S.S.R.	V	5	.54	3,107
Cambodia	VII	1	.11	622
Canada	I	25	2.68	15,536
Ceylon	V	5	.54	3,107
Chile	V	5	.54	3,107
China	I	25	2.68	15,536
Colombia	V	5	.54	3,107
Costa Rica	VI	3	.32	1,864
Cuba	VI	3	.32	1,864
Czechoslovakia	III	15	1.61	9,322
Denmark	IV	10	1.07	6,214
Dominican Republic	VI	3	.32	1,864
Ecuador	VI	3	.32	1,864
Egypt	III	15	1.61	9,322
El Salvador	VI	3	.32	1,864
Ethiopia	VI	3	.32	1,864
Finland	IV	10	1.07	6,214
France	I	25	2.68	15,536
French territories	III	15	1.61	9,322
Germany, Federal Republic	I	25	2.68	15,536
Ghana	VI	3	.32	1,864
Greece	V	5	.54	3,107
Guatemala	VI	3	.32	1,864
Guinea	VI	3	.32	1,864
Haiti	VI	3	.32	1,864
Honduras	VI	3	.32	1,864
Hungary	IV	10	1.07	6,214
Iceland	VII	1	.11	622
India	I	25	2.68	15,536
Indonesia	III	15	1.61	9,322
Iran	V	5	.54	3,107
Iraq	VII	1	.11	622
Ireland	IV	10	1.07	6,214
Israel	VI	3	.32	1,864
Italy	I	25	2.68	15,536
Japan	I	25	2.68	15,536
Jordan	VII	1	.11	622
Korea	IV	10	1.07	6,214
Laos	VII	1	.11	622
Lebanon	VII	1	.11	622

See footnotes at end of table, p. 428.

Universal Postal Union:[1] *Scale of assessments, 1959*—Continued

Country	Class	Units	Percent	Assessment
Liberia	VII	1	0.11	$622
Libya	VII	1	.11	622
Luxembourg	VI	3	.32	1,864
Malaya, Federation of	VI	3	.32	1,864
Mexico	III	15	1.61	9,322
Monaco	VII	1	.11	622
Morocco	IV	10	1.07	6,214
Nepal	VI	3	.32	1,864
Netherlands	III	15	1.61	9,322
Netherlands Antilles and Surinam	VI	3	.32	1,864
New Zealand	I	25	2.68	15,536
Nicaragua	VI	3	.32	1,864
Norway	IV	10	1.07	6,214
Pakistan	I	25	2.68	15,536
Panama	VI	3	.32	1,864
Paraguay	VI	3	.32	1,864
Peru	V	5	.54	3,107
Philippines	VII	1	.11	622
Poland	III	15	1.61	9,322
Portugal	IV	10	1.07	6,214
Portuguese colonies of West Africa	IV	10	1.07	6,214
Portuguese colonies of East Africa	IV	10	1.07	6,214
Rumania	III	15	1.61	9,322
San Marino	VII	1	.11	622
Saudi Arabia	VII	1	.11	622
Somaliland	VII	1	.11	622
Spain	I	25	2.68	15,536
Spanish colonies	VII	1	.11	622
Sudan	VII	1	.11	622
Sweden	III	15	1.61	9,322
Switzerland	III	15	1.61	9,322
Syria	VII	1	.11	622
Thailand	VI	3	.32	1,864
Tunisia	V	5	.54	3,107
Turkey	III	15	1.61	9,322
Ukrainian S.S.R	III	15	1.61	9,322
Union of South Africa	I	25	2.68	15,536
U.S.S.R	I	25	2.68	15,536
United Kingdom	I	25	2.68	15,536
British territories	III	15	1.61	9,322
United States	I	25	2.68	15,536
U.S. territories	III	15	1.61	9,322
Uruguay	VI	3	.32	1,864
Vatican City	VII	1	.11	621
Venezuela	VI	3	.32	1,864
Vietnam	VI	3	.32	1,864
Yemen	VII	1	.11	621
Yugoslavia	III	15	1.61	9,322
Total		932	100.00	579,182

[1] Total number of members, 100.
[2] This scale is changed only as members join the organization.

Universal Postal Union [1]*—Scale of assessment, 1956*

Country	Class	Number of units	Percent	Assessment
Afghanistan	VI	3	0.33	$1,336
Albania	VI	3	.33	1,336
Algeria	III	15	1.63	6,682
Argentina	I	25	2.71	11,136
Australia	I	25	2.71	11,136
Austria	V	5	.54	2,227
Belgium	III	15	1.63	6,682
Belgian Congo	VI	3	.33	1,336
Bolivia	VI	3	.33	1,336
Brazil	I	25	2.71	11,136
Bulgaria	V	5	.54	2,227
Burma	VI	3	.33	1,336
Byelorussian S.S.R	V	5	.54	2,227
Cambodia	VII	1	.11	446
Canada	I	25	2.71	11,136
Ceylon	V	5	.54	2,227
Chile	V	5	.54	2,227
China	I	25	2.71	11,136
Colombia	V	5	.54	2,227
Costa Rica	VI	3	.33	1,336
Cuba	VI	3	.33	1,336

See footnote at end of table, p. 429.

Universal Postal Union [1]*—Scale of assessment, 1956*—Continued

Country	Class	Number of units	Percent	Assessment
Czechoslovakia	III	15	1.63	$6,682
Denmark	IV	10	1.08	4,455
Dominican Republic	VI	3	.33	1,336
Ecuador	VI	3	.33	1,336
Egypt	III	15	1.63	6,682
El Salvador	VI	3	.33	1,336
Ethiopia	VI	3	.33	1,336
Finland	IV	10	1.08	4,455
France	I	25	2.71	11,136
French territories	III	15	1.63	6,682
Germany, Federal Republic	I	25	2.71	11,136
Greece	V	5	.54	2,227
Guatemala	VI	3	.33	1,336
Haiti	VI	3	.33	1,336
Honduras	VI	3	.33	1,336
Hungary	IV	10	1.08	4,455
Iceland	VII	1	.11	446
India	I	25	2.71	11,136
Indonesia	III	15	1.63	6,682
Iran	V	5	.54	2,227
Iraq	VII	1	.11	446
Ireland	IV	10	1.08	4,455
Israel	VI	3	.33	1,336
Italy	I	25	2.71	11,136
Japan	I	25	2.71	11,136
Jordan	VII	1	.11	446
Korea	VI	10	1.08	4,455
Laos	VII	1	.11	446
Lebanon	VII	1	.11	446
Liberia	VII	1	.11	446
Libya	VII	1	.11	446
Luxembourg	VI	3	.32	1,336
Mexico	III	15	1.63	6,682
Monaco	VII	1	.11	446
Morocco	IV	10	1.08	4,455
Nepal	VI	3	.32	1,336
Netherlands	III	15	1.63	6,682
Netherlands Antilles and Surinam	VI	3	.32	1,336
New Zealand	I	25	2.71	11,136
Nicaragua	VI	3	.32	1,336
Norway	IV	10	1.08	4,455
Pakistan	I	25	2.71	11,136
Panama	VI	3	.32	1,336
Paraguay	VI	3	.32	1,336
Peru	V	5	.54	2,227
Philippines	VII	1	.11	446
Poland	III	15	1.63	6,682
Portugal	IV	10	1.08	4,455
Portuguese colonies of West Africa	IV	10	1.08	4,455
Portuguese colonies of East Africa	IV	10	1.08	4,455
Rumania	III	15	1.63	6,683
San Marino	VII	1	.11	446
Saudi Arabia	VII	1	.11	446
Spain	I	25	2.71	11,136
Spanish colonies	VII	1	.11	446
Sudan	VII	1	.11	446
Sweden	III	15	1.63	6,682
Switzerland	III	15	1.63	6,682
Syria	VII	1	.11	446
Thailand	III	15	1.63	6,682
Tunisia	VI	3	.32	1,336
Turkey	V	5	.54	2,227
Ukranian S.S.R.	III	15	1.63	6,682
Union of South Africa	I	25	2.71	11,136
U.S.S.R.	I	25	2.71	11,136
United Kingdon	I	25	2.71	11,136
British territories	III	15	1.63	6,682
United States	I	25	2.71	11,136
U.S. territories	III	15	1.63	6,682
Uruguay	VI	3	.32	1,336
Vatican City	VII	1	.11	446
Venezuela	VI	3	.32	1,336
Vietnam	VI	3	.32	1,336
Yemen	VII	1	.11	446
Yugoslavia	III	15	1.63	6,682
Total		922	100.00	410,709

[1] Number of members, 96.

World Health Organization—Scale of assessments

Member countries	Calendar year 1959		Calendar year 1960		Calendar year 1961	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	0.06	$9,320	0.06	$10,470	0.06	$11,350
Albania	.04	5,990	.04	6,760	.04	7,570
Argentina	1.07	159,670	1.02	172,780	1.02	192,990
Australia	1.52	227,270	1.64	277,500	1.64	310,300
Austria	.33	48,950	.40	66,760	.39	73,790
Belgium	1.17	174,820	1.19	201,580	1.19	225,160
Bolivia	.05	8,160	.04	6,760	.04	7,570
Brazil	1.00	149,180	.93	157,070	.93	175,960
Bulgaria	.13	19,810	.14	23,560	.15	28,380
Burma	.09	13,990	.07	11,780	.07	13,240
Byelorussian S.S.R.[1]	.44	65,260	.43	73,300	.43	81,360
Cambodia	.04	5,990	.04	6,760	.04	7,570
Cameroun					.04	7,570
Canada	2.90	434,730	2.86	483,000	2.85	539,240
Central African Republic					.02	3,780
Ceylon	.10	15,150	.09	15,710	.09	17,030
Chile	.27	40,790	.24	40,580	.25	47,300
China	4.71	705,110	4.60	777,510	4.59	868,450
Colombia			.29	48,430	.28	52,980
Congo, Republic of the					.02	3,780
Costa Rica	.04	5,990	.04	6,760	.04	7,570
Cuba	.24	36,130	.23	39,270	.23	43,520
Cyprus					.02	3,780
Czechoslovakia	.77	115,380	.80	134,820	.80	151,370
Denmark	.60	89,740	.55	92,940	.55	104,060
Dominican Republic	.05	8,160	.06	9,160	.05	9,460
Ecuador	.05	8,160	.06	10,470	.06	11,350
El Salvador	.06	9,320	.06	9,160	.05	9,460
Ethiopia	.10	15,150	.06	10,470	.06	11,350
Finland	.34	50,120	.33	56,290	.33	62,440
France	5.23	783,210	5.89	994,800	5.86	1,108,740
Gabon Republic					.02	3,780
Germany, Federal Republic of	3.90	583,910	4.91	828,570	4.88	923,320
Ghana	.06	9,320	.06	10,470	.06	11,350
Greece	.19	27,970	.21	35,340	.21	39,730
Guatemala	.06	9,320	.06	9,160	.05	9,460
Guinea, Republic of			.04	6,760	.04	7,570
Haiti	.04	5,990	.04	6,760	.04	7,570
Honduras	.04	5,990	.04	6,760	.04	7,570
Hungary[1]	.37	54,780	.39	65,450	.38	71,900
Iceland	.04	5,990	.04	6,760	.04	7,570
India	2.73	407,920	2.26	382,210	2.25	425,710
Indonesia	.47	69,930	.43	73,300	.43	81,360
Iran	.24	36,130	.19	32,720	.19	35,950
Iraq	.11	16,320	.08	13,090	.08	15,140
Ireland	.17	25,640	.14	23,560	.15	28,380
Israel	.16	23,310	.13	22,250	.13	24,600
Italy	1.92	286,710	2.07	349,490	2.06	389,760
Ivory Coast, Republic of					.02	3,780
Japan	1.80	269,230	2.02	340,330	2.01	380,300
Jordan	.04	5,990	.04	6,760	.04	7,570
Korea	.04	5,990	.04	6,760	.04	7,570
Kuwait					.04	7,570
Laos	.04	5,990	.04	6,760	.04	7,570
Lebanon	.05	8,160	.06	9,160	.05	9,460
Liberia	.04	5,990	.04	6,760	.04	7,570
Libya	.04	5,990	.04	6,760	.04	7,570
Luxembourg	.06	9,320	.06	10,470	.06	11,350
Malaya, Federation of	.20	30,300	.16	26,180	.15	28,380
Mali Federation					.02	3,780
Mexico	.64	95,570	.65	109,950	.65	122,980
Monaco	.04	5,990	.04	6,760	.04	7,570
Morocco	.11	16,320	.13	22,250	.13	24,600
Nepal	.04	5,990	.04	6,760	.04	7,570
Netherlands	1.05	157,340	.93	157,070	.92	174,070
New Zealand	.40	59,440	.39	65,450	.38	71,900
Nicaragua	.04	5,990	.04	6,760	.04	7,570
Niger, Republic of the					.02	3,780
Nigeria, Federation of	.02	3,500	.02	3,930	.02	3,780
Norway	.45	67,600	.44	74,610	.45	85,140
Pakistan	.51	75,760	.36	61,520	.36	68,110
Panama	.05	8,160	.04	6,760	.04	7,570
Paraguay	.04	5,990	.04	6,760	.04	7,570
Peru	.14	20,980	.10	17,020	.10	18,920
Philippines	.37	55,940	.40	66,760	.39	73,790
Poland	1.43	213,290	1.26	212,050	1.25	236,510
Portugal	.23	33,800	.18	30,110	.18	34,060
Rhodesia and Nyasaland, Federation of	.02	3,500	.02	3,930	.02	3,780
Rumania	.46	68,760	.32	53,670	.31	58,650
Saudi Arabia	.06	9,320	.06	10,470	.06	11,350

See footnotes at end of table, p. 431.

World Health Organization—Scale of assessments—Continued

Member countries	Calendar year 1959		Calendar year 1960		Calendar year 1961	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Sierra Leone	0.02	$3,500	0.02	$3,930	0.02	$3,780
Spain	1.04	155,010	.85	143,990	.85	160,830
Sudan	.10	15,150	.06	10,470	.06	11,350
Sweden	1.35	201,630	1.28	215,980	1.27	240,290
Switzerland	.93	138,690	.89	150,530	.89	168,390
Thailand	.16	23,310	.14	23,560	.15	28,380
Togo, Republic of					.04	7,570
Tunisia	.05	8,160	.06	9,160	.05	9,460
Turkey	.57	85,080	.53	90,320	.54	102,170
Ukrainian S.S.R.[1]	1.69	252,910	1.65	278,800	1.65	312,190
Union of South Africa	.63	94,400	.52	87,700	.51	96,500
U.S.S.R.	12.80	1,916,060	12.52	2,115,270	12.48	2,361,280
United Arab Republic	.40	59,440	.29	49,740	.29	54,870
United Kingdom	7.16	1,072,250	7.15	1,208,160	7.13	1,349,030
United States	31.70	4,744,090	31.71	5,355,110	31.71	5,999,700
Upper Volta, Republic of the					.02	3,780
Uruguay	.16	23,310	.11	18,330	.11	20,810
Venezuela	.40	59,440	.46	77,230	.46	87,030
Vietnam	.16	23,310	.18	30,110	.18	34,060
Yemen	.04	5,990	.04	6,760	.04	7,570
Yugoslavia	.33	48,950	.33	54,980	.32	60,550
Total	100.00	14,965,660	100.00	16,889,760	100.00	18,920,520
Total number of members	88		90		101	
Total, active members	$14,592,710 (85)		$16,472,210 (87)		$18,455,070 (98)	
Total, inactive members	$372,950 (3)		$417,550 (3)		$465,450 (3)	

[1] Inactive members.

Member countries	Calendar year 1956		Calendar year 1957		Calendar year 1958	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	0.05	$5,920	0.05	$6,140	0.05	$7,760
Albania [1]	.04	4,310	.04	5,160	.04	5,760
Argentina	1.60	172,460	1.46	188,210	1.23	177,570
Australia	1.77	191,110	1.69	218,680	1.59	228,620
Austria	.13	14,370	.13	17,390	.28	41,060
Belgium	1.26	135,270	1.25	161,620	1.18	169,800
Bolivia	.06	6,760	.06	7,160	.05	6,660
Brazil	1.60	172,460	1.43	185,140	1.19	170,910
Bulgaria [1]	.14	15,210	.13	17,390	.13	18,870
Burma	.05	5,070	.05	6,140	.08	12,210
Byelorussian S.S.R.[2]	.27	29,590	.35	45,010	.38	55,490
Cambodia	.04	4,310	.04	5,160	.04	5,760
Canada	3.03	326,820	2.97	382,940	2.95	425,060
Ceylon	.04	4,310	.04	5,160	.08	12,210
Chile	.38	41,420	.36	46,030	.31	44,390
China	5.48	590,950	5.37	693,510	4.92	709,180
Costa Rica	.04	4,310	.04	5,160	.04	5,760
Cuba	.27	28,740	.27	34,780	.25	35,520
Czechoslovakia [2]	.84	90,470	.84	108,420	.79	113,200
Denmark	.72	77,780	.70	90,020	.63	91,000
Dominican Republic	.04	4,310	.04	5,160	.04	5,760
Ecuador	.04	4,310	.04	5,160	.04	5,760
Egypt	.64	69,320	.55	71,600	.43	62,150
El Salvador	.05	5,920	.05	6,140	.05	7,760
Ethiopia	.09	9,300	.10	12,270	.10	14,430
Finland	.20	21,130	.26	33,750	.29	42,170
France	5.55	597,710	5.59	722,160	5.28	760,220
Germany	3.25	350,010	3.57	460,300	3.63	522,730
Ghana			.02	3,070	.04	5,760
Greece	.17	17,750	.18	23,530	.18	25,520
Guatemala	.05	5,920	.06	8,180	.06	8,880
Haiti	.04	4,310	.04	5,160	.04	5,760
Honduras	.04	4,310	.04	5,160	.04	5,760
Hungary [2]	.26	27,900	.33	41,940	.36	52,160
Iceland	.04	4,310	.04	5,160	.04	5,760
India	3.03	326,340	3.01	388,700	2.80	402,860
Indonesia	.36	38,880	.41	53,190	.43	62,150
Iran	.37	39,740	.33	42,960	.28	39,950
Iraq	.14	15,210	.13	16,360	.12	16,650
Ireland	.31	32,970	.26	33,750	.21	29,970
Israel	.13	13,530	.14	18,410	.14	19,980
Italy	1.98	213,040	2.01	259,810	1.91	275,230
Japan	1.71	184,310	1.80	232,190	1.76	253,040
Jordan	.04	4,310	.04	5,160	.04	5,760
Korea	.04	4,310	.04	5,160	.04	5,760

See footnotes at end of table, p. 432.

World Health Organization—Scale of assessments—Continued

Member countries	Calendar year 1959		Calendar year 1960		Calendar year 1961	
	Percent	Assessment	Percent	Assessment	Percent	Assessment
Laos	0.04	$4,310	0.04	$5,160	0.04	$5,760
Lebanon	.05	5,070	.04	5,160	.04	5,760
Liberia	.04	4,310	.04	5,160	.04	5,760
Libya	.04	4,310	.04	5,160	.04	5,760
Luxembourg	.05	5,920	.05	6,140	.05	7,760
Mexico	.63	67,630	.66	84,900	.63	91,000
Monaco	.04	4,310	.04	5,160	.04	5,760
Morocco	.02	2,540	.13	16,360	.12	17,760
Nepal	.04	4,310	.04	5,160	.04	5,760
Netherlands	1.26	136,110	1.22	157,530	1.11	159,820
New Zealand	.44	47,630	.42	53,840	.42	58,820
Nicaragua	.04	4,310	.04	5,160	.04	5,760
Nigeria			.02	3,070	.02	3,330
Norway	.46	49,880	.48	61,370	.45	64,370
Pakistan	.64	68,480	.60	77,740	.54	77,690
Panama	.04	4,310	.04	5,160	.04	5,760
Paraguay	.04	4,310	.04	5,160	.04	5,760
Peru	.18	19,450	.17	21,480	.15	21,090
Philippines	.31	32,970	.34	43,980	.35	51,050
Poland [1]	1.06	114,130	1.23	158,540	1.29	186,450
Portugal	.34	36,350	.31	39,890	.26	37,730
Rhodesia and Nyasaland	.02	2,540	.02	3,070	.02	3,330
Rumania [1]	.38	40,580	.42	54,210	.43	62,150
Saudi Arabia	.07	7,610	.06	8,180	.06	8,880
Sierra Leone			.02	3,070	.02	3,330
Spain	1.06	114,130	1.09	141,150	1.04	149,820
Sudan	.02	2,540	.10	13,300	.10	14,430
Sweden	1.69	182,550	1.50	193,500	1.43	206,750
Switzerland	.98	105,460	.97	125,620	.95	137,620
Syria	.09	10,140	.09	11,250	.08	11,100
Thailand	.23	24,510	.21	26,590	.17	24,410
Tunisia	.02	2,540	.04	5,160	.04	5,760
Turkey	.78	84,540	.73	94,110	.63	91,000
Ukrainian S.S.R. [2]	1.04	112,440	1.31	168,780	1.46	210,850
Union of South Africa	.96	103,140	.87	112,520	.74	106,540
U.S.S.R. [1]	7.84	845,480	9.86	1,272,460	11.06	1,593,700
United Kingdom	10.02	1,080,014	9.34	1,205,980	8.05	1,159,750
United States	31.64	3,410,040	29.96	3,867,610	32.38	4,666,480
Uruguay	.17	17,750	.17	21,480	.15	21,090
Venezuela	.29	31,280	.34	43,980	.36	52,160
Vietnam	.18	19,450	.17	22,500	.15	21,090
Yemen	.04	4,310	.04	5,160	.04	5,760
Yugoslavia	.34	36,350	.35	45,010	.33	47,730
Total	100.00	10,778,824	100.00	12,909,620	100.00	14,411,160
Total, active members		[3] 9,498,714		[4] 11,037,710		[4] 13,979,460
Total, inactive members		[5] 1,280,110		[5] 1,871,910		[6] 431,700

[1] Formerly inactive members that became active in 1958.
[2] Inactive members.
[3] 76 members.
[4] 79 members.
[5] 9 members.
[6] 4 members.

World Meteorological Organization: Scale of assessments

Member countries	Calendar year 1959			Calendar year 1960			Calendar year 1961		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
Afghanistan	2	0.18	$827	2	0.18	$1,159	2	0.18	$1,179
Albania	2	.18	827	2	.18	1,159	2	.18	1,179
Argentina	22	1.95	9,097	19	1.69	11,012	19	1.68	11,201
Australia	23	2.04	9,511	22	1.95	12,751	22	1.95	12,970
Austria	8	.71	3,307	7	.62	4,057	7	.62	4,127
Belgium	17	1.51	7,030	16	1.42	9,273	16	1.42	9,433
Bermuda	1	.09	414						
Bolivia	5	.44	2,067	4	.35	2,318	4	.35	2,358
Brazil	22	1.95	9,097	19	1.69	11,012	19	1.68	11,201
British Caribbean territories	4	.36	1,654	4	.35	2,318	3	.27	1,768
British East African Territories and Indian Ocean islands	7	.62	2,895	6	.53	3,477	5	.44	2,948
British Malaya-Borneo territory	8	.71	3,307						
British West African Territory	4	.35	1,654	4	.35	2,318	3	.27	1,768
Bulgaria	6	.53	2,481	5	.44	2,898	5	.44	2,948
Burma	5	.44	2,067	4	.35	2,318	4	.35	2,358
Byelorussian S.S.R.	8	.71	3,307	7	.62	4,057	7	.62	4,127
Cambodia	2	.18	827	2	.18	1,159	2	.18	1,179
Cameroun							2	.18	1,179
Canada	27	2.40	11,164	28	2.49	16,228	28	2.48	16,508
Ceylon	5	.44	2,067	4	.35	2,318	4	.35	2,358
Chile	8	.71	3,307	7	.62	4,057	7	.62	4,127
China	32	2.84	13,231	37	3.29	21,444	37	3.27	21,813
Congo (Léopoldville)	9	.80	3,721	8	.71	4,637	7	.62	4,127
Cuba	5	.44	2,067	4	.35	2,318	4	.35	2,358
Czechoslovakia	10	.89	4,135	10	.89	5,796	10	.88	5,895
Denmark	11	.98	4,548	10	.89	5,796	10	.88	5,895
Dominican Republic	2	.18	827	2	.18	1,159	2	.18	1,179
Ecuador	2	.18	827	2	.18	1,159	2	.18	1,179
El Salvador	2	.18	827	2	.18	1,159	2	.18	1,179
Equatorial African States							4	.35	2,358
Ethiopia	3	.27	1,240	3	.27	1,739	3	.27	1,768
Finland	8	.71	3,307	7	.62	4,057	7	.62	4,127
France	46	4.09	19,021	47	4.17	27,240	47	4.16	27,708
French Cameroons	2	.18	827	2	.18	1,159			
French Equatorial Africa	4	.35	1,654	4	.35	2,318			
French Polynesia	1	.09	414	1	.09	580	1	.09	590
French Somaliland	1	.09	414	1	.09	580	1	.09	590
French Togoland	1	.09	414	1	.09	580			
French West Africa	7	.62	2,895	6	.53	3,477			
Germany, Federal Republic of	48	4.26	19,848	50	4.44	28,979	50	4.42	29,477
Ghana	3	.27	1,240	3	.27	1,739	3	.27	1,768
Greece	5	.44	2,067	4	.35	2,318	4	.35	2,358
Guatemala	1	.09	414	1	.09	580	1	.09	590
Guinea				1	.09	580	1	.09	590
Haiti	2	.18	827	2	.18	1,159	2	.18	1,179
Hong Kong	2	.18	827	2	.18	1,159	2	.18	1,179
Hungary	6	.53	2,481	5	.44	2,898	5	.44	2,948
Iceland	2	.18	827	2	.18	1,159	2	.18	1,179
India	32	2.84	13,231	30	2.66	17,387	30	2.65	17,686
Indonesia	13	1.15	5,376	11	.98	6,375	11	.97	6,485
Iran							4	.35	2,358
Iraq	3	.27	1,240	2	.18	1,159	2	.18	1,179
Ireland	6	.53	2,481	5	.44	2,898	5	.44	2,948
Israel	5	.44	2,067	4	.35	2,318	4	.35	2,358
Italy	28	2.49	11,578	27	2.40	15,649	27	2.39	15,918
Japan	29	2.58	11,992	28	2.49	16,228	28	2.48	16,508
Jordan	2	.18	827	2	.18	1,159	2	.18	1,179
Korea	2	.18	827	2	.18	1,159	2	.18	1,179
Laos	1	.09	414	1	.09	580	1	.09	590
Lebanon	2	.18	827	2	.18	1,159	2	.18	1,179
Libya	1	.09	414	1	.09	580	1	.09	590
Luxembourg	2	.18	827	2	.18	1,159	2	.18	1,179
Malagasy Republic	3	.27	1,240	3	.27	1,739	3	.26	1,768
Malaya				3	.27	1,739	3	.26	1,768
Mauritius				1	.09	580	1	.09	590
Mexico	13	1.15	5,376	11	.98	6,375	11	.97	6,485
Morocco	7	.62	2,895	4	.35	2,318	4	.35	2,358
Netherlands	17	1.51	7,030	15	1.33	8,693	15	1.33	8,843
Netherlands Antilles	1	.09	414	1	.09	580	1	.09	590
Netherlands New Guinea	1	.09	414	1	.09	580	1	.09	590
New Caledonia	1	.09	414	1	.09	580	1	.09	590

World Meteorological Organization: Scale of assessments—Continued

Member countries	Calendar year 1959			Calendar year 1960			Calendar year 1961		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
New Zealand	10	0.89	$4,135	8	0.71	$4,637	8	0.71	$4,716
Nicaragua				1	.09	580	1	.09	590
Norway	9	.80	3,721	8	.71	4,637	8	.71	4,716
Pakistan	14	1.24	5,789	11	.98	6,375	11	.97	6,485
Paraguay	2	.18	827	2	.18	1,159	2	.18	1,179
Peru	8	.71	3,307	6	.53	3,477	6	.53	3,537
Philippines	10	.89	4,135	8	.71	4,637	8	.71	4,716
Poland	13	1.15	5,376	13	1.15	7,535	13	1.15	7,664
Portugal	11	.98	4,548	8	.71	4,637	8	.71	4,716
Portuguese East Africa	4	.35	1,654	3	.27	1,739	3	.26	1,768
Portuguese West Africa	2	.18	827	2	.18	1,159	2	.18	1,179
Rhodesia and Nyasaland	6	.53	2,481	6	.53	3,477	5	.44	2,948
Ruanda Urundi							1	.09	590
Rumania	8	.71	3,307	7	.62	4,057	7	.62	4,127
Saudi Arabia				2	.18	1,159	2	.18	1,179
Singapore, British territory in Borneo				4	.35	2,318	3	.26	1,768
Spain	16	1.42	6,616	14	1.24	8,114	14	1.24	8,253
Spanish Territory of Guiana	1	.09	414	1	.09	580	1	.09	590
Sudan	4	.35	1,654	3	.27	1,739	3	.26	1,768
Surinam	1	.09	414	1	.09	580	1	.09	590
Sweden	19	1.69	7,857	18	1.60	10,432	18	1.59	10,612
Switzerland	18	1.60	7,443	16	1.42	9,273	16	1.42	9,433
Thailand	6	.53	2,481	5	.44	2,898	5	.44	2,948
Togo							1	.09	590
Tunisia	3	.27	1,240	2	.18	1,159	2	.18	1,179
Turkey	13	1.15	5,376	11	.98	6,375	11	.97	6,485
Ukranian S.S.R	17	1.51	7,030	17	1.51	9,853	17	1.50	10,022
Union of South Africa	17	1.51	7,030	14	1.24	8,114	14	1.24	8,253
U.S.S.R	68	6.04	28,118	87	7.73	50,424	87	7.70	51,290
United Arab Republic	15	1.33	6,202	12	1.07	6,955	12	1.06	7,074
United Kingdom	64	5.68	26,464	62	5.51	35,934	67	5.93	39,499
United States	171	15.19	70,710	215	19.09	124,610	215	19.03	126,751
Uruguay	8	.71	3,307	6	.53	3,477	6	.53	3,537
Venezuela	7	.62	2,895	7	.62	4,057	7	.62	4,127
Vietnam	3	.27	1,240	3	.27	1,739	3	.26	1,768
West Africa States							6	.53	3,537
Yugoslavia	8	.71	3,307	7	.62	4,057	7	.62	4,127
Total	1,126	100.00	465,596	1,126	100.00	652,605	1,130	100.00	666,179
Total number of members		96			100			102	

World Meteorological Organization: Scale of assessments—Continued

Member countries	Calendar year 1956 [1]			Calendar year 1957 [2]			Calendar year 1958 [2]		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
Afghanistan							2	0.18	$773
Albania							2	.18	773
Argentina	22	1.99	$7,676	22	1.97	$8,127	22	1.95	8,498
Australia	23	2.08	8,025	23	2.06	8,496	23	2.04	8,884
Austria	8	.73	2,791	8	.72	2,955	8	.71	3,090
Belgian Congo	9	.82	3,140	9	.81	3,325	9	.80	3,476
Belgium	17	1.54	5,931	17	1.52	6,280	17	1.51	6,567
Bermuda	1	.09	349	1	.09	369	1	.09	386
Bolivia	5	.45	1,744	5	.45	1,847	5	.44	1,931
Brazil	22	1.99	7,676	22	1.97	8,127	22	1.95	8,498
British Caribbean territories	4	.36	1,396	4	.36	1,478	4	.35	1,545
British East African Territory and Indian Ocean Island	7	.63	2,442	7	.63	2,586	7	.62	2,704
British Malaya and Borneo Territory	8	.73	2,791	8	.72	2,955	8	.71	3,090
British West African Territory	7	.63	2,442	7	.63	2,586	4	.35	1,545
Bulgaria	6	.54	2,093	6	.54	2,216	6	.53	2,317
Burma	5	.45	1,744	5	.45	1,847	5	.44	1,931
Byelorussian S.S.R.	8	.73	2,791	8	.72	2,955	8	.71	3,090
Cambodia				2	.18	739	2	.18	773
Canada	27	2.44	9,420	27	2.42	9,974	27	2.40	10,429
Ceylon	5	.45	1,744	5	.45	1,847	5	.44	1,931
Chile							8	.71	3,090
China	32	2.90	11,165	32	2.87	11,821	32	2.84	12,360
Cuba	5	.45	1,744	5	.45	1,847	5	.44	1,931
Czechoslovakia	10	.91	3,489	10	.90	3,694	10	.89	3,863
Denmark	11	1.00	3,838	11	.99	4,063	11	.98	4,249
Dominican Republic	2	.18	698	2	.18	739	2	.18	773
Ecuador	2	.18	698	2	.18	739	2	.18	773
Egypt	12	1.09	4,187	12	1.08	4,433	12	1.07	4,635
El Salvador				2	.18	739	2	.18	773
Ethiopia	3	.27	1,047	3	.27	1,108	3	.27	1,159
Finland	8	.73	2,791	8	.72	2,955	8	.71	3,090
France	46	4.16	16,049	46	4.13	16,993	46	4.09	17,768
French Cameroons	2	.18	698	2	.18	739	2	.18	773
French Equatorial Africa	4	.36	1,396	4	.36	1,478	4	.35	1,545
French Polynesia	1	.09	349	1	.09	369	1	.09	386
French Somaliland	1	.09	349	1	.09	369	1	.09	386
French Togoland	1	.09	349	1	.09	369	1	.09	386
French West Africa	7	.63	2,442	7	.63	2,586	7	.62	2,704
German Federal Republic	48	4.34	16,747	48	4.31	17,732	48	4.26	18,540
Ghana							3	.27	1,159
Greece	5	.45	1,744	5	.45	1,847	5	.44	1,931
Guatemala	1	.09	349	1	.09	369	1	.09	386
Haiti	2	.18	698	2	.18	739	2	.18	773
Hong Kong	2	.18	698	2	.18	739	2	.18	773
Hungary	6	.54	2,093	6	.54	2,216	6	.53	2,317
Iceland	2	.18	698	2	.18	739	2	.18	773
India	32	2.90	11,165	32	2.87	11,821	32	2.84	12,360
Indonesia	13	1.18	4,535	13	1.16	4,802	13	1.15	5,021
Iraq	3	.27	1,047	3	.27	1,108	3	.27	1,159
Ireland	6	.54	2,093	6	.54	2,216	6	.53	2,317
Israel	5	.45	1,744	5	.45	1,847	5	.44	1,931
Italy	28	2.53	9,769	28	2.51	10,343	28	2.49	10,815
Japan	29	2.63	10,118	29	2.60	10,713	29	2.58	11,201
Jordan				2	.18	739	2	.18	773
Korea				2	.18	739	2	.18	773
Laos				1	.09	369	1	.09	386
Lebanon	2	.18	698	2	.18	739	2	.18	773
Libya				1	.09	369	1	.09	386
Luxembourg	2	.18	698	2	.18	739	2	.18	773
Madagascar	3	.27	1,047	3	.27	1,108	3	.27	1,159
Mexico	13	1.18	4,535	13	1.16	4,802	13	1.15	5,021
Morocco							7	.62	2,704
Morocco, French Protectorate	5	.45	1,744	5	.45	1,847			
Morocco, Spanish Protectorate	2	.18	698	2	.18	739			
Netherlands	17	1.54	5,931	17	1.52	6,280	17	1.51	6,567
Netherlands Antilles	1	.09	349	1	.09	369	1	.09	386
Netherlands New Guinea	1	.09	349	1	.09	369	1	.09	386
New Caledonia	1	.09	349	1	.09	369	1	.09	386

See footnotes at end of table, p. 436.

World Meteorological Organization: Scale of assessments—Continued

Member countries	Calendar year 1956 [1]			Calendar year 1957 [2]			Calendar year 1958 [3]		
	Units	Percent	Assessment	Units	Percent	Assessment	Units	Percent	Assessment
New Zealand	10	0.91	$3,489	10	0.90	$3,694	10	0.89	$3,863
Norway	9	.82	3,140	9	.81	3,325	9	.80	3,476
Pakistan	14	1.27	4,885	14	1.26	5,172	14	1.24	5,408
Paraguay	2	.18	698	2	.18	739	2	.18	773
Peru	8	.73	2,791	8	.72	2,955	8	.71	3,090
Philippines	10	.91	3,489	10	.90	3,694	10	.89	3,863
Poland	13	1.18	4,535	13	1.16	4,802	13	1.15	5,021
Portugal	11	1.00	3,838	11	.99	4,063	11	.98	4,249
Portuguese East Africa	4	.36	1,398	4	.36	1,478	4	.35	1,545
Portuguese West Africa	2	.18	698	2	.18	739	2	.18	773
Rhodesia and Nyasaland	6	.54	2,093	6	.54	2,216	6	.53	2,317
Rumania	8	.72	2,791	8	.72	2,955	8	.71	3,090
Spain	16	1.45	5,582	16	1.44	5,910	16	1.42	6,180
Spanish Guiana	1	.09	349	1	.09	369	1	.09	386
Sudan	5	.45	1,744	4	.36	1,478	4	.35	1,545
Surinam	1	.09	349	1	.09	369	1	.09	386
Sweden	19	1.72	6,629	19	1.71	7,019	19	1.69	7,339
Switzerland	18	1.63	6,280	18	1.61	6,649	18	1.60	6,953
Syria	3	.27	1,047	3	.27	1,108	3	.27	1,159
Thailand	6	.54	2,093	6	.54	2,216	6	.53	2,317
Tunisia	3	.27	1,047	3	.27	1,108	3	.27	1,159
Turkey	13	1.18	4,536	13	1.16	4,802	13	1.15	5,021
Ukrainian S.S.R.	17	1.54	5,931	17	1.52	6,280	17	1.51	6,567
Union of South Africa	17	1.54	5,931	17	1.52	6,280	17	1.51	6,567
United Kingdom	64	5.79	22,329	64	5.75	23,642	64	5.68	24,720
United States	171	15.48	59,660	171	15.35	63,169	171	15.19	66,050
Uruguay	8	.72	2,791	8	.72	2,955	8	.71	3,090
U.S.S.R.	68	6.15	23,725	68	6.10	25,120	68	6.04	26,265
Venezuela	7	.63	2,442	7	.63	2,586	7	.62	2,704
Vietnam	3	.27	1,047	3	.27	1,108	3	.27	1,159
Yugoslavia	8	.72	2,791	8	.72	2,955	8	.71	3,090
Total	1,105	100.00	385,528	1,114	100.00	411,513	1,126	100.00	434,929

[1] 88 members.
[2] 94 members.
[3] 97 members.

APPENDIX 28a(1)

UNITED NATIONS—REGULAR BUDGET

ASSESSMENTS 1955–61

Balances due as of Dec. 31, 1961 (amounts prior to 1959 paid in full) [1]

	1955		1956		1957		1958		1959			1960		1961	
	Percentage	Assessment	Percentage	Assessment	Percentage	Amount	Percentage	Amount	Percentage [2]	Assessment	Balance due [1]	Assessment	Balance due [1]	Assessment	Balance due [1]
Afghanistan	0.08	$31,712	0.06	$28,998	0.06	$29,453	0.06	$30,900	0.06	$36,900	.....	$34,980	.....	$41,217	.....
Albania	.....	.....	.04	19,332	.04	19,635	.04	20,600	.04	24,600	.....	23,320	.....	27,478	$14,535
Argentina	1.32	523,248	1.17	565,461	1.17	574,330	1.14	587,100	1.11	682,650	.....	647,130	$73,220	762,517	662,829
Australia	1.80	713,520	1.65	797,445	1.65	809,953	1.61	829,150	1.79	1,100,850	.....	1,043,570	.....	1,229,644	.....
Austria	.....	.....	.36	173,988	.36	176,717	.35	180,250	.43	264,450	.....	250,690	.....	295,389	32,036
Belgium	1.38	547,032	1.27	613,791	1.27	623,418	1.24	638,600	1.30	799,500	.....	757,900	.....	893,038	57,212
Bolivia	.05	19,820	.05	24,165	.05	24,544	.05	25,750	.04	24,600	$13,430	23,320	18,713	27,478	22,907
Brazil	1.32	523,248	1.09	526,797	1.09	535,060	1.06	545,900	1.02	627,300	.....	594,660	.....	700,691	.....
Bulgaria	.....	.....	.14	67,662	.14	68,723	.14	72,100	.16	98,400	.....	93,280	.....	109,912	24,986
Burma	.13	51,532	.10	48,330	.10	49,088	.10	51,500	.08	49,200	.....	46,640	.....	54,956	.....
Byelorussia	.53	210,092	.48	231,984	.48	235,623	.47	242,050	.47	289,050	.....	274,010	8	322,867	290,774
Cambodia	.....	.....	.04	19,332	.04	19,635	.04	20,600	.04	24,600	.....	23,320	.....	27,478	24,746
Cameroun	.....	.....	.....	.....	.....	.....	.....	.....	.04	.....	.....	.....	.....	29,765	27,098
Canada	3.63	1,438,932	3.15	1,522,395	3.15	1,546,274	3.09	1,591,350	3.11	1,912,650	.....	1,813,130	.....	2,136,421	.....
Central African Republic	.....	.....	.....	.....	.....	.....	.....	.....	.04	.....	.....	.....	.....	29,765	.....
Ceylon	.....	.....	.11	53,163	.11	53,997	.11	56,650	.10	61,500	.....	58,300	.....	68,695	.....
Chad	.....	.....	.....	.....	.....	.....	.....	.....	.04	.....	.....	.....	.....	29,765	27,098
Chile	.30	118,920	.30	144,990	.30	147,264	.29	149,350	.27	166,050	.....	157,410	.....	185,477	160,056
China	5.62	2,227,768	5.14	2,484,162	5.14	2,523,126	5.01	2,580,150	5.01	3,081,150	.....	2,920,830	2,551,523	3,441,630	3,072,961
Colombia	.41	162,524	.37	178,821	.37	181,626	.36	185,400	.31	190,650	.....	180,730	.....	212,955	22,958
Congo (Brazzaville)	.....	.....	.....	.....	.....	.....	.....	.....	.04	.....	.....	.....	.....	29,765	27,098
Congo (Léopoldville)	.....	.....	.....	.....	.....	.....	.....	.....	.04	.....	.....	.....	.....	29,765	27,098
Costa Rica	.04	15,856	.04	19,332	.04	19,635	.04	20,600	.04	24,600	.....	23,320	5,921	27,478	24,746
Cuba	.30	118,920	.27	130,491	.27	132,538	.26	133,900	.25	153,750	.....	145,750	122,794	171,738	148,757
Cyprus	.....	.....	.....	.....	.....	.....	.....	.....	.04	.....	.....	.....	.....	29,765	27,098
Czechoslovakia	.94	372,616	.84	405,972	.84	412,340	.82	422,300	.87	535,050	.....	507,210	.....	597,648	.....
Dahomey	.....	.....	.....	.....	.....	.....	.....	.....	.04	.....	.....	.....	.....	29,765	27,098
Denmark	.74	293,336	.66	318,978	.66	323,981	.64	329,600	.60	369,000	.....	349,800	.....	412,171	.....

See footnotes at end of table, p. 439.

Balances due as of Dec. 31, 1961 (amounts prior to 1959 paid in full)—Continued

	1955		1956		1957		1958		1959			1960		1961	
	Percentage	Assessment	Percentage	Assessment	Percentage	Amount	Percentage	Amount	Percentage [2]	Assessment	Balance due [1]	Assessment	Balance due [1]	Assessment	Balance due [1]
Dominican Republic	0.05	$19,820	0.05	$24,165	0.05	$24,544	0.05	$25,750	0.05	$30,750	----	$29,150	----	$34,348	----
Ecuador	.04	15,856	.05	24,165	.05	24,544	.05	25,750	.06	36,900	----	34,980	----	41,217	$26,918
El Salvador	.06	23,784	.06	28,998	.06	29,453	.06	30,900	.05	30,750	----	29,150	----	34,348	----
Ethiopia	.12	47,568	.11	53,163	.11	53,997	.11	56,650	.06	36,900	----	34,980	----	41,217	37,120
Federation of Malaya	----	----	----	----	----	----	.22	113,300	.17	104,550	----	99,110	----	116,782	----
Finland	----	----	.37	178,821	.37	181,626	.36	185,400	.36	221,400	----	209,880	----	247,303	----
France	5.90	2,338,760	5.70	2,754,810	5.70	2,798,019	5.56	2,863,400	6.40	3,936,000	----	3,731,200	----	4,396,493	----
Gabon	----	----	----	----	----	----	----	----	.04	----	----	----	----	29,765	----
Ghana	----	----	----	----	----	----	.07	36,050	.07	43,050	----	40,810	----	48,087	43,307
Greece	.21	83,244	.20	96,660	.20	98,176	.19	97,850	.23	141,450	----	134,090	----	157,999	21,419
Guatemala	.07	27,748	.07	33,831	.07	34,362	.07	36,050	.05	30,750	$3,168	29,150	$25,217	34,348	30,496
Guinea	----	----	----	----	----	----	.04	2,289	----	----	----	47,514	----	27,478	3,000
Haiti	.04	15,856	.04	19,332	.04	19,635	.04	20,600	.04	24,600	20,898	23,320	19,436	27,478	23,582
Honduras	.04	15,856	.04	19,332	.04	19,635	.04	20,600	.04	24,600	389	23,320	20,322	27,478	24,468
Hungary	----	----	.46	222,318	.46	225,805	.39	200,850	.42	258,300	----	244,860	216,442	288,520	259,841
Iceland	.04	15,856	.04	19,332	.04	19,635	.04	20,600	.04	24,600	----	23,320	----	27,478	----
India [3]	3.30	1,308,120	2.97	1,435,401	2.97	1,457,915	2.90	1,493,500	2.46	1,512,900	----	1,434,180	----	1,689,902	140,000
Indonesia	.56	221,984	.51	246,483	.51	250,349	.50	257,500	.47	289,050	----	274,010	----	322,867	----
Iran	.25	99,100	.27	130,491	.27	132,538	.26	133,900	.21	129,150	----	122,430	----	144,261	----
Iraq	.11	43,604	.12	57,996	.12	58,906	.12	61,800	.09	55,350	----	52,470	----	61,826	----
Ireland	----	----	.19	91,827	.19	93,267	.18	92,700	.16	98,400	----	93,280	----	109,912	----
Israel	.17	67,388	.16	77,328	.16	78,541	.16	82,400	.14	86,100	----	81,620	----	96,173	86,614
Italy	----	----	2.08	1,005,264	2.08	1,021,031	2.03	1,045,450	2.25	1,383,750	----	1,311,750	----	1,545,642	----
Ivory Coast	----	----	----	----	----	----	----	----	.06	----	----	----	----	44,648	----
Japan	----	----	----	----	----	----	1.92	988,800	2.19	1,346,850	----	1,276,770	----	1,504,425	----
Jordan	----	----	.04	19,332	.04	19,635	.04	20,600	.04	24,600	----	23,320	----	27,478	24,746
Laos	----	----	.04	19,332	.04	19,635	.04	20,600	.04	24,600	----	23,320	----	27,478	24,746
Lebanon	.05	19,820	.05	24,165	.05	24,544	.05	25,750	.05	30,750	----	29,150	----	34,348	30,934
Liberia	.04	15,856	.04	19,332	.04	19,635	.04	20,600	.04	24,600	----	23,320	----	27,478	----
Libya	----	----	.04	19,332	.04	19,635	.04	20,600	.04	24,600	----	23,320	----	27,478	24,746
Luxembourg	.06	23,784	.06	28,998	.06	29,453	.06	30,900	.06	36,900	----	34,980	----	41,217	----
Madagascar	----	----	----	----	----	----	----	----	.06	----	----	----	----	44,648	27,824
Mali	----	----	----	----	----	----	----	----	.04	----	----	----	----	29,765	----
Mauritania	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
Mexico	.80	317,120	.70	338,310	.70	343,616	.68	350,200	.71	436,650	----	413,930	----	487,736	----
Mongolia	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----
Morocco	----	----	----	----	----	----	.12	61,800	.14	86,100	----	81,620	72,114	96,173	86,614
Nepal	----	----	.04	19,332	.04	19,635	.04	20,600	.04	24,600	----	23,320	----	27,478	24,746
Netherlands	1.25	495,500	1.15	555,795	1.15	564,513	1.12	576,800	1.01	621,150	----	588,830	----	693,822	----

New Zealand	.48	190,272	.43	207,819	.43	211,079	.42	216,300	.42	258,300		244,860		288,520		
Nicaragua	.04	15,856	.04	19,332	.04	19,635	.04	20,600	.04	24,600		23,320	9,611	27,478	24,591	
Niger									.04					29,765	27,098	
Nigeria									.21					156,269	52,500	
Norway	.50	198,200	.49	236,817	.49	240,531	.48	247,200	.49	301,350		285,670		336,607		
Pakistan	.67	265,588	.55	265,815	.55	269,984	.54	278,100	.40	246,000		233,200		274,781	140,000	
Panama	.05	19,820	.05	24,165	.05	24,544	.05	25,750	.04	24,600		23,320		27,478	23,366	
Paraguay	.04	15,856	.04	19,332	.04	19,635	.04	20,600	.04	24,600	15,451	23,320	20,600	27,478	24,746	
Peru	.18	71,352	.15	72,495	.15	73,632	.15	77,250	.11	67,650		64,130		75,565		
Philippines	.45	178,380	.41	198,153	.41	201,261	.40	206,000	.43	264,450		250,690		295,389	133,014	
Poland	1.73	685,772	1.56	753,948	1.56	765,774	1.52	782,800	1.37	842,550		798,710		941,124	618,569	
Portugal			.25	120,825	.25	122,720	.24	123,600	.20	123,000		116,600		137,390		
Rumania			.50	241,650	.50	245,440	.49	252,350	.34	209,100		198,220		233,564	70,347	
Saudi Arabia	.07	27,748	.07	33,831	.07	34,362	.07	36,050	.06	36,900		34,980		41,217		
Senegal									.06					44,648	40,648	
Sierra Leone																
Somalia									.04					29,765		
South Africa	.78	309,192	.71	343,143	.71	348,525	.67	345,050	.56	344,400		326,480		384,693		
Spain			1.14	550,962	1.14	559,604	1.11	571,650	.93	571,950		542,190		638,865		
Sudan							.11	56,650	.06	36,900		34,980		41,217		
Sweden	1.59	630,276	1.46	705,618	1.46	716,685	1.43	736,450	1.39	854,850		810,370		954,863		
Tanganyika																
Thailand	.18	71,352	.16	77,328	.16	78,541	.16	82,400	.16	98,400		93,280		109,912		
Togo									.04					29,765		
Tunisia							.05	25,750	.05	30,750		29,150		34,348		
Turkey	.65	257,660	.63	304,479	.63	309,255	.61	314,150	.59	362,850		343,970		405,302		
Ukraine	2.00	792,800	1.85	894,105	1.85	908,129	1.80	927,000	1.80	1,107,000		1,049,400		1,236,514	1,113,582	
U.S.S.R	15.08	5,977,712	13.96	6,746,868	13.96	6,852,692	13.62	7,014,300	13.62	8,376,300		7,940,460		9,356,287	1,568,843	
UAR									.32	196,800		186,560		219,825	152,737	
Egypt	.40	158,560	.36	173,988	.36	176,717	.35	180,250								
Syria	.08	31,712	.08	38,664	.08	39,270	.08	41,200								
United Kingdom	8.85	3,508,140	7.81	3,774,573	7.81	3,833,777	7.62	3,924,300	7.78	4,784,700		4,535,740		5,344,487		
United States	33.33	13,212,012	33.33	16,108,389	33.33	16,361,047	32.51	16,742,650	32.51	19,993,650		18,953,330		22,332,810		
Upper Volta									.04					29,765		
Uruguay	.18	71,352	.16	77,328	.16	78,541	.16	82,400	.12	73,800		69,960	56,697	82,434	69,327	
Venezuela	.44	174,416	.43	207,819	.43	211,079	.42	216,300	.50	307,500		291,500		343,476		
Yemen	.04	15,856	.04	19,332	.04	19,635	.04	20,600	.04	24,600		23,320	20,600	27,478	24,746	
Yugoslavia	.44	174,416	.36	173,988	.36	176,717	.35	180,250	.35	215,250		204,050		240,433		
Total:																
Percentage	100.00		100.00		100.00		[4] 100.04		[4] 100.91							
Amount		39,640,000		48,330,000		49,088,050		[5] 51,502,289		61,590,000	53,336	58,347,514	3,233,218	[5] 69,399,839	9,747,326	

[1] For later data (balance due as of May 31, 1962) see app. 10.
[2] Percentage is for 1959, 1960, and 1961.
[3] India's bills for extra costs in providing contingents for UNEF and UNOC will be offset against balances due.
[4] New member assessments shown as addition to the 100-percent scale.
[5] Includes amounts assessed new members.

APPENDIX 28a(2)

APPENDIX

TABLE A.—*Member assessments for the United Nations, 1946–54* [1]

Country	1946		1947		1948		1949		1950		1951		1952		1953		1954	
	Percent	Assessment	Percent	Assessment	Percent	Assessment	Percent	Assessment	Percent	Assessment	Percent	Assessment	Percent	Assessment	Percent	Assessment	Percent	Assessment
Afghanistan	-----	$3,192	0.05	$13,725	0.05	$17,349	0.05	$20,808	0.05	$17,085	0.06	$25,542	0.08	$34,352	0.08	$35,360	0.08	$33,040
Argentina	1.94	373,062	1.85	507,825	1.85	641,913	1.85	769,915	1.85	632,145	1.85	787,545	1.62	695,628	1.45	640,900	1.40	578,200
Australia	2.00	384,600	1.97	540,765	1.97	683,551	1.97	819,855	1.97	673,149	1.92	817,344	1.77	760,038	1.75	773,500	1.75	722,750
Belgium	1.42	273,066	1.35	370,575	1.35	468,423	1.35	561,830	1.35	461,295	1.35	574,595	1.35	579,690	1.37	605,540	1.38	569,940
Bolivia	.08	15,384	.08	21,960	.08	27,758	.08	33,294	.08	27,336	.08	34,056	.06	25,764	.06	26,520	.06	24,780
Brazil	1.94	373,062	1.85	507,825	1.85	641,913	1.85	769,915	1.85	632,145	1.85	787,545	1.62	695,628	1.45	640,900	1.40	578,200
Burma	-----	-----	-----	-----	-----	34,063	.15	62,425	.15	51,255	.15	63,855	.15	64,410	.13	57,460	.13	53,690
Byelorussian S.S.R	.23	44,229	.22	60,390	.22	76,336	.22	91,557	.22	75,174	.24	102,168	.34	145,996	.43	190,060	.50	206,500
Canada	3.35	644,205	3.20	878,400	3.20	1,110,336	3.20	1,331,744	3.20	1,093,440	3.30	1,404,810	3.35	1,438,490	3.30	1,458,600	3.30	1,362,900
Chile	.47	90,381	.45	123,525	.45	156,141	.45	187,277	.45	153,765	.41	174,537	.35	150,290	.33	145,860	.33	136,290
China	6.30	1,211,490	6.00	1,647,000	6.00	2,081,880	6.00	2,497,020	6.00	2,050,200	6.00	2,554,200	5.75	2,469,050	5.62	2,484,040	5.62	2,321,060
Colombia	.39	74,997	.37	101,565	.37	128,383	.37	153,983	.37	126,429	.37	157,509	.37	158,878	.35	154,700	.41	169,330
Costa Rica	.04	7,692	.04	10,980	.04	13,879	.04	16,647	.04	13,668	.04	17,028	.04	17,176	.04	17,680	.04	16,520
Cuba	.30	57,690	.29	79,605	.29	100,624	.29	120,689	.29	99,093	.31	131,967	.33	141,702	.34	150,280	.34	140,420
Czechoslovakia	.95	182,685	.90	247,050	.90	312,282	.90	374,553	.90	307,530	.99	421,443	1.05	450,870	1.05	464,100	1.05	433,650
Denmark	.81	155,763	.79	216,855	.79	274,114	.79	328,774	.79	269,943	.79	336,303	.79	339,226	.78	344,760	.78	322,140
Dominican Republic	.05	9,615	.05	13,725	.05	17,349	.05	20,808	.05	17,085	.05	21,285	.05	21,470	.05	22,100	.05	20,650
Ecuador	.05	9,615	.05	13,725	.05	17,349	.05	20,808	.05	17,085	.05	21,285	.05	21,470	.04	17,680	.04	16,520
Egypt	.81	155,763	.79	216,855	.79	274,114	.79	328,774	.79	269,943	.71	302,247	.60	257,640	.50	221,000	.47	194,110
El Salvador	.05	9,615	.05	13,725	.05	17,349	.05	20,808	.05	17,085	.05	21,285	.05	21,470	.05	22,100	.06	24,780
Ethiopia	.08	15,384	.08	21,960	.08	27,758	.08	33,294	.08	27,336	.08	34,056	.10	42,940	.10	44,200	.10	41,300
France	6.30	1,211,490	6.00	1,647,000	6.00	2,081,880	6.00	2,497,020	6.00	2,050,200	6.00	2,554,200	5.75	2,469,050	5.75	2,541,500	5.75	2,374,750
Greece	.17	32,691	.17	46,665	.17	58,987	.17	70,749	.17	58,089	.18	76,626	.18	77,292	.19	83,980	.21	86,730
Guatemala	.05	9,615	.05	13,725	.05	17,349	.05	20,808	.05	17,085	.06	25,542	.06	25,764	.06	26,520	.07	28,910
Haiti	.04	7,692	.04	10,980	.04	13,879	.04	16,647	.04	13,668	.04	17,028	.04	17,176	.04	17,680	.04	16,520
Honduras	.04	7,692	.04	10,980	.04	13,879	.04	16,647	.04	13,668	.04	17,028	.04	17,176	.04	17,680	.04	16,520
Iceland	-----	2,558	.04	10,980	.04	13,879	.04	16,647	.04	13,668	.04	17,028	.04	17,176	.04	17,680	.04	16,520
India	4.09	786,507	3.95	1,084,275	[2] 3.95	[2] 1,370,571	3.25	1,352,553	3.25	1,110,525	3.41	1,451,637	3.53	1,515,782	3.45	1,524,900	3.40	1,404,200
Indonesia	-----	-----	-----	-----	-----	-----	-----	-----	-----	73,100	-----	255,420	.60	257,640	.60	265,200	.60	247,800
Iran	.47	90,381	.45	123,525	.45	156,141	.45	187,277	.45	153,765	.45	191,565	.40	171,760	.33	145,860	.28	115,640
Iraq	.17	32,691	.17	46,665	.17	58,987	.17	70,749	.17	58,089	.17	72,369	.14	60,116	.12	53,040	.12	49,560
Israel	-----	-----	-----	-----	-----	-----	-----	27,085	.12	41,004	.12	51,084	.17	72,998	.17	75,140	.17	70,210
Lebanon	.06	11,538	.06	16,470	.06	20,819	.06	24,970	.06	20,502	.06	25,542	.06	25,764	.05	22,100	.05	20,650
Liberia	.04	7,692	.04	10,980	.04	13,879	.04	16,647	.04	13,668	.04	17,028	.04	17,176	.04	17,680	.04	16,520
Luxembourg	.05	9,615	.05	13,725	.05	17,349	.05	20,808	.05	17,085	.05	21,285	.05	21,470	.05	22,100	.06	24,780
Mexico	.66	126,918	.63	172,935	.63	218,598	.63	262,187	.63	215,271	.63	268,191	.65	279,110	.70	309,400	.75	309,750
Netherlands	1.47	282,681	1.40	384,300	1.40	485,772	1.40	582,638	1.40	478,380	1.35	574,695	1.27	545,338	1.25	552,500	1.25	516,250

New Zealand	.52	99,996	.50	137,250	.50	173,490	.50	208,085	.50	170,850	.50	212,850	.50	214,700	.48	212,160	.48	198,240
Nicaragua	.04	7,692	.04	10,980	.04	13,879	.04	16,647	.04	13,668	.04	17,028	.04	17,176	.04	17,680	.04	16,520
Norway	.52	99,996	.50	137,250	.50	173,490	.50	208,085	.50	170,850	.50	212,850	.50	214,700	.50	221,000	.50	206,500
Pakistan	------	------	------	------	[2]	[2]	.70	291,319	.70	239,190	.74	315,018	.79	339,226	.79	349,180	.75	309,750
Panama	.05	9,615	.05	13,725	.05	17,349	.05	20,808	.05	17,085	.05	21,285	.05	21,470	.05	22,100	.05	20,650
Paraguay	.04	7,692	.04	10,980	.04	13,879	.04	16,647	.04	13,668	.04	17,028	.04	17,176	.04	17,680	.04	16,520
Peru	.21	40,383	.20	54,900	.20	69,396	.20	83,234	.20	68,340	.20	85,140	.20	85,880	.18	79,560	.18	74,340
Philippines	.30	57,690	.29	79,605	.29	100,624	.29	120,689	.29	99,093	.29	123,453	.29	124,526	.39	172,380	.45	185,850
Poland	1.00	192,300	.95	260,775	.95	329,631	.95	395,361	.95	324,615	1.05	446,985	1.36	583,984	1.58	698,360	1.73	714,490
Saudi Arabia	.08	15,384	.08	21,960	.08	27,758	.08	33,294	.08	27,336	.08	34,056	.08	34,352	.07	30,940	.07	28,910
Sweden	------	150,628	2.35	645,075	2.04	707,839	2.00	832,340	1.98	676,566	1.85	787,545	1.73	742,862	1.65	729,300	1.65	681,450
Syria	.12	23,076	.12	32,940	.12	41,638	.12	49,940	.12	41,004	.11	46,827	.09	38,646	.08	35,360	.08	33,040
Thailand	------	------	------	74,115	.27	93,685	.27	112,366	.27	92,259	.24	102,168	.21	90,174	.18	79,560	.18	74,340
Turkey	.93	178,839	.91	249,795	.91	315,752	.91	378,715	.91	310,947	.91	387,387	.75	322,050	.65	287,300	.65	268,450
Ukrainian S.S.R	.88	169,224	.84	230,580	.84	291,463	.84	349,583	.84	287,028	.92	391,644	1.30	558,220	1.63	720,460	1.88	776,440
Union of South Africa	1.15	221,145	1.12	307,440	1.12	388,618	1.12	466,110	1.12	382,704	1.04	442,728	.90	386,460	.83	366,860	.78	322,140
U.S.S.R	6.62	1,273,026	6.34	1,740,330	6.34	2,199,853	6.34	2,638,518	6.34	2,166,378	6.98	2,971,386	9.85	4,229,590	12.28	5,427,760	14.15	5,843,950
United Kingdom	11.98	2,303,754	11.48	3,151,260	11.48	3,983,331	11.37	4,731,853	11.37	3,885,129	11.37	4,840,209	10.56	4,534,464	10.30	4,552,600	9.80	4,047,400
United States	39.89	7,670,847	39.89	10,949,805	39.89	13,841,032	39.89	16,601,021	39.79	13,596,243	38.92	16,568,244	36.90	15,844,860	35.12	15,523,040	33.33	13,765,290
Uruguay	.18	34,614	.18	49,410	.18	62,456	.18	74,911	.18	61,506	.18	76,626	.18	77,292	.18	79,560	.18	74,340
Venezuela	.28	53,844	.27	74,115	.27	93,685	.27	112,366	.27	92,259	.30	127,710	.32	137,408	.35	154,700	.39	161,070
Yemen	------	------	------	3,660	.04	13,879	.04	16,647	.04	13,668	.04	17,028	.04	17,176	.04	17,680	.04	16,520
Yugoslavia	.34	65,382	.33	90,585	.33	114,503	.33	137,336	.33	112,761	.36	153,252	.43	184,642	.44	194,480	.44	181,720
Total	100.00	19,386,378	100.00	27,527,775	100.00	34,732,063	100.00	41,644,085	100.00	34,243,100	100.00	42,825,320	100.00	42,940,000	100.00	44,200,000	100.00	41,300,000

[1] Tables prepared by Department of State. The assessments for new members are shown in the columns for the year of assessment, not the year when they were paid.

[2] The Government of India undertook to pay the total assessment for India and Pakistan for 1948 subject to an intergo ernmental adjustment between the 2 states.

APPENDIX 28b

UNITED NATIONS EMERGENCY FORCE, 1957–61

Assessments and balances due as of Dec. 31, 1961

Country	1957			1958			1959			1960		1961	
	Percentage	Assessment	Balance due	Percentage	Assessment	Balance due	Percentage (1959–61)	Assessment	Balance due	Assessment	Balance due [1]	Assessment	Balance due [1]
Afghanistan	0.06	$8,814	$2,814	0.06	$15,000	$15,000	0.06	$9,123	$9,092	$11,991	$5,926	$11,287	$5,584
Albania	.04	5,876	5,876	.04	10,000	10,000	.04	6,082	6,062	7,994	3,951	7,524	7,484
Argentina	1.17	171,869	171,869	1.14	285,000	285,000	1.11	168,775	168,180	221,831	109,594	208,804	103,291
Australia	1.65	242,379		1.61	402,500		1.79	272,169		357,728		336,721	
Austria	.36	52,883		.35	87,500		.43	65,382		85,935		80,888	65,000
Belgium	1.27	186,559		1.24	310,000		1.30	197,665		259,803		244,546	43,245
Bolivia	.05	7,345	7,345	.05	12,500	12,500	.04	6,082	6,056	7,994	3,939	7,524	7,484
Brazil	1.09	160,117		1.06	265,000		1.02	155,091		203,845		191,874	
Bulgaria	.14	20,565	20,565	.14	35,000	35,000	.16	24,328	24,257	31,976	15,826	30,098	29,938
Burma	.10	14,690		.10	25,000		.08	12,164		15,988		15,049	
Byelorussia	.48	70,510	70,510	.47	117,500	117,500	.47	71,464	71,219	93,929	46,419	88,413	87,943
Cambodia	.04	5,876		.04	10,000		.04	6,082		7,994		7,524	3,722
Cameroun							.04					7,968	7,968
Canada	3.15	462,724		3.09	772,500		3.11	472,875		621,528		585,028	
Central African Republic							.04					7,968	
Ceylon	.11	16,159		.11	27,500		.10	15,205		19,985		18,811	
Chad							.04					7,968	4,206
Chile	.30	44,069		.29	72,500		.27	41,054	35,269	53,959	26,643	50,790	25,125
China	5.14	755,048	555,048	5.01	1,252,500	1,252,500	5.01	761,770	759,151	1,001,239	989,797	942,441	466,208
Colombia	.37	54,352		.36	90,000		.31	47,135	46,946	61,953	30,559	58,315	28,847
Congo:													
Brazzaville							.04					7,968	7,968
Léopoldville							.04					7,968	4,206
Costa Rica	.04	5,876		.04	10,000	7,925	.04	6,082	6,062	7,994	3,951	7,524	3,722
Cuba	.27	39,662	12,662	.26	65,000	65,000	.25	38,013	37,874	49,962	24,679	47,028	46,778
Cyprus							.04					7,968	4,206
Czechoslovakia	.84	123,393	123,393	.82	205,000	205,000	.87	132,283	131,856	173,868	85,983	163,658	162,787
Dahomey							.04					7,968	382
Denmark	.66	96,952		.64	160,000		.60	91,230		119,909		112,867	
Dominican Republic	.05	7,345		.05	12,500		.05	7,603		9,992		9,406	9,356
Ecuador	.05	7,345		.05	12,500		.06	9,123		11,991		11,287	
El Salvador	.06	8,814		.06	15,000		.05	7,603	7,571	9,992	4,926	9,406	4,653
Ethiopia	.11	16,159	16,159	.11	27,500	27,500	.06	9,123	9,067	11,991	5,868	11,287	5,584

Federation of Malaya	.0367	5,391		.22	55,000		.17	25,849		33,974		31,979		
Finland	.37	54,352		.36	90,000		.36	54,738		71,945		67,720		
France	5.70	837,310		5.56	1,390,000		6.40	973,120		1,279,028		1,203,916		
Gabon							.04					7,968		
Ghana	.0233	3,423		.07	17,500		.07	10,644		13,989		13,168	6,514	
Greece	.20	29,379	29,379	.19	47,500	47,500	.23	34,971	34,847	45,965	22,762	43,266	21,403	
Guatemala	.07	10,283		.07	17,500		.05	7,603	7,566	9,992	4,915	9,406	4,653	
Guinea							.04			7,994		7,524	7,484	
Haiti	.04	5,876		.04	10,000		.04	6,082	6,062	7,994	3,951	7,524	3,722	
Honduras	.04	5,876		.04	10,000		.04	6,082		7,994	3,951	7,524	3,722	
Hungary	.46	67,572	67,572	.39	97,500	97,500	.42	63,861	63,627	83,936	41,516	79,007	78,587	
Iceland	.04	5,876		.04	10,000		.04	6,082		7,994		7,524	3,722	
India [2]	2.97	436,283		2.90	725,000		2.46	374,043	277,770	491,627	242,453	462,756	228,916	
Indonesia	.51	74,917		.50	125,000		.47	71,464		93,929		88,413		
Iran	.27	39,662		.26	65,000		.21	31,930		41,968		39,504		
Iraq	.12	17,627	5,627	.12	30,000	30,000	.09	13,685	13,623	17,986	8,854	16,930	16,840	
Ireland	.19	27,910		.18	45,000		.16	24,328		31,976		30,098		
Israel	.16	23,503		.16	40,000		.14	21,287		27,979		26,336	26,196	
Italy	2.08	305,545		2.03	507,500		2.25	342,112		449,658		423,252		
Ivory Coast							.06					11,953		
Japan	1.97	289,386		1.92	480,000		2.19	332,989		437,668		411,965		
Jordan	.04	5,876	5,876	.04	10,000	10,000	.04	6,082	6,062	7,994	3,951	7,524	7,484	
Laos	.04	5,876		.04	10,000		.04	6,082		7,994		7,524	3,722	
Lebanon	.05	7,345		.05	12,500	7,331	.05	7,603	7,576	9,992	4,938	9,406	4,653	
Liberia	.04	5,876		.04	10,000		.04	6,082		7,994	209	7,524	3,722	
Libya	.04	5,876	5,876	.04	10,000	10,000	.04	6,082	6,062	7,994	3,951	7,524	7,484	
Luxembourg	.06	8,814		.06	15,000		.06	9,123		11,991		11,287		
Madagascar							.06					11,953	3,155	
Mali							.04					7,968		
Mauritania														
Mexico	.70	102,828	32,828	.68	170,000	170,000	.71	107,955	107,564	141,892	70,158	133,560	132,849	
Mongolia														
Morocco	.12	17,627		.12	30,000		.14	21,287		27,979	13,851	26,336	13,028	
Nepal	.04	5,876	1,876	.04	10,000	10,000	.04	6,082	6,062	7,994	3,951	7,524	3,722	
Netherlands	1.15	168,931		1.12	280,000		1.01	153,570		201,847		189,993		
New Zealand	.43	63,165		.42	105,000		.42	63,861		83,936		79,007		
Nicaragua	.04	5,876		.04	10,000		.04	6,082		7,994	2,033	7,524	3,722	
Niger							.04					7,968	4,206	
Nigeria							.21					41,836	22,084	
Norway	.49	71,979		.48	120,000		.49	74,504		97,926		92,175		
Pakistan	.55	80,793		.54	135,000		.40	60,820		79,939		75,245		
Panama	.05	7,345	1,289	.05	12,500	12,500	.04	6,082	6,056	7,994	3,939	7,524	3,722	
Paraguay	.04	5,876	5,876	.04	10,000	10,000	.04	6,082	6,062	7,994	3,951	7,524	3,722	
Peru	.15	22,034	7,034	.15	35,000	37,500	.11	16,726	16,649	21,983	10,817	20,692	20,582	
Philippines	.41	60,227		.40	100,000		.43	65,382		85,935	42,504	80,888	40,014	
Poland	1.56	229,159	229,159	1.52	380,000	380,000	1.37	208,308	207,514	273,792	135,134	257,714	256,343	
Portugal	.25	36,724		.24	60,000		.20	30,410		39,970		37,623		
Rumania	.50	73,448	73,448	.49	122,500	122,500	.34	51,697	51,442	67,948	33,406	63,958	63,618	
Saudi Arabia	.07	10,283	10,283	.07	17,500	17,500	.06	9,123	9,087	11,991	5,915	11,287	11,227	
Senegal							.06					11,953	6,310	
Sierra Leone														

See footnotes at end of table, p. 444.

Assessments and balances due as of Dec. 31, 1961—Continued

Country	1957			1958			1959			1960		1961	
	Percentage	Assessment	Balance due	Percentage	Assessment	Balance due	Percentage (1959–61)	Assessment	Balance due	Assessment	Balance due [1]	Assessment	Balance due [1]
Somalia							0.04					$7,968	
South Africa	.071	$104,297		0.67	$167,500		.56	$85,148		$111,915		105,343	
Spain	1.14	167,462	$167,462	1.11	277,500	$277,500	.93	141,406	$140,826	185,859	$91,643	174,944	$174,013
Sudan	.11	16,159	16,159	.11	27,500	27,500	.06	9,123	9,067	11,991	5,868	11,287	11,227
Sweden	1.46	214,469		1.43	357,500		1.39	211,349		277,789		261,476	
Tanganyika													
Thailand	.16	23,503		.16	40,000		.16	24,328		31,976		30,098	
Togo							.04					7,968	4,206
Tunisia	.05	7,345		.05	15,000		.05	7,603		9,992		9,406	
Turkey	.63	92,545		.61	152,500		.59	89,709		117,910		110,986	
Ukraine	1.85	271,759	271,759	1.80	450,000	450,000	1.80	273,690	272,747	359,727	177,778	338,602	336,801
U.S.S.R.	13.96	2,050,676	2,050,676	13.62	3,405,000	3,405,000	13.62	2,070,921	2,063,805	2,721,932	2,706,146	2,562,085	2,548,457
UAR							.32	48,656	48,432	63,951	31,477	60,196	59,876
Egypt	.36	52,883	52,883	.35	87,500	87,500							
Syria	.08	11,752	11,752	.08	20,000	20,000							
United Kingdom	7.81	1,147,262		7.62	1,905,000		7.78	1,182,949		1,554,819		1,463,511	
United States [3]	33.33	4,896,063		32.51	8,127,500		32.51	4,943,146		6,497,064		6,115,519	
Upper Volta							.04					7,968	7,968
Uruguay	.16	23,503		.16	40,000		.12	18,246		23,982	11,806	22,574	11,167
Venezuela	.43	63,165		.42	105,000		.50	76,025		99,924		94,056	46,528
Yemen	.04	5,876	5,876	.04	10,000	10,000	.04	6,082	6,062	7,994	3,951	7,524	7,484
Yugoslavia	.36	52,883		.35	87,500		.35	53,218		69,947		65,839	
Miscellaneous										7,188			
Total		15,028,988	4,038,931		25,000,000	7,272,756		15,205,000	4,693,232	20,000,000	5,053,840	19,000,000	5,360,540
Percentage	[4] 102.31			100.00			[4] 100.95						

[1] Balance due after (*a*) reductions in assessments made possible by voluntary contributions, principally from the United States, and (*b*) payments made to Dec. 31, 1961. (For later data see appendix 10.)

[2] India's bills for extra costs in providing contingents for UNEF and UNOC will be offset against balances due.

[3] For total U.S. contributions, including voluntary, see appendix 15.

[4] New members assessments shown as addition to the 100 percent scale.

APPENDIX 28c

UNITED NATIONS MILITARY OPERATION IN THE CONGO, JULY 1960–OCTOBER 1961

Assessments and balances due as of Dec. 31, 1961

Country	1960			1961		
	Percentage	Assessment	Balance due [1]	Percentage	Assessment	Balance due [1]
Afghanistan	0.06	$29,059	$14,530	0.06	$59,435	$11,887
Albania	.04	19,373	19,373	.04	39,624	7,925
Argentina	1.11	537,594	268,797	1.11	1,099,554	219,911
Australia	1.79	866,931		1.79	1,773,155	
Austria	.43	208,257	208,257	.43	425,953	425,953
Belgium	1.30	629,615	629,615	1.30	1,287,766	1,287,766
Bolivia	.04	19,373	19,373	.04	39,624	7,925
Brazil	1.02	494,005	247,003	1.02	1,010,401	202,080
Bulgaria	.16	77,491	77,491	.16	158,494	31,699
Burma	.08	38,746		.08	79,247	
Byelorussia	.47	227,630	227,630	.47	465,577	465,577
Cambodia	.04	19,373	19,373	.04	39,624	7,925
Cameroun	(2)	2,131		.04	39,624	2,131
Canada	3.11	1,506,232		3.11	3,080,733	
Central African Republic	(2)	2,131		.04	39,624	7,925
Ceylon	.10	48,432		.10	99,059	
Chad	(2)	2,131	1,065	.04	39,624	7,925
Chile	.27	130,766	65,383	.27	267,459	53,492
China	5.01	2,426,438	1,446,544	5.01	4,962,853	2,481,426
Colombia	.31	150,139	75,070	.31	307,083	61,417
Congo (Brazzaville)	(2)	2,131	2,131	.04	39,624	7,925
Congo (Léopoldville)	(2)	2,131	1,065	.04	39,624	7,925
Costa Rica	.04	19,373	9,687	.04	39,624	7,925
Cuba	.25	121,080	121,080	.25	247,647	49,529
Cyprus	(2)	2,131	1,065	.04	39,624	7,925
Czechoslovakia	.87	421,358	421,358	.87	861,813	861,813
Dahomey	(2)	2,131		.04	39,624	
Denmark	.60	290,591		.60	594,354	
Dominican Republic	.05	24,216	24,216	.05	49,529	9,905
Ecuador	.06	29,059	14,530	.06	59,435	11,887
El Salvador	.05	24,216	12,108	.05	49,529	9,905
Ethiopia	.06	29,059	14,530	.06	59,435	11,887
Finland	.36	174,355		.36	356,612	356,612
France	6.40	3,099,642	3,099,642	6.40	6,339,772	6,339,772
Gabon	(2)	2,131		.04	39,624	7,925
Ghana	.07	33,902	16,951	.07	69,341	13,868
Greece	.23	111,393	55,697	.23	227,836	45,567
Guatemala	.05	24,216	12,108	.05	49,529	9,905
Guinea	[3] .04	19,373	19,373	.04	39,624	7,925
Haiti	.04	19,373	9,687	.04	39,624	7,925
Honduras	.04	19,373	9,687	.04	39,624	7,925
Hungary	.42	203,414	203,414	.42	416,047	83,210
Iceland	.04	19,373		.04	39,624	7,925
India	2.46	1,191,425		2.46	2,436,850	
Indonesia	.47	227,630	113,815	.47	465,577	93,115
Iran	.21	101,707	25,854	.21	208,023	41,605
Iraq	.09	43,589	43,589	.09	89,153	17,831
Ireland	.16	77,491		.16	158,494	
Israel	.14	67,805	8,903	.14	138,682	27,736
Italy	2.25	1,089,718	1,089,718	2.25	2,228,826	2,228,826
Ivory Coast	(2)	3,245		.06	59,435	
Japan	2.19	1,060,659		2.19	2,169,391	
Jordan	.04	19,373	19,373	.04	39,624	7,925
Laos	.04	19,373	9,687	.04	39,624	7,925
Lebanon	.05	24,216	12,108	.05	49,529	9,905
Liberia	.04	19,373		.04	39,624	
Libya	.04	19,373	19,373	.04	39,624	7,925
Luxembourg	.06	29,059		.06	59,435	
Madagascar	(2)	3,245	811	.06	59,435	11,887
Malaya	.17	82,334		.17	168,400	33,680
Mali	(2)	2,131		.04	39,624	7,925
Mauritania				[3]		
Mexico	.71	343,866	343,866	.71	703,318	140,664
Mongolia				[3]		
Morocco	.14	67,805	67,805	.14	138,682	27,736
Nepal	.04	19,373	9,687	.04	39,624	7,925
Netherlands	1.01	489,162		1.01	1,000,495	
New Zealand	.42	203,414		.42	416,047	
Nicaragua	.04	19,373	9,687	.04	39,624	7,925

See footnotes at end of table, p. 446.

UNITED NATIONS MILITARY OPERATION IN THE CONGO, JULY 1960–OCTOBER 1961—Continued

Assessments and balances due as of Dec. 31, 1961—Continued

Country	1960			1961		
	Percentage	Assessment	Balance due [1]	Percentage	Assessment	Balance due [1]
Niger	[2]	$2,131	$1,065	0.04	$39,624	$7,925
Nigeria	[2]	11,285		.21	208,023	41,605
Norway	0.49	237,316		.49	485,389	
Pakistan	.40	193,728		.40	396,236	79,247
Panama	.04	19,373	9,687	.04	39,624	7,925
Paraguay	.04	19,373	9,687	.04	39,624	7,925
Peru	.11	53,275	26,638	.11	108,965	21,793
Philippines	.43	208,257	104,129	.43	425,953	85,191
Poland	1.37	663,517	663,517	1.37	1,357,107	678,553
Portugal	.20	96,864	96,864	.20	198,118	39,624
Rumania	.34	164,668	164,668	.34	336,800	336,800
Saudi Arabia	.06	29,059	29,059	.06	59,435	11,887
Senegal	[2]	3,245		.06	59,435	11,887
Sierra Leone				[3]		
Somalia	[2]	2,131		.04	39,624	7,925
South Africa	.56	271,219	271,219	.56	554,730	554,730
Spain	.93	450,417	450,417	.93	921,248	184,250
Sudan	.06	29,059	14,530	.06	59,435	11,887
Sweden	1.39	673,203		1.39	1,376,919	
Tanganyika				[3]		
Thailand	.16	77,491		.16	158,494	
Togo	[2]	2,131	1,065	.04	39,624	7,925
Tunisia	.05	24,216		.05	49,529	9,905
Turkey	.59	285,748		.59	584,448	
Ukraine	1.80	871,774	871,774	1.80	1,783,061	1,783,061
U.S.S.R.	13.62	6,596,425	6,596,425	13.62	13,491,828	13,491,828
United Arab Republic [4]	.32	154,982	154,982	.32	316,989	63,398
United Kingdom	7.78	3,768,002		7.78	7,706,785	1,926,697
United States	32.51	[5] 15,745,211		32.51	[6] 32,204,061	
Upper Volta	[2]	2,131	2,131	.04	39,624	7,925
Uruguay	.12	58,118	29,059	.12	118,871	23,774
Venezuela	.50	242,159	121,080	.50	495,295	99,059
Yemen	.04	19,373	19,373	.04	39,624	7,925
Yugoslavia	.35	169,512	169,512	.35	346,706	69,341
Total	100.04	48,500,000	[7] 18,948,990	100.95	100,000,000	35,418,676

[1] Balance due after (*a*) reductions in assessments made possible by voluntary contributions, principally from the United States, and (*b*) payments made to Dec. 31, 1961. (For later data see appendix 10.)

[2] New members. Percentage assessment in addition to the 100 percent scale.

[3] Admitted during 1961. Assessments to be set by Contributions Committee during 1962.

[4] Allocation between Syrian Arab Republic and United Arab Republic to be determined.

[5] During 1960 the United States provided airlift services of $10,317,622 and $3,900,000 as a voluntary cash contribution. (See appendix 14 for total contributions.)

[6] During 1961 the United States provided $15,305,596 as a voluntary cash contribution. (Also see appendix 14.)

[7] Figures rounded off for total.

Appendix 29a

UNITED NATIONS EXPANDED TECHNICAL ASSISTANCE PROGRAM—CALENDAR YEARS 1950–61

Government pledges and contributions

Country	1950–51	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961
Afghanistan	$7,001	$7,001	$10,000	$10,000	$10,000	$10,000	$12,500	$12,500	$12,500	$12,500	$13,500
Albania							2,000	2,000	2,000	2,000	2,000
Argentina	200,000	200,000	200,000	300,000	83,333	360,000	360,000	360,000	99,692	115,205	120,287
Australia	400,921	190,000	400,000	400,000	500,000	500,032	500,000	625,000	625,000	625,000	660,000
Austria	19,231	19,231	19,231	19,231	38,462	38,462	38,462	57,692	57,692	100,000	170,000
Belgium	270,000	270,000	297,000	337,500	337,500	437,500	437,500	437,500	437,500	300,000	
Bolivia	12,500	12,500	25,000	7,895	7,895	10,000	15,000	20,789	20,789	20,789	10,000
Brazil	459,459	459,459	374,551	219,135	270,270	751,351	751,351	832,432	832,432	832,432	832,432
Bulgaria						14,706	14,706	14,706	14,706	14,706	14,706
Burma	7,500	8,000	12,000	12,000	18,000	18,000	24,000	30,000	35,000	35,000	40,000
Byelorussian S.S.R				50,000	50,000	50,000	50,000	50,000	50,000	50,000	100,000
Cambodia		5,000	5,000		2,000	5,042	5,133	6,131	6,171	5,714	5,714
Canada	772,727	750,000	800,000	1,500,000	1,500,000	1,800,000	2,000,000	2,000,000	2,000,000	2,000,000	2,150,000
Central African Republic											2,000
Ceylon	15,009	15,000	15,000	15,000	18,000	18,000	18,059	20,000	20,000	22,000	25,000
Chile	90,000	174,194	209,032	58,909	100,000	44,000	72,101	73,333	52,381	73,333	200,000
China	10,000	10,000	10,000	15,000	15,000	20,000	20,000	20,000	20,000	20,000	20,000
Colombia	51,020	100,000	100,000	140,000	100,000	140,000	140,000	100,000	126,800	107,600	110,000
Costa Rica	5,000	5,000	5,000	6,000	7,000	8,400	10,053	10,053	10,053	10,053	10,053
Cuba	50,000	50,000	50,000			25,000	25,000	25,000	125,000	125,000	100,000
Cyprus											4,200
Czechoslovakia				69,444	69,444	69,444	69,444	69,444	104,444	69,444	69,444
Denmark	95,555	108,585	434,342	434,342	550,166	579,123	579,123	579,123	651,513	651,513	1,158,245
Dominican Republican		6,000	10,000	10,000	20,000	24,000	28,000	33,000			
Ecuador	6,300	6,300	6,400	6,400	10,000	9,934	11,533	11,333	11,333	20,000	20,000
El Salvador	5,000	5,000	6,000	6,000	7,000	7,000	7,000	7,700	7,700	7,700	7,700
Ethiopia	20,129	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Federation of Malaya								20,000	20,000	20,000	25,000
Finland	5,000	10,000	10,000	10,000	15,000	15,000	25,109	25,000	25,000	25,000	50,000
France	1,207,500	1,064,643	1,207,500	1,207,500	1,450,357	1,450,357	1,449,964	1,542,857	1,555,288	1,543,780	1,852,532
Gabon											2,000
Germany, Federal Republic of		119,048	148,810	148,810	148,810	297,619	476,190	952,381	1,190,476	1,428,571	2,120,000
Ghana							30,000	44,100	44,100	66,150	66,158
Greece	20,295	20,295	20,295	5,000	5,000	5,000	10,000	25,000	30,000	30,000	30,000
Guatemala	5,000	7,500	7,500	7,500	7,500	7,500	10,000	12,000	12,000	12,000	12,000
Guinea										10,000	10,000
Haiti	6,000	12,000	12,000	12,000	12,000	14,400	14,400	14,400	14,400	14,400	16,000
Holy See				2,000	2,000	2,000	2,000	2,000	1,000	1,000	1,000

Government pledges and contributions—Continued

Country	1950–51	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961
Honduras	$8,000	$8,000	$9,600	$8,000	$8,000		$10,000	$10,000	$10,000	$8,000	$8,000
Hungary						$12,875	42,608	42,608	42,608	42,608	53,259
Iceland		2,500	2,800	2,806	2,806	3,359	3,684	3,888	3,888	3,953	4,011
India	250,000	275,000	275,000	300,000	400,000	450,000	500,000	525,000	525,000	750,000	750,000
Indonesia	121,522	43,860	63,585	65,790	65,790	65,789	65,789	35,857	48,184	40,520	50,000
Iran	40,000	40,000	40,000	50,000	50,000	50,000	50,000	50,000	50,495	85,000	85,000
Iraq	5,005	5,000	11,201	13,953	13,928	28,003	55,675	56,000	56,000	56,000	56,000
Ireland	13,994	14,002		14,001	14,002	14,002	5,110	10,220	14,000	14,000	14,000
Israel	27,988	28,003	40,000	50,000	27,778	50,000	50,000	50,000	50,000	56,000	64,000
Italy	93,000	93,000	93,000	96,000	112,000	112,000	112,000	240,000	400,000	500,000	900,000
Japan		80,000	80,000	80,000	90,000	90,000	90,000	135,000	135,000	135,000	400,000
Korea, Republic of	5,000	5,000	3,000	3,000	3,000	3,500	3,500	3,500	3,500	3,500	5,000
Kuwait											50,000
Laos		5,000	2,823	2,857	1,429	1,420	1,428	3,000	3,000	20,000	20,000
Liberia	8,000	12,000	12,000	15,000	15,000	20,000	20,000	25,000	25,000	25,000	25,000
Libya			3,000	3,600	4,000	5,000	5,000	6,000	6,000	20,000	25,000
Luxembourg	2,520	2,500	2,500	2,500	2,500	3,000	3,000	3,000	4,000	4,000	4,000
Mexico		34,682	34,682	34,682	24,000	33,600	33,600	113,600	113,600	121,000	121,000
Monaco	2,857	2,857	1,143	1,429	1,143	1,429	1,429	1,429	1,013	1,013	1,519
Morocco							5,000	10,000	10,000	10,000	15,000
Nepal							5,070	5,000	5,000	5,000	2,000
Netherlands	400,000	400,000	421,053	600,000	660,000	760,000	974,000	1,092,500	1,202,000	1,323,052	1,565,083
New Zealand	124,138	126,015	125,593	125,593	168,020	168,020	168,020	210,000	210,000	210,000	280,000
Nicaragua		5,000	5,000	5,000	3,571	6,429	6,429	5,714		6,429	2,571
Nigeria											70,008
Norway	34,999	55,999	69,999	97,998	380,792	380,792	380,792	408,792	450,791	548,789	604,788
Pakistan	140,663	151,103	166,213	166,213	166,213	166,213	166,213	170,000	170,000	170,000	170,000
Panama		3,000	3,000	3,000	3,000	3,000	3,008	3,000	4,000	4,000	4,000
Paraguay		5,000	5,000	8,000	8,000	12,000	12,000	12,000	12,000		
Peru			10,000	12,000			20,000	30,000	30,000	40,000	40,000
Lebanon	6,556	6,846	6,846	6,846	6,846	6,846	6,846	7,874	7,813	20,317	20,317
Jordan				2,815		5,601	5,881	5,881	5,881	5,881	24,000
Philippines	50,000	50,000	50,000	55,000	55,000	66,000	66,000	66,000	66,000	66,000	66,000
Poland			75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	100,000
Portugal							10,000	15,000	15,000	30,000	
Rumania						16,667	16,667	16,667	16,667	16,667	16,667
Saudi Arabia		15,000	15,000	15,000	25,000	25,000		25,000	25,000	41,400	25,000
Senegal											16,000
South Africa										10,000	10,000
Spain						10,000	50,000	50,000	50,000	50,000	50,000
Sudan						43,079	70,061	161,000	119,350	54,000	90,000
Sweden	96,525	357,336	386,623	483,279	579,934	695,921	792,577	869,901	902,764	902,764	1,005,219

Switzerland	233,645	218,862	231,852	233,372	233,372	233,645	350,467	350,467	348,837	465,116	465,116
Thailand	19,758	34,000	40,000	40,000	40,000	64,000	64,000	38,797	38,186	38,095	38,095
Tunisia							2,000	2,000	2,000	5,000	17,000
Turkey	183,638	182,000	183,571	201,495	201,495	201,495	210,000	210,000	210,000	266,667	266,667
Ukrainian S.S.R.				125,000	125,000	125,000	125,000	125,000	125,000	125,000	250,000
U.S.S.R.			1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	2,000,000
United Arab Republic								[1] 128,843	[1] 114,877	[1] 143,596	143,596
Egypt	81,850	81,850	86,157	86,157	100,517	100,517	114,877				
Syria	11,410	11,410	11,410	11,410	11,867	7,222	13,966				
United Kingdom	2,128,255	1,260,151	1,400,168	1,820,218	2,240,000	2,240,000	2,240,000	2,240,000	2,240,000	3,000,000	3,000,000
United States	12,007,500	11,400,000	12,767,145	13,861,809	15,000,000	14,414,761	15,270,071	14,086,140	11,863,203	14,655,445	18,004,401
Uruguay	100,000	50,000	75,000	75,000	100,000	120,000	120,000	120,000	120,000	100,000	100,000
Venezuela	44,000	20,000	25,000	45,000	150,000	66,000	66,000	250,000	350,000	350,000	550,000
Vietnam		7,500	7,500	7,500		10,000	21,429	25,714	25,714	25,714	25,714
Yemen	4,200		2,100	2,100							
Yugoslavia	50,000	50,000	62,500	82,500	82,500	110,000	110,000	116,667	116,667	125,000	138,000
Liechtenstein				467	467	467					
Total	20,036,170	18,797,232	22,320,725	25,021,056	27,626,707	28,829,522	30,822,825	31,302,533	29,658,008	34,165,416	41,861,002

[1] These contributions (for years 1958–60) are for the United Arab Republic, consisting of Egypt and Syria.

APPENDIX 29b

UNITED NATIONS SPECIAL FUND

Government pledges and contributions

Country	Calendar year 1959	Calendar year 1960	Calendar year 1961 [1]
Afghanistan	$6,000	$9,000	$11,000
Albania		2,000	2,000
Argentina	100,000	96,004	97,561
Austria		50,000	260,000
Belgium	250,000	100,000	
Bolivia			10,000
Brazil	208,108	208,108	208,108
Bulgaria	14,706	14,706	14,706
Burma	10,000	10,000	20,000
Byelorussian S.S.R.	50,000	50,000	50,000
Cambodia	2,000	5,000	5,000
Canada	2,000,000	2,000,000	2,350,000
Central African Republic			5,000
Ceylon	5,000	5,000	10,000
Chile	55,612	97,143	104,762
China	20,000	20,000	20,000
Colombia	16,393	16,500	40,000
Cuba		5,000	
Cyprus			4,200
Czechoslovakia	69,444	69,444	69,444
Denmark	332,996	332,996	579,123
Ecuador	10,000	40,000	40,000
El Salvador		1,000	2,000
Ethiopia	29,187	29,000	29,000
Federation of Malaya	5,000	5,000	10,000
Finland			100,000
France	1,072,068	1,072,067	1,072,066
Gabon			2,000
Germany, Federal Republic	476,190	1,904,762	3,449,750
Ghana	28,000	28,000	28,000
Greece	25,000	30,000	30,000
Guatemala	8,000	8,000	8,000
Guinea		10,000	10,000
Haiti	22,000	22,000	14,000
Holy See	1,000	1,000	1,000
Honduras		5,000	5,000
Hungary	42,608	42,608	42,608
Iceland		4,000	4,011
India	500,000	1,750,000	1,750,000
Indonesia	16,333	16,317	25,000
Iran	50,000	125,000	125,000
Iraq	28,006	28,000	34,000
Ireland			25,000
Israel	15,000	45,000	70,000
Italy	600,000	600,000	1,350,000
Japan	480,000	480,000	1,422,483
Jordan		40,000	16,000
Korea, Republic of		10,000	10,000
Laos	3,000	20,000	20,000
Lebanon	15,625	30,476	30,476
Liberia	10,000	15,000	15,000
Libya	10,000	20,000	25,000
Luxembourg	3,000	4,500	5,000
Mexico	34,000	34,000	34,000
Monaco	2,026	1,013	1,519
Morocco	20,000	20,000	30,000
Nepal	1,000	2,000	2,000
Netherlands	2,440,105	2,440,105	2,561,436
New Zealand	70,000	70,000	140,000
Nicaragua			3,857
Nigeria			140,017
Norway	377,992	419,992	597,088
Pakistan	104,998	129,997	129,998
Panama	1,000	1,000	1,000
Paraguay	10,000		
Peru	10,000	70,000	70,000
Philippines	66,000	66,000	66,000
Poland	125,000	125,000	125,000
Portugal	10,000	10,000	
Rumania	16,667	16,667	16,667
Saudi Arabia	25,000	25,000	25,000
Senegal			24,000
Spain		50,000	50,000
Sudan	27,000	29,000	45,000

See footnotes at end of table, p. 451.

Government pledges and contributions—Continued

Country	Calendar year 1959	Calendar year 1960	Calendar year 1961 [1]
Sweden	$2,103,228	$2,103,228	$2,103,228
Switzerland	462,161	465,116	465,116
Thailand	160,000	160,000	160,000
Tunisia	2,000	20,000	13,000
Turkey	210,000	323,333	322,222
Ukrainian S.S.R.	125,000	125,000	125,000
U.S.S.R.	1,000,000	1,000,000	1,000,000
United Arab Republic	287,192	287,191	287,191
United Kingdom	1,000,000	5,000,000	5,000,000
United States	10,324,887	[2] 15,824,770	[2] 19,488,394
Uruguay		20,000	20,000
Venezuela	40,000	40,000	100,000
Vietnam	16,686	16,686	16,686
Yugoslavia	150,000	175,000	192,000
Subtotal	25,812,218	38,547,729	46,986,717
Local cost assessments		1,014,196	1,734,268
Total	25,812,218	39,561,925	48,720,985

[1] As of Nov. 30, 1961.
[2] Includes U.S. matching of assessed and audited local costs.

Appendix 29c

UNITED NATIONS CHILDREN'S FUND

Government pledges and contributions

Country	1947-49	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961 [1]
Afghanistan			$6,000		$8,000	$9,000	$3,000	$6,000	$7,200	$8,000	$10,000	$10,000	
Antigua							117	117	116	117	117	117	
Argentina								42,851	42,857	123,810	18,072	18,072	$60,241
Australia	$9,889,280	$560,000	560,000	$452,464	224,000	450,240	566,720	448,000	501,760	501,760	501,760	537,600	
Austria	31,307	9,977	35,189		23,408	19,231	30,769	30,769	38,462	38,462	38,462	47,231	46,154
Barbados													756
Belgium	9,895	26,455			100,000	70,000	84,738	160,000	135,000	135,000	200,000	160,000	
Bolivia			10,000	10,000	10,000	15,000	15,000	15,000					
Brazil		91,644	86,253	161,725	161,725	200,089	180,505	510,679	505,415	982,364	998,541	478,000	221,000
British Guiana						5,000							
British Honduras											350	350	
Brunei				49,000		8,187		1,625	1,624	1,633	1,633	1,633	3,267
Bulgaria	6,017									2,650	2,206	7,353	
Burma			50,400	56,000	56,000	56,000	56,000	56,000	56,000	56,000	56,000	56,000	
Byelorussian S.S.R.										37,500	37,500	37,500	62,500
Cambodia					1,000	3,000		2,015	2,495	2,500	2,500	3,000	
Canada	6,195,868	626,909	470,000	510,204	507,614	515,464	507,574	662,072	668,615	669,063	679,073	670,751	
Ceylon			10,000	2,500	7,497	7,510	14,860	14,726	14,726	14,726	14,726	14,726	14,725
Chad													8,000
Chile			5,000	48,764	47,213	37,002	62,998	55,000	65,000	80,000	80,000	80,000	80,000
China (Taiwan)			25,000			10,000	14,704	10,000	10,000	10,000	15,000	15,000	
Colombia			16,752		25,606	100,000	32,200	285,361	256,446	255,587	255,298	11,428	153,426
Congo (Brazzaville)												3,930	3,930
Costa Rica		10,000	10,000		10,001	10,000	10,000	10,000	30,000	30,000	30,000	30,000	30,000
Cuba		15,000										75,659	70,000
Czechoslovakia	1,100,000						34,722	34,722	34,722	34,722	34,722	34,722	34,722
Dahomey												5,000	
Denmark	416,740			28,960	28,960	50,680	50,680	72,400	72,400	72,400	72,400	72,400	144,800
Dominican Republic	120,000	150,000			20,000		20,000	20,000	20,000	20,000	20,000	20,000	
Ecuador		6,664		1,000	5,000	17,000	9,652	7,506	1,000	9,478	10,000	10,000	10,000
Egypt			94,380	330	43,050	12,197	98,298	55,247	55,247				
El Salvador				20,000			20,000		40,000		20,000	20,000	20,000
Ethiopia					8,000		8,000	8,000	8,000	12,000	12,000	18,000	18,000
Finland	36,765	32,900	10,000			6,087	21,739	21,739	21,739	15,625	19,687	19,688	19,687
France	1,071,806	1,000,000	500,000		500,000	500,000	785,714	785,714	785,714	738,095	740,000	748,240	1,109,184
Gabon												5,000	

Gambia												1,680	
Germany		119,048		119,048	119,048	119,047	219,047	314,285	380,952	476,190	523,810	595,238	1,375,000
Ghana										28,000	14,000	16,800	
Greece	10,000	34,267		26,000	18,200	12,000	32,555	42,069	27,057	51,737	10,000	32,000	
Grenada							1,750	583	583	583	583	583	
Guatemala		10,000	623			20,000	30,550	20,000	40,000	40,000			20,000
Guinea												8,097	
Haiti		4,000	4,000		10,000	10,000	10,000	10,000	10,000	10,000			
Honduras				20,000	20,000	38,300	20,008	20,000	20,000	20,000	20,000	20,000	20,000
Hong Kong						3,500	3,500	3,500	3,500	3,500	3,500	3,500	
Hungary	18,677	4,686									12,876	12,876	
Iceland	78,742	45,000	13,568		3,094	3,069	6,139	6,140	10,682	10,684	16,560	10,646	
India	60,450	21,000	105,000	252,000	315,000	315,000	336,000	335,781	335,781	377,708	482,781	629,781	
Indonesia		100,000	200,000		100,000	100,000	110,000	110,000	110,000	100,000	100,000	100,000	
Iran		4,059			5,000		100,000	200,000	200,000	200,000	240,000	260,000	265,000
Iraq		14,000	14,000	14,000	42,000	42,000	42,000	56,000	56,000	56,000	56,000	56,000	42,000
Ireland					28,000	14,000	14,000	14,000	5,110	10,220	7,000	2,800	7,000
Israel	25,000	25,200	25,200	25,200	25,000	13,889	27,778	27,778	27,778	27,778	29,176	28,000	28,000
Italy	875,290			100,000	40,000	48,000	48,000	48,000	96,000	96,000	288,000	288,000	
Jamaica									5,540	5,610	5,621	8,396	
Japan			220,843	100,000	100,000	99,396	99,974	99,931	99,791	130,000	130,000	150,000	150,000
Jordan		1,400	1,400		1,400	1,400	2,785	1,401	1,395	2,240	2,244	2,797	
Korea					1,000		1,000	2,000	2,000	2,000	2,000	2,000	
Laos											500	500	
Lebanon							4,614	4,615	4,819	6,319	9,141	9,221	
Liechtenstein				468	468	468	468	468	468	468	702	702	930
Liberia		1,000								5,000	5,000	5,000	
Libya							2,000	2,000	3,000	3,500		7,000	
Luxembourg	8,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	5,000	5,000	5,000	5,000	6,000
Madagascar													5,000
Malaya, Federation of		29,400			24,500	24,500	24,500	24,500	24,500	24,500	24,500	24,500	24,500
Mexico							150,000	300,000	300,000	300,000	500,000	500,000	
Monaco					1,143	857	1,143	857	1,143	952	2,041	2,041	
Morocco							−1,429	2,429	2,429	17,760	17,887	17,921	
Netherlands	5,849		26,315	26,316	39,474	39,474	39,474	78,947	105,263	78,947	78,947	78,947	
New Zealand	1,213,000	280,000	280,000	140,000	140,000	210,000	210,000	210,000	182,000	210,000	210,000	210,000	210,000
Nicaragua					24,000		10,000	10,000	10,000	10,000	10,000	10,000	
Niger												2,041	
North Borneo						3,267		655	325	327	327	327	
Nigeria												21,000	
Norway	91,209			28,000	28,000	56,000	67,200	67,200	**67,200**	67,200	67,200	67,200	108,920
Pakistan	3,023	30,225	60,450	60,450	60,450	60,450	75,600	**75,534**	**75,534**	75,600	75,534	96,600	
Panama						10,000		**10,000**	**10,000**	10,000	10,000	10,000	
Paraguay						5,000	5,000	5,000	**5,000**	10,000	10,000	10,000	10,000
Peru		9,128	200,000		58,333	78,947	78,947	82,051	**105,263**	90,909	74,947	58,076	14,898
Philippines		200,000	50,000		50,000	50,000	50,000	45,000	**90,000**	95,500	102,462	125,000	
Poland	1,032,500	(32,024)						80,000	**40,100**	50,000	50,000	50,125	60,000
Rumania										25,000	25,000	25,000	
Sarawak						16,333	8,167	7,992	**8,167**	8,167	3,267	8,167	8,167
Sierra Leone										280	280	280	

See footnotes at end of table, p. 454.

Government pledges and contributions—Continued

Country	1947-49	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961 [1]
Singapore	$9,403				$3,267	$3,267	$3,267	$3,267	$6,533	$6,533	$6,533	$6,533	$6,534
Somalia													3,000
Spain								33,376	23,810	23,810	23,810	33,333	
Sudan								10,000	10,110	9,989	10,000	9,969	
Sweden	13,159	$98,630		$193,050	193,050	193,050	193,050	193,050	212,355	212,355	260,618	260,618	293,436
Switzerland	2,141,457	219,210	$327,600		163,800	163,800	163,800	234,000	234,000	269,100	269,100	269,100	348,837
Syria						7,003	7,403	7,252	7,222				
Thailand	85,475	428,479	465,504	50,000	573,538	633,750	500,000	279,309	124,000	154,500	150,000	78,576	120,000
Trinidad and Tobago							10,000	7,000	7,000	7,000	7,000	7,000	7,000
Tunisia							847	1,720	1,720	4,000	8,160	8,160	
Turkey		17,857		17,857	17,857	26,786	26,786	107,143	107,143	160,714	161,071	194,444	
Uruguay	1,000,000												
Uganda													2,800
Upper Volta												3,061	
Ukrainian S.S.R.										75,000	75,000	75,000	125,000
United Arab Republic [2]										62,469	115,240	116,630	
Union of South Africa	443,275											23,000	30,000
United Kingdom	403,000		280,000	140,000	280,000	560,000	560,000	560,000	616,000	658,000	658,000	938,000	938,000
United States	60,273,502	14,626,498	5,850,000	6,666,667	9,814,333	8,300,000	9,000,000	9,700,000	10,000,000	11,000,000	11,000,000	12,000,000	12,000,000
U.S.S.R.							500,000	500,000	500,000	500,000	500,000	500,000	675,000
Vatican State					2,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Venezuela	100,000					20,000		30,000		25,000			
Vietnam					4,445			981	2,000	2,000	5,000	7,500	
Yugoslavia	588,709	303,211	400,000	29,614	170,386	200,000	200,000	200,000	200,000	200,000	200,000	200,000	
Subtotal	87,357,398	19,126,823	10,416,477	9,352,617	4,266,860	13,608,240	15,630,771	17,505,357	17,899,811	19,966,641	20,547,465	21,517,166	19,016,414
Local cost contributions by governments	2,255,406	[3]	[3]	623,769	298,007	594,545	705,239	1,438,218	960,603	939,287	2,402,201	2,587,309	2,600,000
Total	89,612,804	19,126,823	10,416,477	9,976,386	14,564,867	14,202,785	16,336,010	18,943,575	18,860,414	20,905,928	22,949,666	24,104,475	21,616,414
Number of countries contributing	32	36	35	32	55	61	71	80	80	86	86	98	51

[1] As of May 31, 1961.

[2] Early in 1958 Egypt and Syria were united into a single state, the United Arab Republic. Prior to that time, Egypt and Syria contributed individually as separate states.

[3] Local cost contributions by governments for 1950 and 1951 included in total shown for 1947-49.

Appendix 29d

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Contributions by governments in cash and kind and contributions direct to refugees, Dec. 1, 1948–Dec. 31, 1961

Country	UNRPR 1948–50	UNRWA								
		1950–53	1954	1955	1956	1957	1958	1959	1960	1961
A. Contributions from governments direct to UNRWA:										
Afghanistan	$5,600									
Australia	325,806	$1,040,803	$112,500	$112,500	$112,500	$212,000	$195,200	$190,400	$196,000	$100,800
Austria		1,400	700	700	700	1,050	1,400	2,000	2,000	2,000
Bahrein	35,812					1,960				
Belgium	441,180	36,000	30,000	30,000	30,000	50,000	20,000	30,000	20,000	30,000
Bolivia		5,000								
Burma			2,000		3,528	2,972			1,046	
Cambodia		2,000	2,000					857		570
Canada	1,040,616	2,000,313	515,000	515,000		1,208,125	2,138,750	2,075,000	3,060,000	2,075,000
Ceylon						1,400				1,000
Cuba								5,000		
Denmark		101,478		86,956		86,956	50,680	43,440	43,440	21,720
Dominican Republic	10,000	5,000								
Egypt	[1] 2,822,052	1,743,132	219,858	277,143	224,924	182,182				
El Salvador			500							
Ethiopia		25,500				10,000				
Federation of Rhodesia and Nyasaland		19,600			19,600					
Germany, Federal Republic		23,810			16,603	24,997	190,476	238,095	238,095	238,000
Finland		1,000				2,000				
France	1,867,380	5,811,222	1,485,790	1,657,219	368,276	700,810	745,162	264,002	182,757	177,450
Gambia								30		
Gaza						19,157	22,986	129,592	130,045	130,045
Ghana								3,000	3,000	3,000
Greece	38,221	56,287	21,000	2,730	6,000	11,000	16,500	15,000	17,500	15,000
Haiti		2,000	2,000	2,000						
Holy See								1,000		
Honduras		2,500								
India	69,666			104,000	52,500	17,967	3,847	10,504	13,235	21,008
Indonesia	93,396	90,000	60,000		30,000	60,000				
Iran					5,138	3,350	5,333	5,666	6,000	6,000
Iraq	[1] 892,598									
Ireland	96,774							2,814	7,000	14,000
Israel	718,919	120,590				135,957				
Italy	27,764			20,000			39,953	120,000	80,000	
Japan			10,000	10,000	10,000	20,000	10,000	10,000	12,500	10,000
Jordan	[1] 1,262,771	568,800				174,403	100,935	99,045	98,550	98,550
Korea		2,000				2,000				1,500
Laos		1,207						1,000	500	
Lebanon	[1] 1,302,915	240,185	13,689	13,689	12,164	11,652	7,788	23,844	23,844	23,844

See footnotes at the end of table, p. 456.

Contributions by governments in cash and kind and contributions direct to refugees, Dec. 1, 1948–Dec. 31, 1961—Continued

Country	UNRPR 1948–50	UNRWA								
		1950–53	1954	1955	1956	1957	1958	1959	1960	1961
A. Contributions from governments direct to UNRWA—Continued										
Liberia							$5,000	$6,500	$5,000	$5,000
Libya								10,000		
Luxembourg	$5,209	$5,000	$3,000		$4,000	$2,000	2,000	2,000	2,000	2,000
Malaya						1,500		3,000	1,500	1,500
Mexico			75,482	$28,800	11,409					
Monaco		285	286		286	572	2,381	203	204	204
Morocco						5,714	4,762	4,796	4,000	4,000
Netherlands		25,000	25,000	25,000	57,895	64,474	32,895	65,790	65,790	65,790
New Zealand	320,732	350,000	140,000	112,000	168,000	210,000	168,000	140,000	168,000	
Norway	60,475	116,097	42,000	42,135	42,135	63,202	49,000	42,000	42,000	21,000
Pakistan	223,380	180,000	82,764	67,991		62,964	20,964	20,964	22,014	
Philippines		10,000				1,250				
Qatar						10,500				
Saudi Arabia	142,356	192,650	40,000	40,000	40,000	114,668	174,046	200,000		
Sudan		144,000					4,200			
Sweden	90,218	64,098	71,127	57,915	57,915	86,872	96,873	57,915	57,915	
Switzerland	68,364			26,733	12,444	11,809	77,516	35,047	35,046	35,046
Syria	[1] 2,325,171	349,377	29,203	82,419	74,900	110,415				
Thailand								3,125		
Tunisia								2,000		2,000
Turkey	206,333				5,357	5,000	10,402	5,000	5,000	5,000
Union of South Africa	39,687									
United Arab Republic [2]							305,348	408,233	422,557	425,000
United Kingdom	4,435,484	23,800,001	5,000,000	4,500,000	5,500,001	8,100,002	5,600,000	5,400,000	5,624,000	5,400,000
United States	16,000,000	93,450,000	15,000,000	16,700,000	16,700,000	30,622,000	23,746,069	23,000,000	23,000,000	23,500,000
Venezuela	14,925									
Vietnam		11,000						2,500		2,500
Yemen	9,863									
Yugoslavia	35,200	68,700		40,000	80,000	40,000	80,000	40,000	40,000	40,000
Subtotal	35,028,867	130,666,035	22,983,899	24,554,930	23,646,275	42,452,880	33,928,466	32,719,362	33,630,538	32,478,527
B. Contributions from private and international agencies direct to UNRWA	[1] 1,439,963	1,818,233	160,948	153,778	200,822	301,945	257,372	402,918	1,307,903	75,834
C. Contributions reported from governments direct to refugees		9,180,556	799,408	2,886,028	590,728	3,126,380				
D. Contributions from private and international agencies direct to refugees		8,521,323	2,242,128	1,823,302	1,689,571	2,180,428				
Total	36,468,830	150,186,147	26,186,383	29,418,038	26,127,396	48,061,633	34,185,838	33,122,280	34,938,441	32,554,361

[1] These figures include both contributions to UNRWA and contributions direct to refugees.

[2] Early in 1958, Egypt and Syria were united into a single state, the United Arab Republic. Prior to that time, they contributed individually as separate states.

APPENDIX 29e

UNITED NATIONS ECONOMIC FUND FOR THE CONGO

Government pledges and contributions, September 1960–December 1961

Country:	*Pledge*	Country—Continued	*Pledge*
Australia	$750, 000	Morocco	$39, 526
Cambodia	2, 040	Netherlands	1, 000, 000
Canada	1, 000, 000	New Zealand	280, 000
Denmark	600, 000	Norway	490, 616
Federal Republic of Germany	3, 000, 000	Philippines	10, 000
Haiti	2, 000	Sweden	1, 391, 304
India	105, 000	Tunisia	10, 000
Iran	25, 000	United Kingdom	3, 000, 000
Ireland	25, 000	United States	22, 950, 000
Liberia	250, 000	Total	34, 930, 486

APPENDIX 30

UNITED NATIONS HEADQUARTERS

LOAN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED NATIONS [1]

Terms of repayment of loan

Date	Amount	Date	Amount
July 1, 1951	$1, 000, 000	July 1, 1967	$2, 500, 000
July 1, 1952	1, 000, 000	July 1, 1968	2, 500, 000
July 1, 1953	1, 500, 000	July 1, 1969	2, 500, 000
July 1, 1954	1, 500, 000	July 1, 1970	2, 500, 000
July 1, 1955	2, 000, 000	July 1, 1971	2, 500, 000
July 1, 1956	2, 000, 000	July 1, 1972	2, 500, 000
July 1, 1957	2, 000, 000	July 1, 1973	2, 500, 000
July 1, 1958	2, 000, 000	July 1, 1974	2, 500, 000
July 1, 1959	2, 000, 000	July 1, 1975	2, 500, 000
July 1, 1960	2, 500, 000	July 1, 1976	1, 500, 000
July 1, 1961	2, 500, 000	July 1, 1977	1, 500, 000
July 1, 1962	2, 500, 000	July 1, 1978	1, 500, 000
July 1, 1963	2, 500, 000	July 1, 1979	1, 500, 000
July 1, 1964	2, 500, 000	July 1, 1980	1, 500, 000
July 1, 1965	2, 500, 000	July 1, 1981	1, 500, 000
July 1, 1966	2, 500, 000	July 1, 1982	1, 000, 000

Repayments as of July 1, 1962 [2]

Number	Amount	Date of payment	U.S. percentage share	Number	Amount	Date of payment	U.S. percentage share
1	$1, 000, 000	June 28, 1951	38. 92	7	$2, 000, 000	July 1, 1957	33. 33
2	1, 000, 000	June 27, 1952	36. 90	8	2, 000, 000	July 1, 1958	32. 51
3	1, 500, 000	June 29, 1953	35. 12	9	2, 000, 000	July 1, 1959	32. 51
4	1, 500, 000	July 1, 1954	33. 33	10	2, 500, 000	July 1, 1960	32. 51
5	2, 000, 000	July 1, 1955	33. 33	11	2, 500, 000	July 1, 1961	32. 51
6	2, 000, 000	July 1, 1956	33. 33	12	2, 500, 000	July 1, 1962	32. 02

[1] The U.S. loan to the United Nations for the United Nations headquarters building in New York City was made in 29 separate advances between 1948 and 1953, totaling $65,000,000 U.S. dollars. Authorization for the loan was contained in Public Law 903, 80th Cong., Aug. 11, 1948.

[2] The $2,500,000 payment due on July 1, 1962, was made in full and on time.

Appendix 31

THE VOTES IN THE UNITED NATIONS ON THE SECRETARY GENERAL'S FINANCING RESOLUTIONS AT THE SIXTEENTH GENERAL ASSEMBLY

Country	International Court of Justice opinion A/5062 (Administrative and budgetary procedure, U.N.)	A/5065 (UNEF—Cost estimate for maintenance)	A/5066 (UNOC—Cost estimate and financing)	Bond issue A/5076 (U.N. financial position and prospects)
Afghanistan	A.	A.	A.	A.
Albania	No.	No.	No.	No.
Argentina	Yes.	Yes.	Yes.	Yes.
Australia	Yes.	Yes.	Yes.	Yes.
Austria	Yes.	Yes.	Yes.	Yes.
Belgium	A.	A.	No.	No.
Bolivia	Yes.	Yes.	Yes.	Yes.
Brazil	Yes.	Yes.	Yes.	A.
Bulgaria	No.	No.	No.	No.
Burma	A.	Yes.	Yes.	Yes.
Byelorussian S.S.R.	No.	No.	No.	No.
Cambodia		Yes.	A.	A.
Cameroun	A.	A.	A.	Yes.
Canada	Yes.	Yes.	Yes.	Yes.
Central African Republic	A.	A.	A.	A.
Ceylon	A.	Yes.	Yes.	Yes.
Chad	A.	A.		Yes.
Chile	Yes.	Yes.	Yes.	Yes.
China	A.	A.	A.	A.
Colombia	Yes.	Yes.	Yes.	Yes.
Congo (Brazzaville)				
Congo (Léopoldville)	A.	Yes.	Yes.	A.
Costa Rica	Yes.		Yes.	
Cuba	A.	No.	A.	No.
Cyprus	Yes.	Yes.	Yes.	Yes.
Czechoslovakia	No.	No.	No.	No.
Dahomey	Yes.		Yes.	
Denmark	Yes.	Yes.	Yes.	Yes.
Dominican Republic	Yes.	A.	A.	A.
Ecuador	Yes.	Yes.	Yes.	A.
El Salvador	Yes.	Yes.	Yes.	A.
Ethiopia	A.	A.	Yes.	Yes.
Federation of Malaya	Yes.	Yes.	Yes.	Yes.
Finland	Yes.	Yes.	Yes.	Yes.
France	No.	A.	No.	No.
Gabon				
Ghana	A.	Yes.	Yes.	Yes.
Greece	Yes.	Yes.	Yes.	A.
Guatemala	Yes.	Yes.	Yes.	Yes.
Guinea	A.	Yes.	Yes.	Yes.
Haiti		A.		A.
Honduras				
Hungary	No.	No.	No.	No.
Iceland	Yes.	Yes.	Yes.	Yes.
India	A.	Yes.	Yes.	A.
Indonesia	A.	Yes.	Yes.	Yes.
Iran	Yes.	Yes.	Yes.	Yes.
Iraq	A.	A.	A.	A.
Ireland	Yes.	Yes.	Yes.	Yes.
Israel	Yes.	Yes.	Yes.	Yes.
Italy	Yes.	Yes.	Yes.	Yes.
Ivory Coast	Yes.	Yes.	Yes.	Yes.
Japan	Yes.	Yes.	Yes.	Yes.
Jordan	A.	A.	A.	A.
Laos	Yes.	Yes.	Yes.	Yes.
Lebanon	A.	A.	Yes.	Yes.
Liberia	Yes.	Yes.	Yes.	Yes.
Libya	Yes.	A.	Yes.	A.
Luxembourg	Yes.	Yes.	Yes.	Yes.
Madagascar	A.	A.	No.	Yes.
Mali	A.	Yes.	Yes.	Yes.
Mauritania	A.	A.	A.	Yes.
Mexico		Yes.	Yes.	A.
Morocco	A.	Yes.	Yes.	Yes.
Nepal	A.	Yes.	Yes.	Yes.
Netherlands	Yes.	Yes.	Yes.	Yes.
New Zealand	Yes.	Yes.	Yes.	Yes.

THE VOTES IN THE UNITED NATIONS ON THE SECRETARY GENERAL'S FINANCING RESOLUTIONS AT THE SIXTEENTH GENERAL ASSEMBLY—Continued

Country	International Court of Justice opinion A/5062 (Administrative and budgetary procedure, U.N.)	A/5065 (UNEF—Cost estimate for maintenance)	A/5066 (UNOC—Cost estimate and financing)	Bond issue A/5076 (U.N. financial position and prospects)
Nicaragua	Yes	Yes	Yes	Yes.
Niger	A	A		Yes.
Nigeria	Yes	Yes	Yes	Yes.
Norway	Yes	Yes	Yes	Yes.
Outer Mongolia	No	No	No	No.
Pakistan	Yes	Yes	Yes	Yes.
Panama	Yes	Yes	Yes	Yes.
Paraguay	Yes	Yes	Yes	Yes.
Peru	Yes	A	Yes	Yes.
Philippines	Yes	A	A	A.
Poland	No	No	No	No.
Portugal				
Romania	No	No	No	No.
Saudi Arabia				
Senegal	Yes	Yes	Yes	Yes.
Sierra Leone	Yes	Yes	Yes	Yes.
Somalia	A	Yes	Yes	Yes.
South Africa	A	A	A	A.
Spain	Yes	Yes	Yes	A.
Sudan	A	A	A	A.
Sweden	Yes	Yes	Yes	Yes.
Tanganyika				
Thailand	Yes	Yes	Yes	Yes.
Togo	A	Yes	Yes	A.
Tunisia	Yes	Yes	Yes	Yes.
Turkey	Yes	Yes	Yes	Yes.
Ukrainian S.S.R.	No	No	No	No.
U.S.S.R.	No	No	No	No.
UAR:				
Egypt, Syria	A	A	A	A.
Syria	A	A	Yes	A.
United Kingdom	Yes	Yes	Yes	Yes.
United States	Yes	Yes	Yes	Yes.
Upper Volta	Yes	Yes	Yes	Yes.
Uruguay	Yes	Yes	Yes	
Venezuela	Yes	Yes	Yes	Yes.
Yemen	A	A	A	A.
Yugoslavia	A	Yes	Yes	Yes.
Yes	52	61	67	58.
No	11	11	13	13.
Abstain	32	24	15	24.

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APPENDIX B

ADVISORY OPINION OF INTERNATIONAL COURT OF JUSTICE ON U.N. FINANCING, WITH LETTER OF TRANSMITTAL AND PRESS COMMUNIQUE

DEPARTMENT OF STATE,
Washington, July 23, 1962.

Hon. THOMAS E. MORGAN,
Chairman, Foreign Affairs Committee,
House of Representatives.

DEAR MR. CHAIRMAN: During the hearings which you have conducted on the Administration's proposal for participation in the United Nations Bond Issue, frequent reference has been made to the advisory opinion requested of the International Court of Justice regarding the legal obligations of U.N. members to pay expenses of the U.N. forces in the Middle East and the Congo. I am sure that you and the members of your Committee are as gratified as I am about the news of the affirmative opinion rendered by the Court last Friday, a copy of which is enclosed, along with an authoritative summary.

During the oral argument of the case, Abram Chayes, Legal Adviser of the State Department, said that "no more important question has ever been before the International Court." I agree with that statement. The opinion will materially aid our efforts to strengthen the United Nations as an instrument for the promotion of peace and security.

The advisory opinion removes any legal question concerning the financing measures which the General Assembly has adopted with respect to operations in the Middle East and the Congo. As was noted in the enclosed communique: "The Court did not perceive any basis for challenging the legality of the settled practice of including such expenses in the budgetary amounts which the General Assembly apportioned among the members in accordance with the authority given to it by Article 17, Paragraph 2."

As you know, the advisory opinion has no direct relationship to the Administration's request for authorization to participate in the United Nations Bond Issue. The authority for the U.N. to issue bonds and the obligation on all members to contribute to their repayment through the regular budget exists apart from the Court's opinion.

However, the opinion should assist in the collection of the arrearages which have accumulated in part because of the views of certain member governments as to the legality of past assessments for the Congo and UNEF operations. Such collections should, in turn, enable more of the bond issue proceeds to be used for ongoing peace-and-security operations, pending agreement on a long-term financial

plan or the phasing out of the operations. As you know, there are no assessments covering the expenses of the Congo and Middle East operations after July 1, 1962.

The Court's advisory opinion will be placed before the General Assembly this fall. While the opinion is advisory only, all nine past advisory opinions have been accepted by the Assembly. Acceptance of the opinion will lay the basis for the application of Article 19 which declares that a nation shall lose its vote in the General Assembly when its total unpaid assessments exceed its assessed obligations for the previous two years.

I can assure you that the representatives of the U.S. Government will work vigorously in the months ahead to make sure that the Court decision is reflected in responsible financial actions by all the members of the U.N.

Sincerely yours,

GEORGE W. BALL,
Acting Secretary.

[Communique No. 62/20 (Unofficial)]

The following information from the Registry of the International Court of Justice is communicated to the Press:

On 20 July 1962 the International Court of Justice delivered an advisory opinion on the question of certain expenses of the United Nations (Article 17, paragraph 2, of the Charter), which had been put to it in accordance with a resolution adopted by the General Assembly on 20 December 1961.

By nine votes to five the Court declared that the expenditures authorized in certain General Assembly resolutions enumerated in the request for opinion, relating to the United Nations operations in the Congo and in the Middle East undertaken in pursuance of Security Council and General Assembly resolutions likewise enumerated in the request, were "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter of the United Nations.

Judges Sir Percy Spender, Sir Gerald Fitzmaurice and Morelli appended to the Opinion of the Court statements of their Separate Opinions. President Winiarski and Judges Basdevant, Moreno Quintana, Koretsky and Bustamante y Rivero appended to the Opinion of the Court statements of their Dissenting Opinions.

* * *

The President of the Court, in pursuance of Article 66, paragraph 2, of the Statute, having considered that the States Members of the United Nations were likely to be able to furnish information on the question, fixed 20 February 1962 as the time-limit within which the Court would be prepared to receive written statements from them. The following Members of the United Nations submitted statements, notes or letters setting forth their views: Australia, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, France, Ireland, Italy, Japan, the Netherlands, Portugal, Romania, South Africa, Spain, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Upper Volta. At hearings held from 14 to 21 May, the Court heard oral statements by the representatives of Canada, the Netherlands, Italy, the United

Kingdom of Great Britain and Northern Ireland, Norway, Australia, Ireland, the Union of Soviet Socialist Republics and the United States of America.

* * *

In its opinion the Court first recalled that it had been argued that the Court should refuse to give an opinion, the question put to it being of a political nature, and declared that it could not attribute a political character to a request which invited it to undertake an essentially judicial task, namely the interpretation of a treaty provision. In this connection the Court recalled the principles previously stated by the Permanent Court of International Justice in the Advisory Opinion concerning the *Status of Eastern Carelia* and by the present Court in the Advisory Opinions concerning the *Interpretation of Peace Treaties with Bulgaria, Hungary and Romania (First Phase)* and *Judgments of the Administrative Tribunal of the ILO upon Complaints made against Unesco*, and found no "compelling reason" why it should not give the advisory opinion which the General Assembly had requested of it.

* * *

The Court then examined the view that it should take into consideration the rejection of a French amendment to the request for advisory opinion. The amendment would have asked the Court to give an opinion on the question whether the expenditures related to the indicated operations had been "decided on in conformity with the provisions of the Charter".

On this point the Court observed that the rejection of the French amendment did not constitute a directive to the Court to exclude from its consideration the question whether certain expenditures were "decided on in conformity with the Charter", if the Court found such consideration appropriate. Nor could the Court agree that the rejection of the French amendment had any bearing upon the question whether the General Assembly had sought to preclude the Court from interpreting Article 17 in the light of other articles of the Charter, that is, in the whole context of the treaty.

* * *

Turning then to the question which had been posed, the Court found that it involved an interpretation of Article 17, paragraph 2, of the Charter, and that the first question was that of identifying what are "the expenses of the Organization".

The text of Article 17, paragraph 2, referred to "the expenses of the Organization" without any further explicit definition. The interpretation of the word "expenses" had been linked with the word "budget" in paragraph 1 of that Article and it had been contended that in both cases the qualifying adjective "regular" or "administrative" should be understood to be implied. According to the Court this would be possible only if such qualification must necessarily be implied from the provisions of the Charter considered as a whole.

Concerning the word "budget" in paragraph 1 of Article 17, the Court found that the distinction between "administrative budgets" and "operational budgets" had not been absent from the minds of the drafters of the Charter since it was provided in paragraph 3 of the same Article that the General Assembly "shall examine the administrative budgets" of the specialized agencies: if the drafters had in-

tended that paragraph 1 should be limited to the administrative budget of the United Nations organization itself, the word "administrative" would have been inserted in paragraph 1 as it had been in paragraph 3. Actually, the practice of the Organization had been from the outset to include in the budget items which would not fall within any of the definitions of "administrative budget" which had been advanced. The General Assembly had consistently included in the annual budget resolutions provision for "unforeseen and extraordinary expenses" arising in relation to the "maintenance of peace and security". Every year from 1947 through 1959 the resolutions on these unforeseen and extraordinary expenses have been adopted without a dissenting vote except for 1952, 1953 and 1954, owing to the fact that in those years the resolutions included the specification of a controversial item—United Nations Korean war decorations. Finally, in 1961, the report of the Working Group of Fifteen on the Examination of the Administrative and Budgetary Procedures of the United Nations had recorded the adoption without opposition of a statement that "investigations and observation operations undertaken by the Organization to prevent possible aggression should be financed as part of the regular budget of the United Nations." Taking these facts into consideration, the Court concluded that there was no justification for reading into the text of Article 17, paragraph 1, any limiting or qualifying word before the word "budget".

* * *

Turning to paragraph 2 of Article 17, the Court observed that, on its face, the term "expenses of the Organization" meant all the expenses and not just certain types of expenses which might be referred to as "regular expenses". Finding that an examination of other parts of the Charter showed the variety of expenses which must inevitably be included within the "expenses of the Organization", the Court did not perceive any basis for challenging the legality of the settled practice of including such expenses in the budgetary amounts which the General Assembly apportioned among the Members in accordance with the authority which was given to it by Article 17, paragraph 2.

* * *

Passing then to the consideration of Article 17 from the standpoint of its place in the general structure and scheme of the Charter, the Court found that the general purposes of that Article were the vesting of control over the finances of the Organization and the levying of apportioned amounts of the expenses of the Organization. Replying to the argument that expenses resulting from operations for the maintenance of international peace and security were not "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter, inasmuch as they fell to be dealt with exclusively by the Security Council, and more especially through agreements negotiated in accordance with Article 43 of the Charter, the Court found that under Article 24 the responsibility of the Security Council in the matter was "primary", not exclusive. The Charter made it abundantly clear that the General Assembly was also to be concerned with international peace and security. Under paragraph 2 of Article 17 the General Assembly was given the power to apportion the expenses among the Members, which created the obligation of each to bear that part of the expenses which was apportioned to it.

When those expenses included expenditures for the maintenance of peace and security, which were not otherwise provided for, it was the General Assembly which had the authority to apportion the latter amounts among the Members. None of the provisions determining the respective functions and powers of the Security Council and the General Assembly supported the view that such distribution excluded from the powers of the General Assembly the power to provide for the financing of measures designed to maintain peace and security.

Replying to the argument that with regard to the maintenance of international peace and security the budgetary authority of the General Assembly is limited by Article 11, paragraph 2, under which "any such question [relating to the maintenance of international peace and security] on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion", the Court considered that the action referred to in that provision was coercive or enforcement action. In this context, the word "action" must mean such action as was solely within the province of the Security Council, namely that indicated by the title of Chapter VII of the Charter: "action with respect to threats to the peace, breaches of the peace, and acts of aggression". If the interpretation of the word "action" in Article 11, paragraph 2, were that the General Assembly could make recommendations only of a general character affecting peace and security in the abstract, and not in relation to specific cases, the paragraph would not have provided that the General Assembly might make recommendations on questions brought before it by States or by the Security Council. Accordingly, the last sentence of Article 11, paragraph 2, had no application where the necessary action was not enforcement action.

The Court found therefore that the argument drawn from Article 11, paragraph 2, to limit the budgetary authority of the General Assembly in respect of the maintenance of international peace and security was unfounded.

* * *

The Court then turned to the examination of the argument drawn from Article 43 of the Charter which provides that Members shall negotiate agreements with the Security Council on its initiative, for the purpose of maintaining international peace and security. The argument was that such agreements were intended to include specifications concerning the allocation of costs of such enforcement actions as might be taken by direction of the Security Council, and that it was only the Security Council which had the authority to arrange for meeting such costs.

After stating that Article 43 was not applicable, the Court added that even if it were applicable, the Court could not accept such an interpretation of its text for the following reasons. A Member State would be entitled, during the negotiation of such agreements, to insist, and the Security Council would be entitled to agree, that some part of the expense should be borne by the Organization. In that case such expense would form part of the expenses of the Organization and would fall to be apportioned by the General Assembly under Article 17. Moreover, it followed from Article 50 of the Charter that the Security Council might determine that an overburdened State was entitled to some financial assistance. Such financial assistance, if af-

forded by the Organization, as it might be, would clearly constitute part of the "expenses of the Organization". Furthermore, the Court considered that it could not be said that the Charter had left the Security Council impotent in the face of an emergency situation when agreements under Article 43 had not been concluded. It must lie within the power of the Security Council to police a situation even though it did not resort to enforcement action against a State. The costs of actions which the Security Council was authorized to take therefore constituted "expenses of the Organization within the meaning of Article 17, paragraph 2".

* * *

Having considered the general problem of the interpretation of Article 17, paragraph 2, in the light of the general structure of the Charter and of the respective functions of the General Assembly and the Security Council, with a view to determining the meaning of the phrase "the expenses of the Organization", the Court proceeded to examine the expenditures enumerated in the request for the advisory opinion. It agreed that such expenditures must be tested by their relationship to the purposes of the United Nations in the sense that if an expenditure were made for a purpose which was not one of the purposes of the United Nations, it could not be considered an "expense of the Organization". When the Organization took action which warranted the assertion that it was appropriate for the fulfilment of one of the purposes of the United Nations set forth in Article 1 of the Charter, the presumption was that such action was not *ultra vires* the Organization. If the action were taken by the wrong organ, it was irregular, but this would not necessarily mean that the expense incurred was not an expense of the Organization. Both national and international law contemplated cases in which the body corporate or politic might be bound by an *ultra vires* act of an agent. As the United Nations Charter included no procedure for determining the validity of the acts of the organs of the United Nations, each organ must, in the first place at least, determine its own jurisdiction. If the Security Council adopted a resolution purportedly for the maintenance of international peace and security and if, in accordance with such resolution, the Secretary-General incurred financial obligations, those amounts must be presumed to constitute "expenses of the Organization". Recalling its Opinion concerning *Effects of Awards of Compensation made by the United Nations Administrative Tribunal*, the Court declared that obligations of the Organization might be incurred by the Secretary-General acting on the authority of the Security Council or of the General Assembly, and that the General Assembly "has no alternative but to honour these engagements".

This reasoning, applied to the resolutions mentioned in the request for the advisory opinion, might suffice as a basis for the opinion of the Court. The Court went on, however, to examine separately the expenditures relating to the United Nations Emergency Force in the Middle East (UNEF) and those relating to the United Nations operations in the Congo (ONUC).

As regards UNEF, the Court recalled that it was to be set up with the consent of the Nations concerned, which dismissed the notion that it constituted measures of enforcement. On the other hand, it was

apparent that the UNEF operations were undertaken to fulfil a prime purpose of the United Nations, that is, to promote and maintain a peaceful settlement of the situation. The Secretary-General had therefore properly exercised the authority given him to incur financial obligations; the expenses provided for by such obligations must be considered "expenses of the Organization". Replying to the argument that the General Assembly never, either directly or indirectly, regarded the expenses of UNEF as "expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter", the Court stated that it could not agree with this interpretation. Analyzing the resolutions relating to the financing of UNEF, the Court found that the establishment of a special account did not necessarily mean that the funds in it were not to be derived from contributions of Members as apportioned by the General Assembly. The resolutions on this matter, which had been adopted by the requisite two-thirds majority, must have rested upon the conclusion that the expenses of UNEF were "expenses of the Organization" since otherwise the General Assembly would have had no authority to decide that they "shall be borne by the United Nations" or to apportion them among the Members. The Court found therefore that, from year to year, the expenses of UNEF had been treated by the General Assembly as expenses of the Organization within the meaning of Article 17, paragraph 2.

* * *

Turning next to the operations in the Congo, the Court recalled that they had been initially authorized by the Security Council in the resolution of 14 July 1960, which had been adopted without a dissenting vote. The resolution, in the light of the appeal from the Government of the Congo, the report of the Secretary-General and the debate in the Security Council, had clearly been adopted with a view to maintaining international peace and security. Reviewing the resolutions and reports of the Secretary-General relating to these operations, the Court found that in the light of such a record of reiterated consideration, confirmation, approval and ratification by the Security Council and by the General Assembly of the actions of the Secretary-General, it was impossible to reach the conclusion that the operations in the Congo usurped or impinged upon the prerogatives conferred by the Charter on the Security Council. These operations did not involve "preventive or enforcement measures" against any State under Chapter VII and therefore did not constitute "action" as that term was used in Article 11. The financial obligations which the Secretary-General had incurred, in accordance with the clear and reiterated authority of both the Security Council and the General Assembly, constituted obligations of the Organization for which the General Assembly was entitled to make provision under the authority of Article 17, paragraph 2, of the Charter.

In relation to the financing of the operations in the Congo, the Court, recalling the General Assembly resolutions contemplating the apportionment of the expenses in accordance with the scale of assessment for the regular budget, concluded therefrom that the General Assembly had twice decided that even though certain expenses were "extraordinary" and "essentially different" from those under the "regular budget", they were none the less "expenses of the Organiza-

tion" to be apportioned in accordance with the power granted to the General Assembly by Article 17, paragraph 2.

* * *

Having thus pointed out on the one hand that the text of Article 17, paragraph 2, of the Charter could lead to the conclusion that the expenses of the Organization were the amounts paid out to defray the costs of carrying out the purposes of the Organization, and on the other hand that the examination of the resolutions authorizing the expenditures referred to in the request for the advisory opinion had led to the finding that they had been incurred with that end in view; and having also analyzed and found unfounded the arguments which had been advanced against the conclusion that the expenditures in question should be considered as expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter of the United Nations, the Court arrived at the conclusion that the question submitted to it by the General Assembly must be answered in the affirmative.

THE HAGUE, *20 July 1962*.

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS, ADVISORY OPINIONS AND ORDERS

Certain Expenses of the United Nations (Article 17, Paragraph 2, of the Charter)

ADVISORY OPINION OF 20 JULY 1962

The opinion of the Court was rendered in English and in French. Only the English text is printed herein.

INTERNATIONAL COURT OF JUSTICE

(20 July 1962—General List No. 49)

Resolution 1731 (XVI) of General Assembly requesting advisory opinion.—Objections to giving opinion based on proceedings in General Assembly.—Interpretation of meaning of "expenses of the Organization".—Article 17, paragraphs 1 and 2, of Charter.—Lack of justification for limiting terms "budget" and "expenses".—Article 17 in context of Charter.—Respective functions of Security Council and General Assembly.—Article 11, paragraph 2, in relation to budgetary powers of General Assembly.—Role of General Assembly in maintenance of international peace and security.—Agreements under Article 43.—Expenses incurred for purposes of United Nations.—Obligations incurred by Secretary-General acting under authority of Security Council or General Assembly.—Nature of operations of UNEF and ONUC.—Financing of UNEF and ONUC based on Article 17, paragraph 2.—Implementation by Secretary-General of Security Council resolutions.—Expenditures for UNEF and ONUC and Article 17, paragraph 2, of Charter.

ADVISORY OPINION

Present: President WINIARSKI; *Vice-President* ALFARO; *Judges* BASDEVANT, BADAWI, MORENO QUINTANA, WELLINGTON KOO, SPIROPOULOS, Sir Percy SPENDER, Sir Gerald FITZMAURICE, KORETSKY, TANAKA, BUSTAMANTE Y RIVERO, JESSUP, MORELLI; Registrar GARNIER-COIGNET.

Concerning the question whether certain expenditures authorized by the General Assembly "constitute 'expenses of the Organization'

within the meaning of Article 17, paragraph 2, of the Charter of the United Nations",

THE COURT,

composed as above,

gives the following Advisory Opinion:

The request which laid the matter before the Court was formulated in a letter dated 21 December 1961 from the Acting Secretary-General of the United Nations to the President of the Court, received in the Registry on 27 December. In that letter the Acting Secretary-General informed the President of the Court that the General Assembly, by a resolution adopted on 20 December 1961, had decided to request the International Court of Justice to give an advisory opinion on the following question:

> Do the expenditures authorized in General Assembly resolutions 1583 (XV) and 1590 (XV) of 20 December 1960, 1595 (XV) of 3 April 1961, 1619 (XV) of 21 April 1961 and 1633 (XVI) of 30 October 1961 relating to the United Nations operations in the Congo undertaken in pursuance of the Security Council resolutions of 14 July, 22 July and 9 August 1960, and 21 February and 24 November 1961, and General Assembly resolutions 1474 (ES–IV) of 20 September 1960 and 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961, and the expenditures authorized in General Assembly resolutions 1122 (XI) of 26 November 1956, 1089 (XI) of 21 December 1956, 1090 (XI) of 27 February 1957, 1151 (XII) of 22 November 1957, 1204 (XII) of 13 December 1957, 1337 (XIII) of 13 December 1958, 1441 (XIV) of 5 December 1959 and 1575 (XV) of 20 December 1960 relating to the operations of the United Nations Emergency Force undertaken in pursuance of General Assembly resolutions 997 (ES–I) of 2 November 1956, 998 (ES–I) and 999 (ES–I) of 4 November 1956, 1000 (ES–I) of 5 November 1956, 1001 (ES–I) of 7 November 1956, 1121 (XI) of 24 November 1956 and 1263 (XIII) of 14 November 1958, constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?"

In the Acting Secretary-General's letter was enclosed a certified copy of the aforementioned resolution of the General Assembly. At the same time the Acting Secretary-General announced that he would transmit to the Court, in accordance with Article 65 of the Statute, all documents likely to throw light upon the question.

Resolution 1731 (XVI) by which the General Assembly decided to request an advisory opinion from the Court reads as follows:

> *The General Assembly,*
>
> *Recognizing* its need for authoritative legal guidance as to obligations of Member States under the Charter of the United Nations in the matter of financing the United Nations operations in the Congo and in the Middle East,
>
> 1. *Decides* to submit the following question to the International Court of Justice for an advisory opinion:
>
> Do the expenditures authorized in General Assembly resolutions 1583 (XV) and 1590 (XV) of 20 December 1960, 1595 (XV) of 3 April 1961, 1619 (XV) of 21 April 1961 and 1633 (XVI) of 30 October 1961 relating to the United Nations operations in the Congo undertaken in pursuance of the Security Council resolutions of 14 July, 22 July and 9 August 1960, and 21 February and 24 November 1961, and General Assembly resolutions 1474 (ES–IV) of 20 September 1960 and 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961, and the expenditures authorized in General Assembly resolutions 1122 (XI) of 26 November 1956, 1089 (XI) of 21 December 1956, 1090 (XI) of 27 February 1957, 1151 (XII) of 22 November 1957, 1204 (XII) of 13 December 1957, 1337 (XIII) of 13 December 1958, 1441 (XIV) of 5 December 1959 and 1575 (XV) of 20 December 1960 relating to the operations of the United Nations Emergency Force undertaken in pursuance of General Assembly resolutions 997 (ES–I) of 2 November 1956, 998 (ES–I) and 999 (ES–I) of 4 November 1956, 1000 (ES–I) of 5 November 1956, 1001 (ES–I)

of 7 November 1956, 1121 (XI) of 24 November 1956 and 1263 (XIII) of 14 November 1958, constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?

2. *Requests* the Secretary-General, in accordance with Article 65 of the Statute of the International Court of Justice, to transmit the present resolution to the Court, accompanied by all documents likely to throw light upon the question.

* * *

On 27 December 1961, the day the letter from the Acting Secretary-General of the United Nations reached the Registry, the President, in pursuance of Article 66, paragraph 2, of the Statute, considered that the States Members of the United Nations were likely to be able to furnish information on the question and made an Order fixing 20 February 1962 as the time-limit within which the Court would be prepared to receive written statements from them; and the Registrar sent to them the special and direct communication provided for in that Article, recalling that resolution 1731 (XVI) and those referred to in the question submitted for opinion were already in their possession.

The notice to all States entitled to appear before the Court of the letter from the Acting Secretary-General and of the resolution therein enclosed, prescribed by Article 66, paragraph 1, of the Statute, was given by letter of 4 January 1962.

The following Members of the United Nations submitted statements, notes or letters setting forth their views: Australia, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, France, Ireland, Italy, Japan, Netherlands, Portugal, Romania, South Africa, Spain, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Upper Volta. Copies of these communications were transmitted to all Members of the United Nations and to the Acting Secretary-General of the United Nations.

Mexico, the Philippines, and Poland referred in letters to the views expressed on their behalf during the session of the General Assembly.

The Acting Secretary-General of the United Nations, in pursuance of Article 65, paragraph 2, of the Statute, transmitted to the Court a dossier of documents likely to throw light upon the question, together with an Introductory Note and a Note by the Controller on the budgetary and financial practices of the United Nations; these documents reached the Registry on 21 February and 1 March 1962.

The Members of the United Nations were informed on 23 March 1962 that the oral proceedings in this case would open towards the beginning of May. On 16 April 1962 they were notified that 14 May had been fixed as the opening date. Hearings were held from 14 to 19 May and on 21 May, the Court being addressed by the following:

for Canada: M. Marcel Cadieux, Deputy Under-Secretary and Legal Adviser for the Department of External Affairs;

for the Netherlands: Professor W. Riphagen, Legal Adviser to the Ministry of Foreign Affairs;

for Italy: M. Riccardo Monaco, Professor at the University of Rome, Head of Department for Contentious Diplomatic Questions, Ministry of Foreign Affairs;

for the United Kingdom of Great Britain and Northern Ireland: The Rt. Hon. Sir Reginald Manningham-Buller, Q.C., Attorney-General;

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for Norway: Mr. Jens Evensen, Director-General, Ministry of Foreign Affairs;
for Australia: Sir Kenneth Bailey, Solicitor-General;
for Ireland: Mr. Aindrias Ó Caoimh, S.C., Attorney-General;
for the Union of Soviet Socialist Republics: Professor G. I. Tunkin, Director of the Juridical-Treaty Department of the Ministry of Foreign Affairs;
for the United States of America: The Honorable Abram Chayes, Legal Adviser, Department of State.

* * *

Before proceeding to give its opinion on the question put to it, the Court considers it necessary to make the following preliminary remarks:

The power of the Court to give an advisory opinion is derived from Article 65 of the Statute. The power granted is of a discretionary character. In exercising its discretion, the International Court of Justice, like the Permanent Court of International Justice, has always been guided by the principle which the Permanent Court stated in the case concerning the *Status of Eastern Carelia* on 23 July 1923: "The Court, being a Court of Justice, cannot, even in giving advisory opinions, depart from the essential rules guiding their activity as a Court" (P.C.I.J., Series B, No. 5, p. 29). Therefore, and in accordance with Article 65 of its Statute, the Court can give an advisory opinion only on a legal question. If a question is not a legal one, the Court has no discretion in the matter; it must decline to give the opinion requested. But even if the question is a legal one, which the Court is undoubtedly competent to answer, it may nonetheless decline to do so. As this Court said in its Opinion of 30 March 1950, the permissive character of Article 65 "gives the Court the power to examine whether the circumstances of the case are of such a character as should lead it to decline to answer the Request" (*Interpretation of Peace Treaties with Bulgaria, Hungary and Romania (First Phase), I.C.J. Reports 1950*, p. 72). But, as the Court also said in the same Opinion, "the reply of the Court, itself an 'organ of the United Nations', represents its participation in the activities of the Organization, and, in principle, should not be refused" (*ibid.*, p. 71). Still more emphatically, in its Opinion of 23 October 1956, the Court said that only "compelling reasons" should lead it to refuse to give a requested advisory opinion (*Judgments of the Administrative Tribunal of the I.L.O. upon complaints made against the Unesco, I.C.J. Reports 1956*, p. 86).

The Court finds no "compelling reason" why it should not give the advisory opinion which the General Assembly requested by its resolution 1731 (XVI). It has been argued that the question put to the Court is intertwined with political questions, and that for this reason the Court should refuse to give an opinion. It is true that most interpretations of the Charter of the United Nations will have political significance, great or small. In the nature of things it could not be otherwise. The Court, however, cannot attribute a political character to a request which invites it to undertake an essentially judicial task; namely, the interpretation of a treaty provision.

In the preamble to the resolution requesting this opinion, the General Assembly expressed its recognition of "its need for authoritative

legal guidance". In its search for such guidance it has put to the Court a legal question—a question of the interpretation of Article 17, paragraph 2, of the Charter of the United Nations. In its Opinion of 28 May 1948, the Court made it clear that as "the principal judicial organ of the United Nations", it was entitled to exercise in regard to an article of the Charter, "a multilateral treaty, an interpretative function which falls within the normal exercise of its judicial powers" (*Conditions of Admission of a State to Membership in the United Nations (Article 4 of the Charter)*, *I.C.J. Reports 1947–1948*, p. 61).

The Court, therefore, having been asked to give an advisory opinion upon a concrete legal question, will proceed to give its opinion.

* * *

The question on which the Court is asked to give its opinion is whether certain expenditures which were authorized by the General Assembly to cover the costs of the United Nations operations in the Congo (hereinafter referred to as ONUC) and of the operations of the United Nations Emergency Force in the Middle East (hereinafter referred to as UNEF), "constitute 'expenses of the Organization' within the meaning of Article 17, pargaraph 2, of the Charter of the United Nations".

Before entering upon the detailed aspects of this question, the Court will examine the view that it should take into consideration the circumstance that at the 1086th Plenary Meeting of the General Assembly on 20 December 1961, an amendment was proposed, by the representative of France, to the draft resolution requesting the advisory opinion, and that this amendment was rejected. The amendment would have asked the Court to give an opinion on the question whether the expenditures relating to the indicated operations were "decided on in conformity with the provisions of the Charter"; if that question were answered in the affirmative, the Court would have been asked to proceed to answer the question which the resolution as adopted actually poses.

If the amendment had been adopted, the Court would have been asked to consider whether the resolutions *authorizing the expenditures* were decided on in conformity with the Charter; the French amendment did not propose to ask the Court whether the resolutions *in pursuance of which the operations in the Middle East and in the Congo were undertaken*, were adopted in conformity with the Charter.

The Court does not find it necessary to expound the extent to which the proceedings of the General Assembly, antecedent to the adoption of a resolution, should be taken into account in interpreting that resolution, but it makes the following comments on the argument based upon the rejection of the French amendment.

The rejection of the French amendment does not constitute a directive to the Court to exclude from its consideration the question whether certain expenditures were "decided on in conformity with the Charter", if the Court finds such consideration appropriate. It is not to be assumed that the General Assembly would thus seek to fetter or hamper the Court in the discharge of its judicial functions; the Court must have full liberty to consider all relevant data available to it in forming an opinion on a question posed to it for an advisory opinion. Nor can the Court agree that the rejection of the French amendment has any bearing upon the question whether the General Assembly

sought to preclude the Court from interpreting Article 17 in the light of other articles of the Charter, that is, in the whole context of the treaty. If any deduction is to be made from the debates on this point, the opposite conclusion would be drawn from the clear statements of sponsoring delegations that they took it for granted the Court would consider the Charter as a whole.

* * *

Turning to the question which has been posed, the Court observes that it involves an interpretation of Article 17, paragraph 2, of the Charter. On the previous occasions when the Court has had to interpret the Charter of the United Nations it has followed the principles and rules applicable in general to the interpretation of treaties, since it has recognized that the Charter is a multilateral treaty, albeit a treaty having certain special characteristics. In interpreting Article 4 of the Charter, the Court was led to consider "the structure of the Charter" and "the relations established by it between the General Assembly and the Security Council"; a comparable problem confronts the Court in the instant matter. The Court sustained its interpretation of Article 4 by considering the manner in which the organs concerned "have consistently interpreted the text" in their practice (*Competence of the General Assembly for the Admission of a State to the United Nations, I.C.J. Reports 1950*, pp. 8–9).

The text of Article 17 is in part as follows:

> 1. The General Assembly shall consider and approve the budget of the Organization.
> 2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

Although the Court will examine Article 17 in itself and in its relation to the rest of the Charter, it should be noted that at least three separate questions might arise in the interpretation of paragraph 2 of this Article. One question is that of identifying what are "the expenses of the Organization"; a second question might concern apportionment by the General Assembly; while a third question might involve the interpretation of the phrase "shall be borne by the Members". It is the second and third questions which directly involve "the financial obligations of the Members", but it is only the first question which is posed by the request for the advisory opinion. The question put to the Court has to do with a moment logically anterior to apportionment, just as a question of apportionment would be anterior to a question of Members' obligation to pay.

It is true that, as already noted, the preamble of the resolution containing the request refers to the General Assembly's "need for authoritative legal guidance as to obligations of Member States", but it is to be assumed that in the understanding of the General Assembly, it would find such guidance in the advisory opinion which the Court would give on the question whether certain identified expenditures "constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2 of the Charter". If the Court finds that the indicated expenditures are such "expenses", it is not called upon to consider the manner in which, or the scale by which, they may be apportioned. The amount of what are unquestionably "expenses of the Organization within the meaning of Article 17, paragraph 2" is not in its entirety apportioned by the General Assembly and paid for by the

contributions of Member States, since the Organization has other sources of income. A Member State, accordingly, is under no obligation to pay more than the amount apportioned to it; the expenses of the Organization and the total amount in money of the obligations of the Member States may not, in practice, necessarily be identical.

The text of Article 17, paragraph 2, refers to "the expenses of the Organization" without any further explicit definition of such expenses. It would be possible to begin with a general proposition to the effect that the "expenses" of any organization are the amounts paid out to defray the costs of carrying out its purposes, in this case, the political, economic, social, humanitarian and other purposes of the United Nations. The next step would be to examine, as the Court will, whether the resolutions authorizing the operations here in question were intended to carry out the purposes of the United Nations and whether the expenditures were incurred in furthering these operations. Or, it might simply be said that the "expenses" of an organization are those which are provided for in its budget. But the Court has not been asked to give an abstract definition of the words "expenses of the Organization." It has been asked to answer a specific question related to certain identified expenditures which have actually been made, but the Court would not adequately discharge the obligation incumbent on it unless it examined in some detail various problems raised by the question which the General Assembly has asked.

It is perhaps the simple identification of "expenses" with the items included in a budget, which has led to linking the interpretation of the word "expenses" in paragraph 2 of Article 17, with the word "budget" in paragraph 1 of that Article; in both cases, it is contended, the qualifying adjective "regular" or "administrative" should be understood to be implied. Since no such qualification is expressed in the text of the Charter, it could be read in, only if such qualification must necessarily be implied from the provisions of the Charter considered as a whole, or from some particular provision thereof which makes it unavoidable to do so in order to give effect to the Charter.

In the first place, concerning the word "budget" in paragraph 1 of Article 17, it is clear that the existence of the distinction between "administrative budgets" and "operational budgets" was not absent from the minds of the drafters of the Charter, nor from the consciousness of the Organization even in the early days of its history. In drafting Article 17, the drafters found it suitable to provide in paragraph 1 that "The General Assembly shall consider and approve *the budget* of the Organization". But in dealing with the function of the General Assembly in relation to the specialized agencies, they provided in paragraph 3 that the General Assembly "shall examine the *administrative budgets* of such specialized agencies". If it had been intended that paragraph 1 should be limited to the administrative budget of the United Nations organization itself, the word "administrative" would have been inserted in paragraph 1 as it was in paragraph 3. Moreover, had it been contemplated that the Organization would also have had another budget, different from the one which was to be approved by the General Assembly, the Charter would have included some reference to such other budget and to the organ which was to approve it.

Similarly, at its first session, the General Assembly in drawing up and approving the Constitution of the International Refugee Organization, provided that the budget of that Organization was to be divided under the headings "administrative", "operational" and "large-scale resettlement"; but no such distinctions were introduced into the Financial Regulations of the United Nations which were adopted by unanimous vote in 1950, and which, in this respect, remain unchanged. These regulations speak only of "the budget" and do not provide any distinction between "administrative" and "operational".

In subsequent sessions of the General Assembly, including the sixteenth, there have been numerous references to the idea of distinguishing an "operational" budget; some speakers have advocated such a distinction as a useful book-keeping device; some considered it in connection with the possibility of differing scales of assessment or apportionment; others believed it should mark a differentiation of activities to be financed by voluntary contributions. But these discussions have not resulted in the adoption of two separate budgets based upon such a distinction.

Actually, the practice of the Organization is entirely consistent with the plain meaning of the text. The budget of the Organization has from the outset included items which would not fall within any of the definitions of "administrative budget" which have been advanced in this connection. Thus, for example, prior to the establishment of, and now in addition to, the "Expanded Programme of Technical Assistance" and the "Special Fund", both of which are nourished by voluntary contributions, the annual budget of the Organization contains provision for funds for technical assistance; in the budget for the financial year 1962, the sum of $6,400,000 is included for the technical programmes of economic development, social activities, human rights activities, public administration and narcotic drugs control. Although during the Fifth Committee discussions there was a suggestion that all technical assistance costs should be excluded from the regular budget, the items under these heads were all adopted on second reading in the Fifth Committee without a dissenting vote. The "operational" nature of such activities so budgeted is indicated by the explanations in the budget estimates, e.g. the requests "for the continuation of the operational programme in the field of economic development contemplated in General Assembly resolutions 200 (III) of 4 December 1948 and 304 (IV) of 16 November 1949"; and "for the continuation of the operational programme in the field of advisory social welfare services as contemplated in General Assembly resolution 418 (V) of 1 December 1950".

It is a consistent practice of the General Assembly to include in the annual budget resolutions, provision for expenses relating to the maintenance of international peace and security. Annually, since 1947, the General Assembly has made anticipatory provision for "unforeseen and extraordinary expenses" arising in relation to the "maintenance of peace and security." In a Note submitted to the Court by the Controller on the budgetary and financial practices of the United Nations, "extraordinary expenses" are defined as "obligations and expenditures arising as a result of the approval by a council, commission or other competent United Nations body of new programmes and activities not contemplated when the budget appropriations were approved".

The annual resolution designed to provide for extraordinary expenses authorizes the Secretary-General to enter into commitments to meet such expenses with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, except that such concurrence is not necessary if the Secretary-General certifies that such commitments relate to the subjects mentioned and the amount does not exceed $2 million. At its fifteenth and sixteenth sessions, the General Assembly resolved "that if, as a result of a decision of the Security Council, commitments relating to the maintenance of peace and security should arise in an estimated total exceeding $10 million" before the General Assembly was due to meet again, a special session should be convened by the Secretary-General to consider the matter. The Secretary-General is regularly authorized to draw on the Working Capital Fund for such expenses but is required to submit supplementary budget estimates to cover amounts so advanced. These annual resolutions on unforeseen and extraordinary expenses were adopted without a dissenting vote in every year from 1947 through 1959, except for 1952, 1953 and 1954, when the adverse votes are attributable to the fact that the resolution included the specification of a controversial item—United Nations Korean war decorations.

It is notable that the 1961 Report of the Working Group of Fifteen on the Examination of the Administrative and Budgetary Procedures of the United Nations, while revealing wide differences of opinion on a variety of propositions, records that the following statement was adopted without opposition:

22. Investigations and observation operations undertaken by the Organization to prevent possible aggression should be financed as part of the regular budget of the United Nations.

In the light of what has been stated, the Court concludes that there is no justification for reading into the text of Article 17, paragraph 1, any limiting or qualifying word before the word "budget".

* * *

Turning to paragraph 2 of Article 17, the Court observes that, on its face, the term "expenses of the Organization" means all the expenses and not just certain types of expenses which might be referred to as "regular expenses". An examination of other parts of the Charter shows the variety of expenses which must inevitably be included within the "expenses of the Organization" just as much as the salaries of staff or the maintenance of buildings.

For example, the text of Chapters IX and X of the Charter with reference to international economic and social cooperation, especially the wording of those articles which specify the functions and powers of the Economic and Social Council, anticipated and numerous and varied circumstances under which expenses of the Organization could be incurred and which have indeed eventuated in practice.

Furthermore, by Article 98 of the Charter, the Secretary-General is obligated to perform such functions as are entrusted to him by the General Assembly, the Security Council, the Economic and Social Council, and the Trusteeship Council. Whether or not expenses incurred in his discharge of this obligation become "expenses of the Organization" cannot depend on whether they be administrative or some other kind of expenses.

The Court does not perceive any basis for challenging the legality of the settled practice of including such expenses as these in the budgetary amounts which the General Assembly apportions among the Members in accordance with the authority which is given to it by Article 17, paragraph 2.

* * *

Passing from the text of Article 17 to its place in the general structure and scheme of the Charter, the Court will consider whether in that broad context one finds any basis for implying a limitation upon the budgetary authority of the General Assembly which in turn might limit the meaning of "expenses" in paragraph 2 of that Article.

The general purposes of Article 17 are the vesting of control over the finances of the Organization, and the levying of apportioned amounts of the expenses of the Organization in order to enable it to carry out the functions of the Organization as a whole acting through its principal organs and such subsidiary organs as may be established under the authority of Article 22 or Article 29.

Article 17 is the only article in the Charter which refers to budgetary authority or to the power to apportion expenses, or otherwise to raise revenue, except for Articles 33 and 35, paragraph 3, of the Statute of the Court which have no bearing on the point here under discussion. Nevertheless, it has been argued before the Court that one type of expenses, namely those resulting from operations for the maintenance of international peace and security, are not "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter, inasmuch as they fall to be dealt with exclusively by the Security Council, and more especially through agreements negotiated in accordance with Article 43 of the Charter.

The argument rests in part upon the view that when the maintenance of international peace and security is involved, it is only the Security Council which is authorized to decide on any action relative thereto. It is argued further that since the General Assembly's power is limited to discussing, considering, studying, and recommending, it cannot impose an obligation to pay the expenses which result from the implementation of its recommendations. This argument leads to an examination of the respective functions of the General Assembly and of the Security Council under the Charter, particularly with respect to the maintenance of international peace and security.

Article 24 of the Charter provides:

> In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security . . . .

The responsibility conferred is "primary", not exclusive. This primary responsibility is conferred upon the Security Council, as stated in Article 24, "in order to ensure prompt and effective action". To this end, it is the Security Council which is given a power to impose an explicit obligation of compliance if for example it issues an order or command to an aggressor under Chapter VII. It is only the Security Council which can require enforcement by coercive action against an aggressor.

The Charter makes it abundantly clear, however, that the General Assembly is also to be concerned with international peace and security. Article 14 authorizes the General Assembly to "recommend measures for the peaceful adjustment of any situation, regardless of origin,

which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the purposes and principles of the United Nations". The word "measures" implies some kind of action, and the only limitation which Article 14 imposes on the General Assembly is the restriction found in Article 12, namely, that the Assembly should not recommend measures while the Security Council is dealing with the same matter unless the Council requests it to do so. Thus while it is the Security Council which, exclusively, may order coercive action, the functions and powers conferred by the Charter on the General Assembly are not confined to discussion, consideration, the initiation of studies and the making of recommendations; they are not merely hortatory. Article 18 deals with "decisions" of the General Assembly "on important questions". These "decisions" do indeed include certain recommendations, but others have dispositive force and effect. Among these latter decisions, Article 18 includes suspension of rights and privileges of membership, expulsion of Members, "and budgetary questions". In connection with the suspension of rights and privileges of membership and expulsion from membership under Articles 5 and 6, it is the Security Council which has only the power to recommend and it is the General Assembly which decides and whose decision determines status; but there is a close collaboration between the two organs. Moreover, these powers of decision of the General Assembly under Articles 5 and 6 are specifically related to preventive or enforcement measures.

By Article 17, paragraph 1, the General Assembly is given the power not only to "consider" the budget of the Organization, but also to "approve" it. The decision to "approve" the budget has a close connection with paragraph 2 of Article 17, since thereunder the General Assembly is also given the power to apportion the expenses among the Members and the exercise of the power of apportionment creates the obligation, specifically stated in Article 17, paragraph 2, of each Member to bear that part of the expenses which is apportioned to it by the General Assembly. When those expenses include expenditures for the maintenance of peace and security, which are not otherwise provided for, it is the General Assembly which has the authority to apportion the latter amounts among the Members. The provisions of the Charter which distribute functions and powers to the Security Council and to the General Assembly give no support to the view that such distribution excludes from the powers of the General Assembly the power to provide for the financing of measures designed to maintain peace and security.

The argument supporting a limitation on the budgetary authority of the General Assembly with respect to the maintenance of international peace and security relies especially on the reference to "action" in the last sentence of Article 11, paragraph 2. This paragraph reads as follows:

> The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a State which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such question to the State or States concerned or to the Security Council, or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

The Court considers that the kind of action referred to in Article 11, paragraph 2, is coercive or enforcement action. This paragraph, which applies not merely to general questions relating to peace and security, but also to specific cases brought before the General Assembly by a State under Article 35, in its first sentence empowers the General Assembly, by means of recommendations to States or to the Security Council, or to both, to organize peace-keeping operations, at the request, or with the consent, of the States concerned. This power of the General Assembly is a special power which in no way derogates from its general powers under Article 10 or Article 14, except as limited by the last sentence of Article 11, paragraph 2.

This last sentence says that when "action" is necessary the General Assembly shall refer the question to the Security Council. The word "action" must mean such action as is solely within the province of the Security Council. It cannot refer to recommendations which the Security Council might make, as for instance under Article 38, because the General Assembly under Article 11 has a comparable power. The "action" which is solely within the province of the Security Council is that which is indicated by the title of Chapter VII of the Charter, namely "Action with respect to threats to the peace, breaches of the peace, and acts of aggression". If the word "action" in Article 11, paragraph 2, were interpreted to mean that the General Assembly could make recommendations only of a general character affecting peace and security in the abstract, and not in relation to specific cases, the paragraph would not have provided that the General Assembly may make recommendations on questions brought before it by States or by the Security Council. Accordingly, the last sentence of Article 11, paragraph 2, has no application where the necessary action is not enforcement action.

The practice of the Organization throughout its history bears out the foregoing elucidation of the term "action" in the last sentence of Article 11, paragraph 2. Whether the General Assembly proceeds under Article 11 or under Article 14, the implementation of its recommendations for setting up commissions or other bodies involves organizational activity—action—in connection with the maintenance of international peace and security. Such implementation is a normal feature of the functioning of the United Nations. Such committees, commissions or other bodies or individuals, constitute, in some cases, subsidiary organs established under the authority of Article 22 of the Charter. The functions of the General Assembly for which it may establish such subsidiary organs include, for example, investigation, observation and supervision, but the way in which such subsidiary organs are utilized depends on the consent of the State or States concerned.

The Court accordingly finds that the argument which seeks, by reference to Article 11, paragraph 2, to limit the budgetary authority of the General Assembly in respect of the maintenance of international peace and security, is unfounded.

* * *

It has further been argued before the Court that Article 43 of the Charter constitutes a particular rule, a *lex specialis*, which derogates from the general rule in Article 17, whenever an expenditure for the maintenance of international peace and security is involved. Article

43 provides that Members shall negotiate agreements with the Security Council on its initiative, stipulating what "armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security," the Member State will make available to the Security Council on its call. According to paragraph 2 of the Article:

> Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

The argument is that such agreements were intended to include specifications concerning the allocation of costs of such enforcement actions as might be taken by direction of the Security Council, and that it is only the Security Council which has the authority to arrange for meeting such costs.

With reference to this argument, the Court will state at the outset that, for reasons fully expounded later in this Opinion, the operations known as UNEF and ONUC were not *enforcement* actions within the compass of Chapter VII of the Charter and that therefore Article 43 could not have any applicability to the cases with which the Court is here concerned. However, even if Article 43 were applicable, the Court could not accept this interpretation of its text for the following reasons.

There is nothing in the text of Article 43 which would limit the discretion of the Security Council in negotiating such agreements. It cannot be assumed that in every such agreement the Security Council would insist, or that any Member State would be bound to agree, that such State would bear the entire cost of the "assistance" which it would make available including, for example, transport of forces to the point of operation, complete logistical maintenance in the field, supplies, arms and ammunition, etc. If, during negotiations under the terms of Article 43, a Member State would be entitled (as it would be) to insist, and the Security Council would be entitled (as it would be) to agree, that some part of the expense should be borne by the Organization, then such expense would form part of the expenses of the Organization and would fall to be apportioned by the General Assembly under Article 17. It is difficult to see how it could have been contemplated that all potential expenses could be envisaged in such agreements concluded perhaps long in advance. Indeed, the difficulty or impossibility of anticipating the entire financial impact of enforcement measures on Member States is brought out by the terms of Article 50 which provides that a State, whether a Member of the United Nations or not, "which finds itself confronted with special economic problems arising from the carrying out of those [preventive or enforcement] measures, shall have the right to consult the Security Council with regard to a solution of those problems". Presumably in such a case the Security Council might determine that the overburdened State was entitled to some financial assistance: such financial assistance, if afforded by the Organization, as it might be, would clearly constitute part of the "expenses of the Organization". The economic problems could not have been covered in advance by a negotiated agreement since they would be unknown until after the event and in the case of non-Member States, which are also included in Article 50, no agreement at all would have been negotiated under Article 43.

Moreover, an argument which insists that all measures taken for the maintenance of international peace and security must be financed through agreements concluded under Article 43, would seem to exclude the possibility that the Security Council might act under some other Article of the Charter. The Court cannot accept so limited a view of the powers of the Security Council under the Charter. It cannot be said that the Charter has left the Security Council impotent in the face of an emergency situation when agreements under Article 43 have not been concluded.

Articles of Chapter VII of the Charter speak of "situations" as well as disputes, and it must lie within the power of the Security Council to police a situation even though it does not resort to enforcement action against a State. The costs of actions which the Security Council is authorized to take constitute "expenses of the Organization within the meaning of Article 17, paragraph 2".

* * *

The Court has considered the general problem of the interpretation of Article 17, paragraph 2, in the light of the general structure of the Charter and of the respective functions assigned by the Charter to the General Assembly and to the Security Council, with a view to determining the meaning of the phrase "the expenses of the Organization". The Court does not find it necessary to go further in giving a more detailed definition of such expenses. The Court will, therefore, proceed to examine the expenditures enumerated in the request for the advisory opinion. In determining whether the actual expenditures authorized constitute "expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter", the Court agrees that such expenditures must be tested by their relationship to the purposes of the United Nations in the sense that if an expenditure were made for a purpose which is not one of the purposes of the United Nations, it could not be considered an "expense of the Organization".

The purposes of the United Nations are set forth in Article 1 of the Charter. The first two purposes as stated in paragraphs 1 and 2, may be summarily described as pointing to the goal of international peace and security and friendly relations. The third purpose is the achievement of economic, social, cultural, and humanitarian goals and respect for human rights. The fourth and last purpose is: "To be a center for harmonizing the actions of nations in the attainment of these common ends".

The primary place ascribed to international peace and security is natural, since the fulfillment of the other purposes will be dependent upon the attainment of that basic condition. These purposes are broad indeed, but neither they nor the powers conferred to effectuate them are unlimited. Save as they have entrusted the Organization with the attainment of these common ends, the Member States retain their freedom of action. But when the Organization takes action which warrants the assertion that it was appropriate for the fulfillment of one of the stated purposes of the United Nations, the presumption is that such action is not *ultra vires* the Organization.

If it is agreed that the action in question is within the scope of the functions of the Organization but it is alleged that it has been initiated or carried out in a manner not in conformity with the division of functions among the several organs which the Charter pre-

scribes, one moves to the internal plane, to the internal structure of the Organization. If the action was taken by the wrong organ, it was irregular as a matter of that internal structure, but this would not necessarily mean that the expense incurred was not an expense of the Organization. Both national and international law contemplate cases in which the body corporate or politic may be bound, as to third parties, by an *ultra vires* act of an agent.

In the legal systems of States, there is often some procedure for determining the validity of even a legislative or governmental act, but no analogous procedure is to be found in the structure of the United Nations. Proposals made during the drafting of the Charter to place the ultimate authority to interpret the Charter in the International Court of Justice were not accepted; the opinion which the Court is in course of rendering is an *advisory* opinion. As anticipated in 1945, therefore, each organ must, in the first place at least, determine its own jurisdiction. If the Security Council, for example, adopts a resolution purportedly for the maintenance of international peace and security and if, in accordance with a mandate or authorization in such resolution, the Secretary-General incurs financial obligations, these amounts must be presumed to constitute "expenses of the Organization".

The Financial Regulations and Rules of the United Nations, adopted by the General Assembly, provide:

> Regulation 4.1: The appropriations voted by the General Assembly shall constitute an authorization to the Secretary-General to incur obligations and make payments for the purposes for which the appropriations were voted and up to the amounts so voted.

Thus, for example, when the General Assembly in resolution 1619 (XV) included a paragraph reading:

> 3. *Decides* to appropriate an amount of $100 million for the operations of the United Nations in the Congo from 1 January to 31 October 1961

this constituted an authorization to the Secretary-General to incur certain obligations of the United Nations just as clearly as when in resolution 1590 (XV) the General Assembly used this language:

> 3. *Authorizes* the Secretary-General . . . to incur commitments in 1961 for the United Nations operations in the Congo up to the total of $24 million . . . .

On the previous occasion when the Court was called upon to consider Article 17 of the Charter, the Court found that an award of the Administrative Tribunal of the United Nations created an obligation of the Organization and with relation thereto the Court said that:

> the function of approving the budget does not mean that the General Assembly has an absolute power to approve or disapprove the expenditure proposed to it; for some part of that expenditure arises out of obligations already incurred by the Organization, and to this extent the General Assembly has no alternative but to honour these engagements. (*Effects of awards of compensation made by the United Nations Administrative Tribunal, I.C.J. Reports 1954, p. 59*)

Similarly, obligations of the Organization may be incurred by the Secretary-General, acting on the authority of the Security Council or of the General Assembly, and the General Assembly "has no alternative but to honour these engagements".

The obligation is one thing: the way in which the obligation is met—that is from what source the funds are secured—is another. The General Assembly may follow any one of several alternatives: it may

apportion the cost of the item according to the ordinary scale of assessment; it may apportion the cost according to some special scale of assessment; it may utilize funds which are voluntarily contributed to the Organization; or it may find some other method or combination of methods for providing the necessary funds. In this context, it is of no legal significance whether, as a matter of book-keeping or accounting, the General Assembly chooses to have the item in question included under one of the standard established sections of the "regular" budget or whether it is separately listed in some special account or fund. The significant fact is that the item is an expense of the Organization and under Article 17, paragraph 2, the General Assembly therefore has authority to apportion it.

The reasoning which has just been developed, applied to the resolutions mentioned in the request for the advisory opinion, might suffice as a basis for the opinion of the Court. The Court finds it appropriate, however, to take into consideration other arguments which have been advanced.

* * *

In order to facilitate its examination of the expenditures enumerated in the request for an advisory opinion, the Court will consider first those which concern UNEF and then those which concern ONUC. In each case, it will pay attention to the operations and then to the financing of the operations.

In considering the operations in the Middle East, the Court must analyze the functions of UNEF as set forth in resolutions of the General Assembly. Resolution 998 (ES–I) of 4 November 1956 requested the Secretary-General to submit a plan "for the setting up, with the consent of the nations concerned, of an emergency international United Nations Force to secure and supervise the cessation of hostilities in accordance with all the terms of" the General Assembly's previous resolution 997 (ES–I) of 2 November 1956. The verb "secure" as applied to such matters as halting the movement of military forces and arms into the area and the conclusion of a cease-fire, might suggest measures of enforcement, were it not that the Force was to be set up "with the consent of the nations concerned".

In his first report on the plan for an emergency international Force the Secretary-General used the language of resolution 998 (ES–I) in submitting his proposals. The same terms are used in General Assembly resolution 1000 (ES–I) of 5 November in which operative paragraph 1 reads:

> *Establishes* a United Nations Command for an emergency international Force to secure and supervise the cessation of hostilities in accordance with all the terms of General Assembly resolution 997 (ES–I) of 2 November 1956;

This resolution was adopted without a dissenting vote. In his second and final report on the plan for an emergency international Force of 6 November, the Secretary-General, in paragraphs 9 and 10, stated:

> While the General Assembly is enabled to *establish* the Force with the consent of those parties which contribute units to the Force, it could not request the Force to be *stationed* or *operate* on the territory of a given country without the consent of the Government of that country. This does not exclude the possibility that the Security Council could use such a Force within the wider margins provided under Chapter VII of the United Nations Charter. I would not for the present consider it necessary to elaborate this point further, since

no use of the Force under Chapter VII, with the rights in relation to Member States that this would entail, has been envisaged.

10. The point just made permits the conclusion that the setting up of the Force should not be guided by the needs which would have existed had the measure been considered as part of an enforcement action directed against a Member country. There is an obvious difference between establishing the Force in order to secure the cessation of hostilities, with a withdrawal of forces, and establishing such a Force with a view to enforcing a withdrawal of forces.

Paragraph 12 of the Report is particularly important because in resolution 1001 (ES–I) the General Assembly, again without a dissenting vote, "*Concurs* in the definition of the functions of the Force as stated in paragraph 12 of the Secretary-General's report". Paragraph 12 reads in part as follows:

the functions of the United Nations Force would be, when a cease-fire is being established, to enter Egyptian territory with the consent of the Egyptian Government, in order to help maintain quiet during and after the withdrawal of non-Egyptian troops, and to secure compliance with the other terms established in the resolution of 2 November 1956. The Force obviously should have no rights other than those necessary for the execution of its functions, in co-operation with local authorities. It would be more than an observers' corps, but in no way a military force temporarily controlling the territory in which it is stationed; nor, moreover, should the Force have military functions exceeding those necessary to secure peaceful conditions on the assumption that the parties to the conflict take all necessary steps for compliance with the recommendations of the General Assembly.

It is not possible to find in this description of the functions of UNEF, as outlined by the Secretary-General and concurred in by the General Assembly without a dissenting vote, any evidence that the Force was to be used for purposes of enforcement. Nor can such evidence be found in the subsequent operations of the Force, operations which did not exceed the scope of the functions ascribed to it.

It could not therefore have been patent on the face of the resolution that the establishment of UNEF was in effect "enforcement action" under Chapter VII which, in accordance with the Charter, could be authorized only by the Security Council.

On the other hand, it is apparent that the operations were undertaken to fulfill a prime purpose of the United Nations, that is, to promote and to maintain a peaceful settlement of the situation. This being true, the Secretary-General properly exercised the authority given him to incur financial obligations of the Organization and expenses resulting from such obligations must be considered "expenses of the Organization within the meaning of Article 17, paragraph 2".

Apropos what has already been said about the meaning of the word "action" in Article 11 of the Charter, attention may be called to the fact that resolution 997 (ES–I), which is chronologically the first of the resolutions concerning the operations in the Middle East mentioned in the request for the advisory opinion, provides in paragraph 5:

Requests the Secretary-General to observe and report promptly on the compliance with the present resolution to the Security Council *and* to the General Assembly, for such further *action as they may deem appropriate in accordance with the Charter.*

The italicized words reveal an understanding that either of the two organs might take "action" in the premises. Actually, as one knows, the "action" was taken by the General Assembly in adopting two days later without a dissenting vote, resolution 998 (ES–I) and, also without a dissenting vote, within another three days, resolutions 1000 (ES–I) and 1001 (ES–I), all providing for UNEF.

The Court notes that these "actions" may be considered "measures" recommended under Article 14, rather than "action" recommended under Article 11. The powers of the General Assembly stated in Article 14 are not made subject to the provisions of Article 11, but only of Article 12. Furthermore, as the Court has already noted, the word "measures" implies some kind of action. So far as concerns the nature of the situations in the Middle East in 1956, they could be described as "likely to impair . . . friendly relations among nations", just as well as they could be considered to involve "the maintenance of international peace and security". Since the resolutions of the General Assembly in question do not mention upon which article they are based, and since the language used in most of them might imply reference to either Article 14 or Article 11, it cannot be excluded that they were based upon the former rather than the latter article.

* * *

The financing of UNEF presented perplexing problems and the debates on these problems have even led to the view that the General Assembly never, either directly or indirectly, regarded the expenses of UNEF as "expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter". With this interpretation the Court cannot agree. In paragraph 15 of his second and final report on the plan for an emergency international Force of 6 November 1956, the Secretary-General said that this problem required further study. Provisionally, certain costs might be absorbed by a nation providing a unit, "while all other costs should be financed outside the normal budget of the United Nations". Since it was "obviously impossible to make any estimate of the costs without a knowledge of the size of the corps and the length of its assignment", the "only practical course . . . would be for the General Assembly to vote a general authorization for the cost of the Force on the basis of general principles such as those here suggested".

Paragraph 5 of resolution 1001 (ES–I) of 7 November 1956 states that the General Assembly "*Approves provisionally* the basic rule concerning the financing of the Force laid down in paragraph 15 of the Secretary-General's report".

In an oral statement to the plenary meeting of the General Assembly on 26 November 1956, the Secretary-General said:

> . . . I wish to make it equally clear that while funds received and payments made with respect to the Force are to be considered as coming outside the regular budget of the Organization, the operation is essentially a United Nations responsibility, and the Special Account to be established must, therefore, be construed as coming within the meaning of Article 17 of the Charter.

At this same meeting, after hearing this statement, the General Assembly in resolution 1122 (XI) noted that it had "*provisionally approved* the recommendations made by the Secretary-General concerning the financing of the Force". It then authorized the Secretary-General "to establish a United Nations Emergency Force Special Account to which funds received by the United Nations, outside the regular budget, for the purpose of meeting the expenses of the Force shall be credited and from which payments for this purpose shall be made". The resolution then provided that the initial amount in the Special Account should be $10 million and authorized the Secretary-General "pending the receipt of funds for the Special Account, to advance from the Working Capital Fund such sums as the Special Account

may require to meet any expenses chargeable to it". The establishment of a Special Account does not necessarily mean that the funds in it are not to be derived from contributions of Members as apportioned by the General Assembly.

The next of the resolutions of the General Assembly to be considered is 1089 (XI) of 21 December 1956, which reflects the uncertainties and the conflicting views about financing UNEF. The divergencies are duly noted and there is ample reservation concerning possible future action, but operative paragraph 1 follows the recommendation of the Secretary-General "that the expenses relating to the Force should be apportioned in the same manner as the expenses of the Organization". The language of this paragraph is clearly drawn from Article 17:

> 1. *Decides* that the expenses of the United Nations Emergency Force, other than for such pay, equipment, supplies and services as may be furnished without charge by Governments of Member States, shall be borne by the United Nations and shall be apportioned among the Member States, to the extent of $10 million, in accordance with the scale of assessments adopted by the General Assembly for contributions to the annual budget of the Organization for the financial year 1957;

This resolution, which was adopted by the requisite two-thirds majority, must have rested upon the conclusion that the expenses of UNEF were "expenses of the Organization" since otherwise the General Assembly would have had no authority to decide that they "shall be borne by the United Nations" or to apportion them among the Members. It is further significant that paragraph 3 of this resolution, which established a study committee, charges this committee with the task of examining "the question of the *apportionment* of the expenses of the Force in excess of $10 million . . . and the principle or the formulation of *scales of contributions different from the scale of contributions* by Member States to the ordinary budget for 1957". The italicized words show that it was not contemplated that the Committee would consider any method of meeting these expenses except through some form of apportionment although it was understood that a different *scale* might be suggested.

The report of this study committee again records differences of opinion but the draft resolution which it recommended authorized further expenditures and authorized the Secretary-General to advance funds from the Working Capital Fund and to borrow from other funds if necessary; it was adopted as resolution 1090 (XI) by the requisite two-thirds majority on 27 February 1957. In paragraph 4 of that resolution, the General Assembly decided that it would at its twelfth session "consider the basis for financing any costs of the Force in excess of $10 million not covered by voluntary contributions".

Resolution 1151 (XII) of 22 November 1957, while contemplating the receipt of more voluntary contributions, decided in paragraph 4 that the expenses authorized "shall be borne by the Members of the United Nations in accordance with the scales of assessments adopted by the General Assembly for the financial years 1957 and 1958 respectively".

Almost a year later, on 14 November 1958, in resolution 1263 (XIII) the General Assembly, while "*Noting with satisfaction* the effective way in which the Force continues to carry out its function", requested the Fifth Committee "to recommend such action as may be necessary

to finance this continuing operation of the United Nations Emergency Force".

After further study, the provision contained in paragraph 4 of the resolution of 22 November 1957 was adopted in paragraph 4 of resolution 1337 (XIII) of 13 December 1958. Paragraph 5 of that resolution requested "the Secretary-General to consult with the Governments of Member States with respect to their views concerning the manner of financing the Force in the future, and to submit a report together with the replies to the General Assembly at its fourteenth session". Thereafter a new plan was worked out for the utilization of any voluntary contributions, but resolution 1441 (XIV) of 5 December 1959, in paragraph 2: "*Decides* to assess the amount of $20 million against all Members of the United Nations on the basis of the regular scale of assessments" subject to the use of credits drawn from voluntary contributions. Resolution 1575 (XV) of 20 December 1960 is practically identical.

The Court finds, therefore, that from year to year the expenses of UNEF have been treated by the General Assembly as expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter.

* * *

The operations in the Congo were initially authorized by the Security Council in the resolution of 14 July 1960 which was adopted without a dissenting vote. The resolution, in the light of the appeal from the Government of the Congo, the report of the Secretary-General and the debate in the Security Council, was clearly adopted with a view to maintaining international peace and security. However, it is argued that that resolution has been implemented in violation of provisions of the Charter inasmuch as under the Charter it is the Security Council that determines which States are to participate in carrying out decisions involving the maintenance of international peace and security, whereas in the case of the Congo the Secretary-General himself determined which States were to participate with their armed forces or otherwise.

By paragraph 2 of the resolution of 14 July 1960 the Security Council "*Decides* 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". Paragraph 3 requested the Secretary-General "to report to the Security Council as appropriate". The Secretary-General made his first report on 18 July and in it informed the Security Council which States he had asked to contribute forces or matériel, which ones had complied, the size of the units which had already arrived in the Congo (a total of some 3,500 troops), and some detail about further units expected.

On 22 July the Security Council by unanimous vote adopted a further resolution in which the preamble states that it had considered this report of the Secretary-General and appreciated "the work of the Secretary-General and the support so readily and so speedily given to him by all Member States invited by him to give assistance". In operative paragraph 3, the Security Council "*Commends* the Secretary-General for the prompt action he has taken to carry out resolution S/4387 of the Security Council, and for his first report".

On 9 August the Security Council adopted a further resolution without a dissenting vote in which it took note of the second report

and of an oral statement of the Secretary-General and in operative paragraph 1: "*Confirms* the authority given to the Secretary-General by the Security Council resolutions of 14 July and 22 July 1960 and requests him to continue to carry out the responsibility placed on him thereby". This emphatic ratification is further supported by operative paragraphs 5 and 6 by which all Member States were called upon "to afford mutual assistance" and the Secretary-General was requested "to implement this resolution and to report further to the Council as appropriate".

The Security Council resolutions of 14 July, 22 July and 9 August 1960 were noted by the General Assembly in its resolution 1474 (ES–IV) of 20 September, adopted without a dissenting vote, in which it "fully supports" these resolutions. Again without a dissenting vote, on 21 February 1961 the Security Council reaffirmed its three previous resolutions "and the General Assembly resolution 1474 (ES–IV) of 20 September 1960" and reminded "all States of their obligations under these resolutions".

Again without a dissenting vote on 24 November 1961 the Security Council, once more recalling the previous resolutions, reaffirmed "the policies and purposes of the United Nations with respect to the Congo (Leopoldville) as set out" in those resolutions. Operative paragraphs 4 and 5 of this resolution renew the authority to the Secretary-General to continue the activities in the Congo.

In the light of such a record of reiterated consideration, confirmation, approval and ratification by the Security Council and by the General Assembly of the actions of the Secretary-General in implementing the resolution of 14 July 1960, it is impossible to reach the conclusion that the operations in question usurped or impinged upon the prerogatives conferred by the Charter on the Security Council. The Charter does not forbid the Security Council to act through instruments of its own choice: under Article 29 it "may establish such subsidiary organs as it deems necessary for the performance of its functions"; under Article 98 it may entrust "other functions" to the Secretary-General.

It is not necessary for the Court to express an opinion as to which article or articles of the Charter were the basis for the resolutions of the Security Council, but it can be said that the operations of ONUC did not include a use of armed force against a State which the Security Council, under Article 39, determined to have committed an act of aggression or to have breached the peace. The armed forces which were utilized in the Congo were not authorized to take military action against any State. The operation did not involve "preventive or enforcement measures" against any State under Chapter VII and therefore did not constitute "action" as that term is used in Article 11.

For the reasons stated, financial obligations which, in accordance with the clear and reiterated authority of both the Security Council and the General Assembly, the Secretary-General incurred on behalf of the United Nations, constitute obligations of the Organization for which the General Assembly was entitled to make provision under the authority of Article 17, paragraph 2, of the Charter.

* * *

In relation to ONUC, the first action concerning the financing of the operation was taken by the General Assembly on 20 December 1960, after the Security Council had adopted its resolutions of 14 July,

22 July and 9 August, and the General Assembly had adopted its supporting resolution of 20 September. This resolution 1583 (XV) of 20 December referred to the report of the Secretary-General on the estimated cost of the Congo operations from 14 July to 31 December 1960, and to the recommendations of the Advisory Committee on Administrative and Budgetary Questions. It decided to establish an *ad hoc* account for the expenses of the United Nations in the Congo. It also took note of certain waivers of cost claims and then decided to apportion the sum of $48.5 million among the Member States "on the basis of the regular scale of assessment" subject to certain exceptions. It made this decision because in the preamble it had already recognized:

> that the expenses involved in the United Nations operations in the Congo for 1960 constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter of the United Nations and that the assessment thereof against Member States creates binding legal obligations on such States to pay their assessed shares.

By its further resolution 1590 (XV) of the same day, the General Assembly authorized the Secretary-General "to incur commitments in 1961 for the United Nations operations in the Congo up to the total of $24 million for the period from 1 January to 31 March 1961". On 3 April 1961, the General Assembly authorized the Secretary-General to continue until 21 April "to incur commitments for the United Nations operations in the Congo at a level not to exceed $8 million per month".

Importance has been attached to the statement included in the preamble of General Assembly resolution 1619 (XV) of 21 April 1961 which reads:

> *Bearing in mind* that the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that therefore a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses.

However, the same resolution in operative paragraph 4:

> *Decides further* to apportion as expenses of the Organization the amount of $100 million among the Member States in accordance with the scale of assessment for the regular budget subject to the provisions of paragraph 8 below [paragraph 8 makes certain adjustments for Member States assessed at the lowest rates or who receive certain designated technical assistance], pending the establishment of a different scale of assessment to defray the extraordinary expenses of the Organization resulting from these operations.

Although it is not mentioned in the resolution requesting the advisory opinion, because it was adopted at the same meeting of the General Assembly, it may be noted that the further resolution 1732 (XVI) of 20 December 1961 contains an identical paragraph in the preamble and a comparable operative paragraph 4 on apportioning $80 million.

The conclusion to be drawn from these paragraphs is that the General Assembly has twice decided that even though certain expenses are "extraordinary" and "essentially different" from those under the "regular budget", they are none the less "expenses of the Organization" to be apportioned in accordance with the power granted to the General Assembly by Article 17, paragraph 2. This conclusion is strengthened by the concluding clause of paragraph 4 of the two resolutions just cited which states that the decision therein to use the

scale of assessment already adopted for the regular budget is made "pending the establishment of a *different scale of assessment* to defray the extraordinary expenses". The only alternative—and that means the "different procedure"—contemplated was another *scale* of assessment and not some method other than assessment. "Apportionment" and "assessment" are terms which relate only to the General Assembly's authority under Article 17.

* * *

At the outset of this opinion, the Court pointed out that the text of Article 17, paragraph 2, of the Charter could lead to the simple conclusion that "the expenses of the Organization" are the amounts paid out to defray the costs of carrying out the purposes of the Organization. It was further indicated that the Court would examine the resolutions authorizing the expenditures referred to in the request for the advisory opinion in order to ascertain whether they were incurred with that end in view. The Court has made such an examination and finds that they were so incurred. The Court has also analyzed the principal arguments which have been advanced against the conclusion that the expenditures in question should be considered as "expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter of the United Nations", and has found that these arguments are unfounded. Consequently, the Court arrives at the conclusion that the question submitted to it in General Assembly resolution 1731 (XVI) must be answered in the affirmative.

For these reasons,

THE COURT IS OF OPINION,

by nine votes to five,

that the expenditures authorized in General Assembly resolutions 1583 (XV) and 1590 (XV) of 20 December 1960, 1595 (XV) of 3 April 1961, 1619 (XV) of 21 April 1961 and 1633 (XVI) of 30 October 1961 relating to the United Nations operations in the Congo undertaken in pursuance of the Security Council resolutions of 14 July, 22 July and 9 August 1960 and 21 February and 24 November 1961, and General Assembly resolutions 1474 (ES–IV) of 20 September 1960 and 1599 (XV) and 1601 (XV) of 15 April 1961, and the expenditures authorized in General Assembly resolutions 1122 (XI) of 26 November 1956, 1089 (XI) of 21 December 1956, 1090 (XI) of 27 February 1957, 1151 (XII) of 22 November 1957, 1204 (XII) of 13 December 1957, 1337 (XIII) of 13 December 1958, 1441 (XIV) of 5 December 1959 and 1575 (XV) of 20 December 1960 relating to the operations of the United Nations Emergency Force undertaken in pursuance of General Assembly resolutions 997 (ES–I) of 2 November 1956, 998 (ES–I) and 999 (ES–I) of 4 November 1956, 1000 (ES–I) of 5 November 1956, 1001 (ES–I) of 7 November 1956, 1121 (XI) of 24 November 1956 and 1263 (XIII) of 14 November 1958, constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter of the United Nations.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this twentieth day of July, one thousand nine hundred and sixty-two, in two copies, one of which will be placed in the archives of the Court and the other transmitted to the Secretary-General of the United Nations.

(*Signed*) B. WINIARSKI, *President.*
(*Signed*) GARNIER–COIGNET, *Registrar.*

Judge SPIROPOULOS makes the following declaration:

While accepting the Court's conclusion, I cannot agree with all the views put forward in the Advisory Opinion. In particular, I consider that the affirmative reply to the request for an opinion is justified by the argument that the resolutions of the General Assembly authorizing the financing of the United Nations operations in the Congo and the Middle East, being resolutions designed to meet expenditure concerned with the fulfilment of the purposes of the United Nations, which were adopted by two-thirds of the members of the General Assembly present and voting, create obligations for the Members of the United Nations.

I express no opinion as to the conformity with the Charter of the resolutions relating to the United Nations operations in the Congo and the Middle East, for the following reasons:

The French delegation had proposed to the General Assembly the acceptance of an amendment to the text, finally adopted by it, according to which amendment the question put to the Court would have become: "Were the expenditures authorized etc. . . . decided on in conformity with the provisions of the Charter and, if so, do they constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?"

On 20 December 1961, in the course of the meeting of the General Assembly, this amendment was accompanied by a statement by the French delegation justifying the submission of the French amendment and which, among other things, said:

> In the opinion of the French delegation, the question put to the Court does not enable the latter to give a clear-cut opinion on the juridical basis for the financial obligations of Member States. The Court cannot, in fact, appraise the scope of those resolutions without determining what obligations they may create for Member States under the Charter.
>
> It is for this reason that the French delegation is submitting to the Assembly an amendment [A/L. 378] the adoption of which would enable the Court to determine whether or not the Assembly resolutions concerning the financial implications of the United Nations operations in the Congo and the Middle East are in conformity with the Charter. Only thus, if the matter is referred to the Court, will it be done in such a way as to take into account the scope and nature of the problems raised in the proposal to request an opinion.

The French amendment was rejected.

The rejection of the French amendment by the General Assembly seems to me to show the desire of the Assemly that the conformity or nonconformity of the decisions of the Assembly and of the Security Council concerning the United Nations operations in the Congo and the Middle East should not be examined by the Court. It seems natural, indeed, that the General Assembly should not have wished that the Court should pronounce on the validity of resolutions which have been applied for several years. In these circumstances, I have felt bound to refrain from pronouncing on the conformity with the Charter of the resolutions relating to the United Nations operations in the Congo and the Middle East.

Judges Sir Percy SPENDER, Sir Gerald FITZMAURICE and MORELLI append to the Opinion of the Court statements of their Separate Opinions.

President WINIARSKI and Judges BASDEVANT, MORENO QUINTANA, KORETSKY and BUSTAMANTE Y RIVERO append to the Opinion of the Court statements of their Dissenting Opinions.

(*Initialled*) B.W.
(*Initialled*) G.-C.

INDIVIDUAL OPINION OF JUDGE SIR PERCY SPENDER

I agree that the question should be answered in the affirmative.

The Court is called upon to answer a question which, exceedingly important though it is, lies within a comparatively limited compass.

That question is whether certain particularized expenditure—money spent or to be spent—authorized by certain specified resolutions of the General Assembly, constitute "expenses of the Organization" within the meaning of Article 17(2) of the Charter.

Whilst the form in which the question has been framed may not in any manner inhibit the Court from considering any aspect of the Charter, or any part of the record presented to it, to the extent it considers relevant, the opinion the Court gives ought not, in my view, go beyond the limits of what is reasonably necessary to permit it to answer the question. To go beyond these limits is I think an excess of function.

For my part I have not found it necessary to express any opinion upon the validity or regularity of the resolutions pursuant to which the operations in the Congo and the Middle East were undertaken. A conclusion thereon would not, in my view, affect the answer which should be given to the question.

Article 17 has a provenance and field of its own. It is the only Article in the Charter which deals with the budgetary affairs and the expenses of the Organization. Neither the word "budget" in Article 17(1) nor the word "expenses" in Article 17(2) is qualified in any manner in the text, nor elsewhere by anything appearing in the Charter.

The word "budget" in Article 17(1) covers all finance requirements of the Organization and the word "expenses" in Article 17(2) covers all expenditure which may be incurred on behalf of the Organization, which gives effect to the purposes of the United Nations. There is, upon the proper interpretation of Article 17, no legal basis for confining these words to what has been described as "normal," "ordinary," "administrative" or "essential" costs and expenditure, whatever precisely these terms may denote. The expenditures referred to in the question put to the Court were of a character which could qualify them as incurred in order to give effect to the purposes of the Organization. It was in these circumstances for the General Assembly, and for it alone, to determine, as it did, whether these expenditures did qualify as those of the Organization and to deal with them pursuant to its powers under Article 17(2).

Once the General Assembly has passed upon what are the expenses of the Organization, and it is apparent that the expenditure incurred and to be incurred on behalf of the Organization is in furtherance of its purposes, their character as such and any apportionment thereof made by the General Assembly under Article 17(2) of the Charter can-

not legally be challenged by any Member State. Its decision may not be impugned and becomes binding upon each Member State. It would be anarchic of any interpretation of the Charter were each Member State its own interpreter of whether this or that particular expense was an expense of the Organization, within the meaning of Article 17(2), and could, by its own interpretation, be free to refuse to comply with the decision of the General Assembly.

It is, moreover, evident that once the Secretary-General, who, under Article 98 of the Charter, is bound to perform such functions as the General Assembly or the Security Council may entrust him with, is called upon by either organ to discharge certain functions, as he was in respect to the operations in both the Congo and the Middle East, and in discharging them he engages the credit of the Organization and on its behalf incurs financial obligations, then, unless the resolution under which he acts, or what he does, is unconnected with the furtherance of the purposes of the Organization, the moneys involved may properly be dealt with by the General Assembly as "expenses of the Organization". Once they have been the action of the General Assembly would not be open to challenge by a Member State even if the resolutions under which he was called upon to act were not in conformity with the Charter and even if he should exceed the authority conferred upon him. He is the Chief Administrative Officer of the Organization and *Director* of the Secretariat which itself is an organ of the United Nations. If, acting within the apparent scope of his authority, he engages the credit of the Organiaztion, the General Assembly has, in my view, full power to acknowledge the financial obligations involved as "expenses of the Organization" within the meaning of Article 17(2) and act accordingly.

Subject to the above and to certain general observations that I wish to make on the discharge by the Court of its function of interpreting the Charter, I associate myself with the opinion of the Court.

* * *

The interpretation given to Article 17 and in particular to subparagraph (2) thereof accords a wide power to the General Assembly.

It is however nothing to the point to contend that so to interpret Article 17(2) confers an authority so extensive that it could lead the General Assembly, by virtue of its control over the finances of the Organization, to extend in practice its own competence in other fields in disregard of the provisions of the Charter. Whatever the ambit of power conferred upon any organ of the United Nations, that may be ascertained only from the terms of the Charter itself. Once the Court has determined the interpretation it must accord to a provision of the Charter on which it is called upon to express its opinion, its function is discharged. Any political consequences which may flow from its decision is not a matter for its concern.

* * *

General Observations of the Interpretation of the Charter

Words communicate their meaning from the circumstances in which they are used. In a written instrument their meaning primarily is to be ascertained from the context, the setting, in which they are found.

The cardinal rule of interpretation that this Court and its predecessor has stated should be applied is that words are to be read, if they

may so be read, in their ordinary and natural sense. If so read they make sense, that is the end of the matter. If, however, so read they are ambiguous or lead to an unreasonable result, then and then only must the Court, by resort to other methods of interpretation, seek to ascertain what the parties really meant when they used the words under consideration (*Competence of the General Assembly Regarding Admission to the United Nations, I.C.J. Reports 1950*, p. 8, and *Polish Postal Service in Danzig*, P.C.I.J., Series B, p. 39).

This injunction is sometimes a counsel of perfection. The ordinary and natural sense of words may at times be a matter of considerable difficulty to determine. What is their ordinary and natural sense to one may not be so to another. The interpreter not uncommonly has, what has been described as, a personal feeling towards certain words and phrases. What makes sense to one may not make sense to another. Ambiguity may lie hidden in the plainest and most simple of words even in their natural and ordinary meaning. Nor is it always evident by what legal yardstick words read in their natural and ordinary sense may be judged to produce an unreasonable result.

Moreover the *intention* of the parties at the time when they entered into an engagement will not always—depending upon the nature and subject matter of the engagement—have the same importance. In particular in the case of a multilateral treaty such as the Charter the intention of its original Members, except such as may be gathered from its terms alone, is beset with evident difficulties. Moreover, since from its inception it was contemplated that other States would be admitted to membership so that the Organization would, in the end, comprise "all other peace-loving States which accept the obligations contained in the Charter" (Article 4), the intention of the framers of the Charter appears less important than intention in many other treaties where the parties are fixed and constant and where the nature and subject matter of the treaty is different. It is hardly the intention of those States which originally framed the Charter which is important except as that intention reveals itself in the text. What is important is what the Charter itself provides: what—to use the words of Article 4—is "contained in · · · the Charter".

It is, I venture to suggest, perhaps safer to say that the meaning of words, however described, depends upon subject matter and the context in which they are used.

* * *

In the interpretation of a multilateral treaty such as the Charter which establishes a permanent international mechanism or organization to accomplish certain stated purposes there are particular considerations to which regard should, I think, be had.

Its provisions were of necessity expressed in broad and general terms. It attempts to provide against the unknown, the unforeseen and, indeed, the unforeseeable. Its text reveals that it was intended—subject to such amendments as might from time to time be made to it—to endure, at least it was hoped it would endure, for all time. It was intended to apply to varying conditions in a changing and evolving world community and to a multiplicity of unpredictable situations and events. Its provisions were intended to adjust themselves to the ever changing pattern of international existence. It established international machinery to accomplish its stated purposes.

It may with confidence be asserted that its particular provisions should receive a broad and liberal interpretation unless the context of any particular provision requires, or there is to be found elsewhere in the Charter, something to compel a narrower and restricted interpretation.

The stated purposes of the Charter should be the prime consideration in interpreting its text.

Despite current tendencies to the contrary the first task of the Court is to look, not at the *travaux préparatoires* or the practice which hitherto has been followed within the Organization, but at the terms of the Charter itself. What does it provide to carry out its purposes?

If the meaning of any particular provision read in its context is sufficiently clear to satisfy the Court as to the interpretation to be given to it there is neither legal justification nor any logical reason to have recourse to either the *travaux préparatoires* or the practice followed within the United Nations.

The Charter must, of course, be read as a whole so as to give effect to all its terms in order to avoid inconsistency. No word, or provision, may be disregarded or treated as superfluous, unless this is absolutely necessary to give effect to the Charter's terms read as a whole.

* * *

The purpose pervading the whole of the Charter and dominating it is that of maintaining international peace and security and to that end the taking of effective collective measures for the prevention and removal of threats to the peace.

Interpretation of the Charter should be directed to giving effect to that purpose, not to frustrate it. If two interpretations are possible in relation to any particular provision of it, that which is favourable to the accomplishment of purpose and not restrictive of it must be preferred.

A general rule is that words used in a treaty should be read as having the meaning they bore therein when it came into existence. But this meaning must be consistent with the purposes sought to be achieved. Where, as in the case of the Charter, the purposes are directed to saving succeeding generations in an indefinite future from the scourge of war, to advancing the welfare and dignity of man, and establishing and maintaining peace under international justice for all time, the general rule above stated does not mean that the words in the Charter can only comprehend such situations and contingencies and manifestations of subject matter as were within the minds of the framers of the Charter (cf. *Employment of Women During the Night*, P.C.I.J., Series A/B, No. 50, p. 377).

The wisest of them could never have anticipated the tremendous changes which politically, militarily, and otherwise have occurred in the comparatively few years which have elapsed since 1945. Few if any could have contemplated a world in thraldom to atomic weapons on the scale of today, and the dangers inherent in even minor and remote events to spark wide hostilities imperilling both world peace and vast numbers of mankind. No comparable human instrument in 1945 or today could provide against all the contingencies that the future should hold. All that the framers of the Charter reasonably could do was to set forth the purposes the organization set up should seek to achieve, establish the organs to accomplish these purposes and

confer upon these organs powers in general terms. Yet these general terms, unfettered by man's incapacity to foretell the future, may be sufficient to meet the thrusts of a changing world.

The nature of the authority granted by the Charter to each of its organs does not change with time. The ambit or scope of the authority conferred may nonetheless comprehend ever changing circumstances and conditions and embrace, as history unfolds itself, new problems and situations which were not and could not have been envisaged when the Charter came into being. The Charter must accordingly be interpreted, whilst in no way deforming or dislocating its language, so that the authority conferred upon the Organization and its various organs may attach itself to new and unanticipated situations and events.

All canons of interpretation, however valuable they may be, are but aids to the interpreter. There are, as this Court's predecessor acknowledged, many methods of interpretation. (*Territorial Jurisdiction of the International Commission on the River Oder*, P.C.I.J., Series A, No. 23, p. 26). The question whether an unforeseen, or extraordinary, or abnormal development or situation, or matter relating thereto, falls within the authority accorded to any of the organs of the Organization finds its answer in discharging the essential task of the aim of all interpretation—ascertaining the meaning of the relevant Charter provision, having regard to its context. The meaning of the text will be illuminated by the stated purposes to achieve which the terms of the Charter were drafted.

* * *

Practice within the United Nations—Its effect on or value as a criterion of interpretation.

In the proceedings on this Advisory Opinion practice and usage within the United Nations has been greatly relied upon by certain States, which have availed themselves of the opportunity to present their views to the Court, as establishing a criterion of interpretation of relevant Charter provisions.

It was for example contended by one State that usages developed in the practice of the United Nations have dealt with certain items of expenditures as expenses of the Organization within the meaning of Article 17(2) and that such usages whether or not they could be said to have attained the character of customary legal principle are relevant for the purposes of interpreting the meaning and scope of resolutions adopted by the General Assembly concerning specific questions. So usage within the United Nations, it was urged, has sanctioned the inclusion in the budget expenses of the Organization of items which related to other than the ordinary administrative and routine duties of the Organization as, for example, those connected with special peace-keeping operations and operations of a similar character initiated by either the General Assembly or the Security Council.

Thus, so it was asserted, in practice it has been considered a normal and usual procedure to include such operations in the regular budget which was financed in accordance with Article 17(2) of the Charter. Though objections had from time to time been made to the inclusion of different items, the General Assembly had not hesitated to overrule

such objections and the objecting States, it was claimed, had in the end acquiesced in the decisions by paying their contributions under Article 17(2). It was also contended that the General Assembly and the Security Council had consistently pursued a practice of considering the General Assembly competent to deal with a matter transferred to it from the Security Council in the circumstances defined by the Uniting for Peace Resolution 377 (V).

These practices were called in aid as relevant considerations in interpreting both Article 17(2) and Article 24 of the Charter. The proposition advanced was that it is a general principle that a treaty provision should be interpreted in the light of the subsequent conduct of the contracting parties—words which echo those to be found in the Advisory Opinion of the Permanent Court in *Interpretation of the Treaty of Lausanne* (P.C.I.J., Series B, No. 12, 1925, p. 24)—and that the uniform practice pursued by the organs of the United Nations should be equated with the "subsequent conduct" of contracting *parties* as in the case of a bilateral treaty.

Similar contentions were made by other States. The practice of the parties in interpreting a constitutive instrument, it was submitted, was a guide to that instrument's true meaning. The practice of the Security Council, as well as that of the General Assembly, demonstrated, it was said, that the power to approve and apportion the budget of the United Nations was recognized to be the province of the General Assembly alone. Furthermore, by adopting certain resolutions the Security Council and the General Assembly construed the Charter as granting the powers thus exercised, that these organs had the competence to interpret such parts of the Charter as were applicable to their respective and particular functions, and accordingly, that the interpretations such organs have in practice given to their respective powers are entitled to the greatest weight in any subsequent judicial review to determine the meaning and extent of those functions.

The contention of one State went further. The claim was made that any interpretation of the Charter by a United Nations organ should be upheld so long as it is an interpretation which is not expressly inconsistent with the Charter and that since any such interpretation would reflect the support of the majority of the Member States, and considering the interpretation of the Charter which has been applied by the Assembly in regard to financing the operation of the UNOC and UNEF, the Court should give its advisory opinion in this case in the affirmative.

These contentions raise questions of importance which should not, I think, be passed over in silence, particularly having regard to the extent to which the Court itself has had recourse to practice within the United Nations from which to draw sustenance for its interpretation of Charter provisions.

* * *

It is of course a general principle of international law that the subsequent conduct of the parties to a bilateral—or a multilateral—instrument may throw light on the intention of the parties at the time the instrument was entered into and thus may provide a legitimate criterion in interpretation.

So the conduct of *one* party to such an instrument—or to a unilateral instrument—may throw light upon *its* intentions when entering into it whilst that of *both* or *all*—parties may have considerable probative value in aid of interpretation.

There is, however, as the late Judge Sir Hersch Lauterpacht has pointed out, an element of artificiality in the principle, and care must be taken to circumscribe its operation. This element of artificiality is greatly magnified when the principle is sought to be extended from the field of bilateral instruments to that of multilateral instruments of an organic character and where the practice (or subsequent conduct) relied upon is that, not of the parties to the instrument, but of an organ created thereunder.

In any case subsequent conduct may only provide a criterion of interpretation when the text is obscure, and even then it is necessary to consider whether that conduct itself permits of only one inference (*Brazilian Loans Case*, P.C.I.J., Series A/B, Nos. 20/21, p. 119). Except in the case where a party is by its conduct precluded from relying upon a particular interpretation, with which type of case we are not presently concerned, it can hardly control the language or provide a criterion of interpretation of a text which is not obscure.

I find difficulty in accepting the proposition that a practice pursued by an *organ* of the United Nations may be equated with the subsequent conduct of *parties* to a bilateral agreement and thus afford evidence of intention of the parties to the Charter (who have constantly been added to since it came into force) and in that way or otherwise provide a criterion of interpretation. Nor can I agree with a view sometimes advanced that a common practice pursued by an organ of the United Nations, though *ultra vires* and in point of fact having the result of amending the Charter, may nonetheless be effective as a criterion of interpretation.

* * *

The legal rationale behind what is called the principle of "subsequent conduct" is I think evident enough. In essence it is a question of evidence, its admissibility and value. Its roots are deeply embedded in the experience of mankind.

A man enters into a compact usually between himself and another. The meaning of that compact when entered into whether oral, or in writing, may well be affected, even determined, by the manner in which both parties in practice have carried it out.

That is evident enough. Their joint conduct expresses their common understanding of what the terms of their compact, at the time they entered into it, were intended to mean, and thus provides direct evidence of what they did mean.

That conduct on the part of both parties to a treaty should be considered on the same footing is incontestable. It provides a criterion of interpretation.

It is however evident enough—despite a flimsy and questionable argument based upon what appears in *Iranian Oil Company* (*I.C.J. Reports 1952*, pp. 106-7)—that the subsequent conduct of one party alone cannot be evidence in its favour of a common understanding of the meaning intended to be given to the text of a treaty. Its conduct could, under certain conditions to which I have in the *Case Concerning*

the Temple of Preah Vihear (*I.C.J. Reports 1962*, p. 6) made brief reference, preclude it as against the other party to the treaty from alleging an interpretation contrary to that which by its conduct it has represented to be the correct interpretation to be placed upon the treaty. Short of conduct on its part amounting to preclusion, it may also, if the other party to the treaty acknowledges that the interpretation so placed upon it by the first party is correct, provide some evidence in favour of the first party, depending on the weight the acknowledgement merits, and thus also provide a criterion of interpretation.

As in the field of municipal law, multilateral compacts were a later development; as also were multilateral treaties in the field of international law, particularly those of the organizational character of the Charter.

In the case of multilateral treaties the admissibility and value as evidence of subsequent conduct of one or more parties thereto encounter particular difficulties. If all the parties to a multilateral treaty where the parties are fixed and constant, pursue a course of subsequent conduct in their attitude to the text of the treaty, and that course of conduct leads to an inference, and one inference only, as to their common intention and understanding at the time they entered into the treaty as to the meaning of its text, the probative value of their conduct again is manifest. If however only one or some but not all of them by subsequent conduct interpret the text in a certain manner, that conduct stands upon the same footing as the unilateral conduct of one party to a bilateral treaty. The conduct of such one or more could not of itself have any probative value or provide a criterion for judicial interpretation.

Even where the course of subsequent conduct pursued by both parties to a bilateral treaty or by all parties to a multilateral treaty are in accord and that conduct permits of only one inference it provides a criterion of interpretation only when, as has already been indicated, the text of the treaty is obscure or ambiguous. It may, however, depending upon other considerations not necessary to be here dealt with, provide evidence from which to infer a new agreement with new rights and obligations between the parties, in effect superimposed or based upon the text of the treaty and amending the same. This latter aspect of subsequent conduct is irrelevant for present consideration since no amendment of the Charter may occur except pursuant to Article 108 of the Charter.

When we pass from multilateral treaties in which the parties thereto are fixed and constant to multilateral treaties where the original parties thereto may be added to in accordance with the terms of the treaty itself we move into territory where the role and value of subsequent conduct as an interpretive element is by no means evident.

The Charter provides the specific case with what we are concerned. The original members of the Charter number less than half the total number of Member States. If the intention of the original Members of the United Nations, at the time they entered into the Charter, is that which provides a criterion of interpretation, then it is the subsequent conduct of *those* Members which may be equated with the subsequent conduct of the parties to a bilateral or multilateral treaty where the parties are fixed and constant. This, it seems to me, could

add a new and indeterminate dimension to the rights and obligations of States which were not original Members and who were not privy to the intentions of the original Members.

However this may be it is not evident on what ground a practice consistently followed by a majority of Member States not in fact accepted by other Member States could provide any criterion of interpretation which the Court could properly take into consideration in the discharge of its judicial function. The conduct of the majority in following the practice may be evidence against them and against those who in fact accept the practice as correctly interpreting a Charter provision, but could not, it seems to me, afford any in their favour to support an interpretation which by majority they have been able to assert.

* * *

It is not I think permissible to move the principle of subsequent conduct of parties to a bilateral or multilateral treaty into another field and seek to apply it, not to the *parties* to the treaty, but to an *organ* established under the treaty.

My present view is that it is not possible to equate "subsequent conduct" with the practice of an organ of the United Nations. Not only is such an organ not a party to the Charter but the inescapable reality is that both the General Assembly and the Security Council are but the mechanisms through which the Members of the United Nations express their views and act. The fact that they act through such an organ, where a majority rule prevails and so determine the practice, cannot, it seems to me, give any greater probative value to the practice established within that organ than it would have as conduct of the Members that comprise the majority if pursued outside of that organ.

The contention of the various States, that the practice followed by the General Assembly and the Security Council in interpreting their functions under the Charter has a particular probative value of its own, finds authority, it is claimed, in the jurisprudence of this Court and its predecessor.

It falls for consideration to what extent, if at all, this is so.

The cases which may be relied upon are few and, upon examination, they throw little light upon the matter. The extent to which a practice pursued by an organ of the United Nations may be had resort to by the Court, if at all, as an aid to interpretation, has, I think, yet to receive deliberative consideration by, and to be spelt out by, the Court.

In the Advisory Opinion of the Permanent Court in *Competence of the International Labour Organisation* (P.C.I.J., Series B, No. 2 (1922), pp. 40–41) when dealing with a question of interpretation arising out of Part XIII of the Treaty of Peace between the Allied and Associated Powers and Germany, the fact that the competence of the International Labour Organisation to deal with the subject of agriculture had never been disputed by the Contracting Parties might, the Court observed, if there had been any ambiguity in the text (which the Court found did not exist), "suffice to turn the scale". The Court in point of fact had already arrived at its conclusion on the interpretation which should be given to the text; its observation was accordingly *obiter dicta*. Moreover it was dealing with the conduct of *parties* to the treaty. In any case from the nature of the Court's observation in

that case it must be evident that it has little if any jurisprudential value on the matter presently being considered.

In the Advisory Opinion of the Permanent Court in *Treaty of Lausanne (Frontier between Turkey and Iraq)* (P.C.I.J. 1925, Series B, No. 12, p. 24) advice was sought by the Council of the League of Nations on Article 3, paragraph 2, of that Treaty. Although this was so, an examination of the case will reveal that what the Court was directing its attention to was in essence a dispute between Great Britain and Turkey in relation to the frontier between the last-mentioned State and Iraq. In that case the Court did concern itself with the subsequent conduct of the Parties but only with the conduct of the Parties to *that* dispute. It examined the conduct of Great Britain and Turkey. Again the Court in any case had already reached its conclusion on the interpretation it should place upon the Article upon which advice was sought. The meaning was "sufficiently clear" and thus what it had to say in relation to the subsequent conduct of Great Britain and Turkey was also *obiter dicta*.

The Court observed

> The facts subsequent to the conclusion of the Treaty of Lausanne can only concern the Court in so far as they throw light upon the *intention* of the *Parties*[1]—at the time of the conclusion of the Treaty.

It considered that the "attitude adopted by the British and Turkish Governments" after the signature of the Treaty "is only valuable . . . as an indication of *their* views regarding the clause in question". The fact that the British and Turkish representatives concurred in a certain unanimous vote of the Council of the League on a particular matter showed that there was no disagreement between "the Parties" as regards *their* obligation to accept as definitive and binding the decision or recommendation to be made by the Council. The fact that "the Parties" accepted beforehand the Council's decision might, the Court observed, be regarded as confirming the interpretation which in the Court's opinion flowed from the actual wording of the Article.

It hardly needs exposition to establish that this case provides no foundation upon which to rest the contentions of the various States to which reference has previously been made.

Nor does the Advisory Opinion of the Court in *Status of South West Africa* (*I.C.J. Reports 1950*, p. 128) where the Court said that

> Interpretations placed upon legal instruments by the *parties* to them though not conclusive as to their meaning have considerable probative value *when* they contain recognition by a party of its *own* obligations under an instrument,

or the Brazilian Loans Case (P.C.I.J. (1929), Series A, Nos. 20/21, p. 119)—both of which cases were relied upon in support of the proposition that the interpretation given by the General Assembly and the Security Council to provisions of the Charter were entitled to the greatest weight in any subsequent judicial review—carry the matter any further. In the former case a common intention was found to exist—the interpretation that South Africa was said to have placed upon the Charter (or its mandate) by its conduct provided evidence *against* it. The latter case has little if any relevance. Having stated the principle of "subsequent conduct" in terms already indicated the

[1] This is clearly a reference to Great Britain and Turkey.

Court went on to say that there was indeed no ambiguity in the text. The principle accordingly did not apply. The Court however, because of arguments advanced in the course of the proceeding before it, was induced to consider whether the bondholders' conduct provided any basis for an inference that they—the bondholders—were of the opinion that they were not entitled to payment on the basis of gold; in short whether their conduct could provide evidence *against* them.

Finally there is the Advisory Opinion of this Court in *Competence of the General Assembly regarding Admission to the United Nations (Article 4 of the Charter)* (*I.C.J. Reports 1950*, p. 9) which the Court in this case accepts as authority for its reliance upon practice within the United Nations to sustain its reasoning and which is usually relied upon in support of the proposition that "subsequent conduct" is to be equated with a practice pursued by the organs of the United Nations.

In that Advisory Opinion the Court would appear to have found support for its conclusion already otherwise arrived at on the meaning of Article 4 of the Charter. It had found "no difficulty in ascertaining the natural and ordinary meaning of the words in question and no difficulty in giving effect to them". But it appears to have found sustenance or satisfaction for its conclusion in the fact that "the organs to which Article 4 entrusts the judgment of the Organization have consistently interpreted the text" in the manner which it had concluded was its proper interpretation. Again, whatever is the significance to be attached to this purely factual observation on a coincidence, it was unnecessary and irrelevant to the Court's opinion. The Court had already made it abundantly clear that it was only when the words in their natural and ordinary meaning were ambiguous or led to an unreasonable result, that it was permissible to resort to other methods of interpretation. It thus confirmed the rule laid down in *Case of Brazilian Loans* (*ante*), *Serbian Loans* (P.C.I.J. Series A, Nos. 20/21, p. 38) and *International Labour Organization* (*ante*) that it is only where a treaty is ambiguous that resort may be had "to the manner of performance in order to ascertain the intention of the parties".

That being so it is not apparent what legal significance is to be attached to the Court's observation. The fact stated added nothing to the Court's reasoning. Whether the General Assembly and the Security Council had consistently interpreted Article 4 in the sense in which the Court did or had consistently interpreted it in a different sense was quite irrelevant to the Court's conclusion. On any rational examination of this case, it provides, I believe, no authority, at least none of any weight, for the proposition that the practice followed by an *organ* of the United Nations may be equated with the subsequent conduct of the *parties* to a treaty.

The jurisprudence of this Court and of the Permanent Court accordingly reveals, I believe, no support for the various contentions advanced by the States to which reference has been made and in particular lends none to the proposition that a practice pursued by a majority of Member States in an organ of the United Nations has probative value in the present case.

* * *

Apart from a practice which is of a peaceful, uniform and undisputed character accepted by all current members, a consideration of which is not germane to the present examination, I accordingly

entertain considerable doubt whether practice of an organ of the United Nations has any probative value either as providing evidence of the intentions of the original Member States or otherwise a criterion of interpretation. As presently advised I think it has none.

If however it has probative value, what is the measure of its value before this Court?

An organ of the United Nations, whether it be the General Assembly, the Security Council, the Economic and Social Council, the Secretariat or its subsidiary organs has in practice to interpret its authority in order that it may effectively function. So, throughout the world, have countless governmental and administrative organs and officials to interpret theirs. The General Assembly may thus, in practice, by majority vote, interpret Charter provisions as giving it authority to pursue a certain course of action. It may continue to give the same interpretation to these Charter provisions in similar or different situations as they arise. In so doing action taken by it may be extended to cover circumstances and situations which had never been contemplated by those who framed the Charter. But this would not, for reasons which have already been given, necessarily involve any departure from the terms of the Charter.

On the other hand, the General Assembly may in practice construe its authority beyond that conferred upon it, either expressly or impliedly, by the Charter. It may, for example, interpret its powers to permit it to enter a field prohibited to it under the Charter or in disregard of the procedure prescribed in the Charter. Action taken by the General Assembly (or other organs) may accordingly on occasions be beyond power.

The Charter establishes an Organization. The Organization must function through its constituted organs. The functions and authorities of those organs are set out in the Charter. However the Charter is otherwise described the essential fact is that it is a multilateral treaty. It cannot be altered at the will of the majority of the Member States, no matter how often that will is expressed or asserted against a protesting minority and no matter how large be the majority of Member States which assert its will in this manner or how small the minority.

It is no answer to say that the protesting minority has the choice of remaining in or withdrawing from the Organization and that if it chooses to remain or because it pays its contributions according to apportionment under Article 17(2) the Members in the minority "acquiesce" in the practice or must be deemed to have done so. They are bound to pay these contributions and the minority has a right to remain in the Organization and at the same time to assert what it claims to be any infringement of its rights under the Charter or any illegal use of power by any organ of the United Nations.

In practice, if the General Assembly (or any organ) exceeds its authority there is little that the protesting minority may do except to protest and reserve its rights whatever they may be. If, however, the authority purported to be exercised against the objection of any Member State is beyond power it remains so.

So, if the General Assembly "intervened in matters which are essentially within the jurisdiction of any State" within the meaning of Article 2(7) of the Charter, whatever be the meaning to be given to

these words, that intervention would be the entering into a field prohibited to it under the Charter and be beyond the authority of the General Assembly. This would continue to be so, no matter how frequently and consistently the General Assembly had construed its authority to permit it to make intervention in matters essentially within the domestic jurisdiction of other States. The majority has no power to extend, alter or disregard the Charter.

Each organ of the United Nations, of course, has an inherent right to interpret the Charter in relation to its authority and functions. But the rule that they may do so is not in any case applicable without qualification. Their interpretation of their respective authorities under the Charter may conceivably conflict one with the other. They may agree. They may, after following a certain interpretation for many years, change it. In any case, their right to interpret the Charter gives them no power to alter it.

The question of constitutionality of action taken by the General Assembly or the Security Council will rarely call for consideration except within the United Nations itself, where a majority rule prevails. In practice this may enable action to be taken which is beyond power. When, however, the Court is called upon to pronounce upon a question whether certain authority exercised by an organ of the Organization is within the power of that organ, only legal considerations may be invoked and *de facto* extension of the Charter must be disregarded.

* * *

Once a request for an Advisory Opinion is made to this Court and it decides to respond to that request, the question on which the Opinion has been sought passes, as is claimed by the Republic of France in its written statement in this case, on to the legal plane and takes on a new character, in the determination of which legal considerations and legal considerations only may be invoked.

In the present case, it is sufficient to say that I am unable to regard any usage or practice followed by any organ of the United Nations which has been determined by a majority therein against the will of a minority as having any legal relevance or probative value.

(*Signed*) PERCY C. SPENDER.

SEPARATE OPINION OF JUDGE SIR GERALD FITZMAURICE

I

I have not written this separate opinion because I disagree with the operative conclusion of the Opinion of the Court. I consider that the expenditures referred to in the Assembly's Request are without doubt expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter. I also agree with much of the reasoning on which the Court's Opinion is based, although it goes more into matters of pure detail and procedure than I would have thought necessary. But as I shall indicate, I have reservations on certain points of principle having wider implications, though they do not affect the final conclusion reached in the present case.

Moreover (and this constitutes my main reason for writing a separate opinion), it would seem that the Opinion of the Court, while dealing elaborately with certain matters, refrains designedly from discussing other, more general, aspects of the subject, involving difficulties which have troubled a number of those who have had to do with it. The Opinion, in short, ignores various points which appear to me to be very relevant; for although the "legal guidance" mentioned in the preambular part of the Request is asked for in connection with the question of "financing the United Nations operations in the Congo and in the Middle East", I consider that even in these contexts alone, this guidance must fall short of full utility if it fails to deal with certain more general matters, and also with one or two others that the Court has not gone into.

For instance, the Court has taken the view that it is only required to state whether certain specified expenditures are expenses of the Organization, and is not called upon to declare what are the financial obligations of Member States (hence the change in the title of the case). To my mind the two questions are indissolubly linked, for except in so far as there is an obligation to contribute to expenditures which duly rank as "expenses", there is no point in determining whether these expenditures are expenses or not; and as I shall show, it is necessary to deal with certain types of case in which it could be contended that, although given expenditures are expenses of the Organization, there may not necessarily or always be an obligation for every Member State to contribute to them.

II

A short answer to the question put in the Request could be given on the following lines:

first, that the notion of expenses of the Organization cannot be confined merely to its regular administrative expenses, since

the latter are not incurred as an end in themselves but as a means to an end, namely, to enable the Organization to carry out the essential substantive functions for which it exists; therefore, to regard the obligation of Member States as extending only to routine administrative expenses would be as stultifying as it would be disingenuous; [1]

secondly, that the notion of expenses of the Organization must extend at least to those incurred in the discharge of the essential functions of the Organization for which it was brought into existence; that peace-keeping activities constitute such a function; and that the expenditures specified in the Request for an advisory opinion relate to peace-keeping activities;

thirdly, that the Charter does not exclude, and indeed (subject to specified conditions and limitations) makes express provision for the carrying out of certain peace-keeping activities by the Assembly (Articles 11, 14, 35, etc.); and that the activities of the Assembly in respect of which the expenditures at issue were incurred were of this kind, and did not exceed the conditions and limitations in question.

Broadly speaking, though in greater detail and with more elaboration, these are some of the main considerations on which the Opinion of the Court is in fact founded and, framed as indicated above, I concur in them. The Court however, in addition to these considerations, and more particularly in connection with those coming under the third of them, has alluded to the possibility that, even if in carrying out the activities concerned the Assembly was not acting in conformity with the division of functions established by the Charter, this would not cause the resulting expenditures to cease being expenses of the Organization, provided that the related activities came within the functions of the Organization as a whole—the irregularity ranking merely as a matter appertaining to the internal economy of the Organization. This is an idea which I think must not be pressed too far (nor does the Court rely on it except incidentally). It is certainly correct in one sense, namely, that internal irregularities would not affect liabilities definitely incurred by or on behalf of the Organization, in relation to third parties outside the Organization or its membership.[2] But what is really in question here is the relationship of the Member States *inter se*, and *vis-à-vis* the Organization as such, and there can be no doubt that, in principle at least, expenditures incurred in excess of the powers of the expending body are invalid expenditures. The question is, are they invalid if they merely exceed the powers of the particular organ authorizing them, but not those of the Organization as a whole? It is true that there are cases, both in the domestic and in the international legal spheres, where all that matters (except on the purely internal plane) is that a certain act has in fact been performed, or not performed, as the case may be, and where the reasons for, or channels through which the performance or non-performance has

[1] For instance, it would be a curious position, to say the least of it, if Member States were obliged to contribute to paying the salaries of the Secretariat, but not to the expenses of carrying out the functions of the Organization, for the purposes of which the Secretariat had been engaged.

[2] I will postulate for present purposes that the third party is *prima facie*, entitled in the particular circumstances, to assume that the liabilities have been validly incurred.

taken place are immaterial. But in the present case, the question of the financial obligations of Member States in relation to the Organization is a question moving on the internal plane; and if an instrument such as the Charter of the United Nations attributes given functions in an exclusive manner to one of its organs, constituted in a certain way—other and different functions being attributed to other and differently constituted organs—this can only be because, in respect of the performance of the functions concerned, importance was attached to the precise constitution of the organ concerned.[3]

It is not however necessary to express any final view on this matter, for the simple reason that, as the Opinion of the Court brings out, the Charter does not, in fact, in the matter of peace-keeping activities, establish any rigid general division of function between the role of the Security Council and that of the Assembly. Enforcement or coercitive action *stricto sensu* is of course exclusively for the Security Council, but I agree with the Court that the action of the Assembly in the Middle East and in the Congo has not been of this character. Furthermore, and as indicated by the Court, I consider that this action of the Assembly has fallen within the scope of its functions under the Charter, and has not exceeded the limitations thereby imposed on the scope and exercise of those functions.

Beyond a somewhat general statement of this character, I would not wish to go for present purposes. While I agree with the general trend of the Court's reasoning on what I will call the "military" provisions of the Charter, I would have to reserve my position on a number of points of formulation if I thought it necessary to go into these provisions in detail.

III

Much of the Opinion of the Court is concerned with and based on a consideration of what has been the actual practice of the United Nations in financial matters, both generally and in relation to the particular expenditures here involved. I would have preferred to see less reliance on practice and more on ordinary reasoning. The argument drawn from practice, if taken too far, can be question-begging.

However, no one would deny that practice must be a very relevant factor. According to what has been known as the "principle of subsequent practice", the interpretation in fact given to an international instrument by the parties to it, as a matter of settled practice, is good presumptive (and may in certain cases be virtually conclusive) evidence of what the correct legal interpretation is—a principle applied by the Court on several occasions.[4] But where this is the case, it is so because it is possible and reasonable in the circumstances to infer from the behaviour of the parties that they have regarded the interpretation they have given to the instrument in question as the legally correct one, and have tacitly recognized that, in consequence, certain behaviour was legally incumbent upon them. In the present context, it is necessary to take into account the fact that any Member State

[3] Clearly an organ constituted in a particular way will tend to carry out a given function in a different way from an organ differently constituted, and will have been entrusted with that function for that reason, *inter alia*.

[4] See the *South-West Africa* case (1950), also the (*Second*) *Admissions*, *Corfu*, *Iranian Oil Company* and *U.S. Nationals in Morocco* cases.

can at all times, and in any event, contribute *voluntarily* to the expenses of the Organization, whether or not it recognizes a legal obligation to do so; and furthermore, that a number of the expenditures of the Organization are in fact financed partly and, in certain important cases, even wholly or mainly by voluntary contributions.[5] In these circumstances, it is hardly possible to infer from the mere fact that Member States *pay*, that they necessarily admit in all cases a positive legal obligation to do so; and where, as has not infrequently occurred, they have only paid under or after protest, the easier inference is that this was because, for whatever reason (by no means necessarily consciousness of legal obligation) they were unwilling in the last resort to withhold a contribution.

Nevertheless, while the existence of these considerations renders it impossible to regard the practice of the United Nations as conclusive in the matter (it is indeed the validity of some part of that practice which is put in issue by the present Request), it cannot be less than very material; and even if a majority vote cannot in the formal sense bind the minority, it can, if consistently exercised in a particular way, suffice to establish a settled practice which a tribunal can usefully and properly take account of.

IV

Subject to the foregoing reservations (which however go to reasoning only) I agree that the particular expenditures mentioned in the Request rank as expenses of the Organization; but in arriving at that conclusion the Court has failed to indicate in terms (though it may to some extent have implied) what are the general limitations of principle within which any given expenditure can rank as an expense of the Organization; and this is something which I think an advisory opinion on the financial obligations of Member States ought to do, even though it is only their obligations respecting certain particular expenditures that are actually in question.

In my opinion, two—partly overlapping but technically distinct—conditions must be fulfilled before any given expenditure can rank as an expense of the Organization. *First*, the expenditure must belong to the *genus* "expense"—that is to say it must come within the class or category of expenditure normally (and which can in the particular circumstances reasonably be) regarded as having the basic nature of an "expense" properly so called. A sum of money does not become an expense merely by being expended, or by its expenditure being authorized. *Secondly*, even if the expenditure in question belongs in principle to the *genus* "expense", it must have been validly incurred, for a purpose which was itself valid and legitimate, in order to rank as an expense within the meaning of Article 17, paragraph 2, involving for Member States an obligation to contribute to it. There will remain a *third* question, namely, does it follow that because a given expenditure is an "expense", every Member State is invariably, and irrespective of circumstances, bound to contribute to it according to that Member's apportioned share? I shall indicate in due course why, in my opinion, the answer to this last question is not self-evident.

[5] As to these, see below at the end of the first paragraph of Section VIII.

It will be convenient to deal first with the second of the above-mentioned questions—that of the validity of any given expenditures. This involves issues such as the powers of the authorizing organ, whether the object of the expenditure falls within the scope of the purposes of the Organization, and so forth, which must depend on the particular circumstances of each case, and to which no general solution is possible. In the present case, an affirmative answer on the question of the validity of the expenditures concerned can and must be given, as indicated by the Court. But the important practical point involved is how the validity or invalidity of any given expenditures can be determined if controversy arises, seeing that, as the Court points out, the Assembly is under no obligation to consult the Court, and, even if consulted, the Court can only render an opinion having a purely advisory character; and moreover, that there exists no other jurisdiction to which compulsory reference can be made and which can also render a binding decision.

The solution propounded by the Court is a twofold one. One aspect is indicated in the statement made in the Opinion (italics added) that "As anticipated in 1945 . . . each organ [so. of the United Nations] must, *in the first place at least*, determine its own jurisdiction"—i.e. the scope of its own powers and the validity of their exercise. The phrase which has been italicized in the above citation makes the view which the citation puts forward acceptable up to a certain point. It is no doubt true that any objection to a given exercise of powers, or to action based on the presumed existence of certain powers, must be advanced in the first instance in the organ concerned, and will be subject to a ruling by it, in the form of a motion or resolution adopted by a majority vote.

The real question however, in my view (and the Court does not deal with it), is whether such a ruling would have to be regarded as final. In the course of the oral proceedings, the Court was in effect invited to take the view that this would be the case. It was suggested, for example, that the mere fact that certain expenditures had been actually apportioned by the Assembly, was conclusive as to their validity. Apportionment would certainly be conclusive as to the majority view of the Assembly, but this merely begs the question. It amounts to saying that even if, on an objective and impartial assessment, given expenditures had in fact been invalidly and improperly incurred or authorized, they would nevertheless stand automatically validated by the act of the Assembly in either apportioning them among Member States or, in the event of a challenge, subsequently resolving that the apportionment was good.

This is a view which I am unable to accept. It is too extreme. Moreover, I do not read the Opinion of the Court as going so far. The issues involved clearly transcend the merely financial problem, and even on the financial side they go deeper; for if the Assembly has the power automatically to validate any expenditure, as some Governments appear to have claimed in their written or oral statements, this would mean that, merely by deciding to spend money, the Assembly could, in practice, do almost anything, even something wholly outside its functions, or maybe those of the Organization as a whole. Member States would be bound to contribute, and accordingly a degree of

power, if not unlimited, certainly much greater than was ever contemplated in the framing of the Charter, would be placed in the hands of the Assembly. In this way, there could well come about an actual realization of the fears expressed in one of the written statements presented to the Court—possibilities which, otherwise, are perhaps not very serious, so long as Member States retain at least a last resort right not to pay.[6]

The problem is to determine what that right consists of and, more particularly, in what conditions it can be exercised. As indicated above, it can only be a right of last resort, for an unlimited right on the part of Member States to withhold contributions at will, on the basis of a mere claim that in their view the expenditures concerned had been improperly incurred, not only could speedily cause serious disruption, but would also give those Member States which, on the basis of the normal scales of apportionment, are major contributors, a degree of control and veto over the affairs of the United Nations which, equally, can never have been intended in the framing of the Charter to be exercised by these means, or Article 17, paragraph 2, would not be there.

This brings me to the second element in the solution propounded by the Court, and on this aspect of the matter I can concur. The solution is not technically a final one, for as things are at present, means continue to be lacking whereby, in the case of controversy, a decision binding both on the Organization and on Member States can be obtained. In practice the proposition involved will help towards producing a *de facto* solution. To state it in my own way —when, on the basis of an item which has been regularly placed on the agenda, and has gone through the normal procedural stages, the Assembly, after due discussion, adopts by the necessary two-thirds majority, a resolution authorizing or apportioning certain expenditures incurred, or to be incurred, in the apparent furtherance of the purposes of the Organization, there must arise at the least a strong *prima facie* presumption that these expenditures are valid and proper ones. Unless that is so, a potentially unworkable situation exists; but clearly it must be so, and in consequence (subject to the points discussed in Section VIII below), an apportionment by the Assembly has, initially at least, the effect that Member States become obligated to pay their apportioned shares. This is because, if such a presumption arises, it must in principle continue to exist unless and until it is rebutted and the contrary position is established, by whatever means it may be practicable to have recourse to—any consequential financial adjustments being effected later. Only if the invalidity of the expenditure was apparent on the face of the matter, or too manifest to be open to reasonable doubt, would such a *prima facie* presumption not arise.

[6] It is often said that there is a safeguard in the fact that, under Article 18 of the Charter, financial resolutions require a two-thirds majority (though even so, a possible minority of about 35–40 States would be a serious matter). But what Article 18 actually mentions is not "financial resolutions", but "budgetary questions". Does this mean simply the ordinary budget and the expenses included in it? If the expression did *not* include other expenses, then the Assembly could in several classes of cases, by a bare majority vote, impose financial liabilities on a minority of over 50 States—which in a few years may be one of over 60 States.

V

It is now necessary to consider the first of the questions mentioned in the second paragraph of the preceding Section; for the simple fact that expenditures are valid, or anyhow not invalid, does not necessarily, or of itself, make them "expenses" of the Organization. It depends on what is properly to be understood by the notion of an expense. To give a quick illustration, it could be argued (I shall discuss the merits of the argument later) that while expenditures incurred in the discharge of functions which the Organization has a duty under the Charter to perform (for instance the functions of a peace-keeping character involved in the present case) are unquestionably in the nature of expenses, expenditures incurred in the performance of activities of a merely permissive kind, which the Organization has a faculty, but no positive obligation, to carry out, do not have that character, although they might be perfectly proper expenditures. In cases coming under the latter head, therefore, it might be contended that if the Organization decides upon such an activity, it must look to voluntary contributions from Member States, or other sources of income available to it, in order to finance the activities,[7] and cannot claim contributions as a matter of *obligation* under Article 17, paragraph 2, of the Charter.

Another illustration would be if, at the invitation of one or more Member States (as can happen), the Organization engaged in some activity, or assumed some function, quite outside the normal scope and framework of the Charter. Such action would not be illegal if it was carried out with the consent of all the States affected by it; nor would the resultant expenditures be invalid. But they would, *ex hypothesi*, not be expenditures contemplated or provided for by the Charter. Despite their "non-invalidity" therefore, they could not rank as "expenses of the Organization" within the meaning of Article 17, paragraph 2, to which all Member States would be obliged to contribute, irrespective of how their votes had been cast in relation to the resolutions authorizing the expenditures in question. Member States cannot, in my opinion, be bound to contribute to expenditures incurred outside the scope and framework of the Charter (even if these are not illegal *in se*), except by their specific consent given *ad hoc* in relation to the particular case. Article 17, paragraph 2, does not, as such, extend to such a case. "Non-invalidity" does not therefore in my view suffice *of itself* to give rise to an obligation to contribute to given expenditure as an expense of the Organization irrespective of various other factors which I shall discuss in due course. The validity of the expenditure and the obligation to contribute to it are two distinct questions. Validity is a condition of the obligation; it is not necessarily a sufficient condition.

Equally, if the matter is looked at in a more general way, it is not the case that the *genus* "expense" can be simply equated with "expenditure" or "disbursement", i.e. anything that is in fact paid out. In the technical sense, and in the normal acceptation of the term, "expenses" are expenditures of a kind which, under private law, would be "recoverable". For instance, in contracts of employment, it is very usual to find a clause saying that the employee will receive such and

[7] This is what in fact occurs in many cases—see as indicated in footnote 6 above.

such a salary, "plus expenses"; but it is well understand that this does not mean any and all *disbursements* or expenditures the employee may choose to make in the course of carrying out his functions, but only such as are reasonable and necessary, and have been incurred in the normal course of business. This is really inherent in the whole idea of an expense, and must be read into Article 17, paragraph 2, despite the absence of any express qualification; for after all, the Organization, by apportioning the expenditures concerned, is, in effect, seeking to recover them from the Member States.

Taking account of these considerations, an attempt can now be made to ascribe some content to the notion of "expenses of the Organization". The Court has declined to give any *definition* of this term. I agree that a definition as such is not called for, and would in any case be difficult. But short of a definition, I think it useful to indicate the main types of expenditures which, assuming them to be valid and legitimate, would fall within the normal conception of what constitutes an expense, and would therefore be "expenses of the Organization". Such expenditures would, it seems to me, include the following (I will simply indicate them without giving any reasons, as these are self-evident):

A. All those expenditures, or categories of expenditures, which have normally formed part of the *regular* budget of the Organization, so that a settled practice (*pratique constante*) of treating them as expenses of the Organization has become established, and is tacitly acquiesced in by all Member States.

B. *In so far as not already covered by head A:*

I. administrative expenditure;

II. expenditures arising in the course, or out of the performance by the Organization of its functions under the Charter.

III. any payments which the Organization is legally responsible for making in relation to third parties; or which it is otherwise, as an entity, under a legal obligation to make; or is bound to make in order to meet its extraneous legal obligations.

In head B II however, the words ". . . arising . . . out of the performance by the Organization of its functions under the Charter" conceal a difficulty which will be discussed in the last Section of this Opinion; and in any event these words do not include the case noticed above, where the Organization may, by invitation, engage in activities, or assume functions, outside the scope and framework of the Charter, even if, by reason of such invitation, no illegality arises. Action outside the Charter can well not involve any breach of general international law; and even if it otherwise would, may be validated in various ways. It does not thereby become *Charter* action, or the expense of it a Charter expense attributable to Member States.

VI

I come now to the third and last of the questions mentioned in the second paragraph of Section IV above, which is the one that has caused me the most difficulty in this case. It is not dealt with in the Opinion of the Court, because the Court has proceeded on the basis that

once it is established that certain expenditures constitute "expenses of the Organization", it follows necessarily and automatically that every Member State is obliged to pay its apportioned share of these expenses *in all circumstances*. It can however, or it may be argued, that there are circumstances in which this would not be the case; and it seems to me essential to state, and to deal with this argument, if only to indicate how far and in what respects it is incorrect. Just as, in my view (see Section V), the notions of "validity" and "obligation to contribute" are not necessarily coincident, so also is it to me far from automatically self-evident that the notions of "expense" and "obligation to contribute" are *ipso facto* identical, though they are clearly closely related. I must therefore examine the matter.

Before coming to grips with this problem however, it is necessary to notice certain peculiarities about Article 17, paragraph 2, and to consider what is the exact role played by that provision in the financial set-up of the United Nations.

It is always a useful exercise when the interpretation of a given provision in the context of a whole instrument is in question, to consider what difference it would make if that provision did not figure in the instrument at all. It is only necessary to ask what the position would have been if Article 17, paragraph 2, had not in fact been inserted in the Charter, in order to see at once that the obligation of Member States collectively to finance the Organization, by one means or another—the obligation of *principle* that is—cannot be dependent on the existence of Article 17, paragraph 2. It must in any case arise as a matter of inherent necessity. An Organization such as the United Nations cannot function without funds, and there is no other quarter from which, *as a matter of obligation* (and nothing short of obligation suffices) funds could come, except from the Member States themselves. Without finance, the Organization could not perform its duties. Therefore, even in the absence of Article 17, paragraph 2, a general obligation for Member States collectively to finance the Organization would have to be read into the Charter, on the basis of the same principle as the Court applied in the *Injuries to United Nations Servants* case, namely "by necessary implication as being essential to the performance of its [i.e. the Organization's] duties" (*I.C.J. Reports 1949*, at p. 182). Joining the Organization, in short, means accepting the burden and the obligation of contributing to financing it.

Clearly, the independent character of the financial obligation of Member States—the fact that it has a basis extraneous to Article 17, paragraph 2—considerably strengthens the view, first, that the obligation does exist, and secondly that it exists at least to the extent necessary to make the Organization workable. So much is scarcely open to doubt. What might however (and in my opinion, for reasons to be indicated, would) be open to controversy, is the exact nature and extent of that obligation, and how it is to be carried out. In this connection, the fact that Article 17, paragraph 2, does duly figure in the Charter is of importance; nevertheless the light in which this provision has to be looked at may be affected by the existence of the independent obligation of principle, and this aspect of the matter must now be considered.

Were it not for the records of the San Francisco Conference for the drafting of the Charter (to which I shall refer later) the correct interpretation of Article 17, paragraph 2, would be that it added nothing to the already existing inherent obligation, and went solely to the mechanics of the performance of that obligation. It is worded so as to assume or imply the basic obligation rather than to create or express one, as it would do if for instance it read "The expenses of the Organization shall be borne by the Members, *and shall be borne by them*, as apportioned by the General Assembly". The italicized phrase is not however there, with the result that Article 17, paragraph 2, is elliptical, and declaratory rather than constitutive of the basic obligation. Having regard to the independent foundation and inherent nature of the financial obligation of Member States, it would seem that the only real additional substantive effect of this provision (taken by itself and without reference to the *travaux préparatoires*, as is the normal initial approach to any interpretative task) is to indicate the organ, namely the General Assembly, which is to decide on the *apportionment* of the expenses as between the Member States, and also to make it clear that these States must accept the apportionment so determined. This view of the effect of Article 17, paragraph 2, if that provision is considered *per se*, is further supported by the points mentioned in the footnote hereto.[8] Consequently it seems to me incorrect to say, as has sometimes been suggested, that the exercise of the power of apportionment by the Assembly creates the obligation. This is surely putting the cart before the horse. Apportionment is merely a condition precedent of the obligation having to be carried out. It quantifies the content of it; but the obligation itself is an antecedent one, and without it, the apportionment would lack legal effect, or would amount merely to an invitation to contribute the indicated share on a voluntary basis.

It follows, in my opinion, that there is a sufficient element of ambiguity about the exact intention and effect of Article 17, paragraph 2, to make its interpretation on the basis of the rule of the "natural and ordinary meaning" alone, unsatisfactory. In these circumstances it is permissible to have recourse to the preparatory work of the San Francisco Conference. Reference to this source indicates that the words "shall be borne by the Members as apportioned by the General Assembly", rather than some phrase such as "shall be allocated to the Members in such shares as the Assembly may determine", were deliberately employed with the object of ensuring that what was

[8] Whereas no express provision was necessary in order to *create* a general liability of principle for Member States to bear the costs of the Organization, which would have existed in any case as a matter of inherent necessity, an express provision did have to be introduced in order to provide for the method of apportionment; and also to oblige Members to pay the share allocated to them, and not assert a right to pay a smaller share. Without an express provision on these points there would have been endless debate, and no organ of the United Nations would have been invested with any clear right of decision. In exactly the same way, the *first* paragraph of Article 17 is also essential, in order to make it clear that it is the Assembly, and not some other organ, such as the Security Council, which adopts the budget of the Organization. The lack of corresponding provisions in the Covenant of the former League of Nations led to great difficulties in the early years of the League, and eventually necessitated an amendment of the Covenant. A further indication that Article 17 is directly concerned with the mechanics of the obligation to contribute, rather than with the obligation itself, is afforded by the fact that it figures in Chapter IV of the Charter, which deals with the functions of the General Assembly. If the main purpose of the Article was to make clear the responsibility of Member States for bearing the costs of the Organization, it should have figured in some more general chapter, and not among the functions of the Assembly. Without reference to the San Francisco records, the deduction would be that the subject of the Article was the financial powers of the Assembly rather than (except indirectly) the obligations of Member States.

called "a clear statement of the obligations of Members to meet the expenses of the Organization" should be found in the Charter itself—(Document 194 in the Dossier supplied to the Court by the Secretary-General of the United Nations, pp. 9–13, *passim*).[9] If the language used was not in fact very apt for the purpose of embodying such a "clear statement", the existence of the intention at any rate is clear, and for reasons which I shall presently give, it is important that there should be no doubt about that intention.

VII

I propose now to consider the difficulty I mentioned earlier—the question whether, if given expenditures are duly expenses of the Organization, an obligation for every Member State to contribute to them as apportioned arises in all circumstances. The core of the difficulty is how to reconcile the obligatory character of the liability to meet the expenses of the Organization with the nonobligatory character of many, indeed most, of the resolutions under which these expenses are incurred. To me, it has not seemed self-evident that Article 17, paragraph 2, on its actual wording, necessarily or automatically disposes of this difficulty; and unless it can be disposed of satisfactorily, the affirmative reply given to the question addressed to the Court must be less convincing than it ought to be.

There is clearly no problem in the case of *decisions* of the Security Council which, under Article 25 of the Charter, are binding on Member States, even on those Members of the Council which voted against them, and equally on those Members of the Assembly which, not being Members of the Council, *ex hypothesi* did not vote at all. Therefore, even in the absence of Article 17, paragraph 2, all these Member States would be obliged to meet the expenses of carrying such decisions out. But many Security Council resolutions only have a recommendatory intention and effect, and this is in principle also the case with most Assembly resolutions. If however a Member State has voted in favour of such a resolution, or, by abstaining, has not manifested opposition to it, it is reasonable to regard either of these attitudes, not indeed as involving any formal obligation for that Member State itself to carry out the resolution, operationally, but as indicating approval of, or at any rate tacit acquiescence in, its being carried out by those Member States which are ready to do so; and also (and quite apart from Article 17, paragraph 2) as implying willingness to contribute to the expenses of carrying it out—although as regards the effect of abstentions, it would be better to put the matter on the basis that a Member State which does not vote *against* a given resolution, can scarcely object if it is called upon to pay its share of the resultant expenses.

Similar considerations can hardly apply to the case of a vote which does go to the length of being cast against the resolution concerned—a resolution which is in any case purely recommendatory. Certainly it would seem at first sight an odd position that a Member State which is not itself bound to carry out such a resolution, and which

[9] It is also clear from the records that the inappropriateness of putting the basic financial obligation of Member States amongst the functions of the Assembly was realized. It was apparently left there because no better place could be found for it.

has manifested disapproval of its being carried out at all by anyone, should nevertheless be legally obliged to contribute to the expenses of executing it. Here therefore is a case in which, in order to justify the conclusion that a Member State in this position is nevertheless bound to contribute its apportioned share, reliance on the inherent obligation of Member States to meet the costs of the Organization might not be sufficient; for that obligation is an obligation of principle only. It would not necessarily extend to or cover every case. A Member State which had voted against a resolution having only a recommendatory effect could, in the absence of express language figuring, or to be deemed to figure, in the Charter itself, very plausibly argue that the obligation did not exist for it in the particular case, and especially with reference to certain types of activities—(see Section VIII below). It is therefore important that the records of the San Francisco Conference—even if the language used for the purpose was not particularly felicitous—do indicate that the intention to impose a definite financial obligation on Member States was there. Looking at the matter as a whole, I think that (with the possible exception of the class of case considered in Section VIII below) this intention must be deemed to have extended to covering the payment by Member States of their apportioned shares, irrespective of how their votes were cast on any given occasion, at any rate as regards all the essential activities of the Organization, and even if they have no formal legal obligation to join in carrying out the activities to which the given expenditures relate. (In the case of inessential activities, the position is more complicated, and I consider this in the final section of this Opinion.)

In reaching this conclusion, it is material to take account of the following factor: those who framed the Charter deliberately broke away from the fundamental voting rule of the former League of Nations (unanimity—see Article 5, paragraph 1, of the League Covenant), and they adopted for the United Nations a majority voting rule. In an Organization which has never numbered much less than 50–60 Member States, and now numbers over 100, no other rule than a majority one would be practicable. But a majority voting rule is meaningless unless, although the States of the minority are not formally bound as regards their own action, they at least cannot prevent or impede the action decided on from being carried out *aliunde*. This they obviously could do if they had a species of veto, the exercise of which, through the refusal to contribute financially, would enable them to prevent or seriously impede the action concerned.

The same conclusion can be reached in another way, for if there is, on the one hand, a general position under the Charter according to which certain resolutions have no formally obligatory character—doubly not so for those who vote against them—there is also, on the other hand, a special provision, Article 17, paragraph, 2, obliging Member States to contribute to the cost of carrying these resolutions out, insofar as these costs duly rank as expenses of the Organization. To this situation the rule *generalia specialibus non derogant* must apply, so that in spite of the general element of non-obligation under these resolutions, the special obligation to contribute to the expenses incurred in carrying them out prevails, and applies even to Member States voting against. There is in short no substantive conflict.

This position was aptly compared, by one of the representatives of Governments at the oral hearing, to that of a member of the public who cannot be compelled physically to join in constructing a public edifice but can, through the medium of ordinary taxation, be made to contribute to the cost of having it constructed by others. Another comparison, perhaps even closer, would be that of membership of a club. If the Committee or governing body of a club decides to acquire additional premises, or to extend the club's activities, or otherwise to increase expenditure, and this necessitates raising the annual subscription, or in some other manner involves financial liabilities for members, and this decision is ratified by a general meeting of the members, the latter, irrespective of how they voted, must pay accordingly, or resign their membership.

VIII

I have mentioned the existence of a class of case to which, possibly, the foregoing considerations would not apply, and regarding which there may be room for some real doubt whether any financial obligation can arise, at least for Member States voting against the resolution concerned in any given case. In the normal case, a resolution provides for certain action to be taken by the Organization, either through such of the Member States as are willing to participate, or through the medium of the Secretary-General or of some other agent or agency. In these cases, despite the obligation to contribute to the resultant expenses, the resolution retains its fundamentally non-obligatory character; for if the Member States are obliged to contribute financially, they are not obliged to participate in the operational carrying out of the substantive activities provided for in the resolution. Where however the "action" to be taken under the resolution consists *solely* of provision for making a payment or financial contribution (e.g. for some purpose of aid or relief), so that the making of this payment or contribution is not merely a means to an end—viz. enabling the resolution to be carried out—but the end itself, and the sole object of the resolution, it is evident that if the payment or contribution concerned is to be treated as one to which even Member States which voted against the resolution must contribute by reason of Article 17, paragraph 2, the resolution acquires in practice a wholly obligatory character—since it does one thing only, and Member States are bound, or would be bound, to do or contribute to doing that one thing. In this connexion, it is significant that the actual *practice* of the Assembly (and the Court has drawn considerable inspiration from this source), has been to finance expenditures falling within this class of case, mainly by calling for *voluntary* contributions from Member States. Examples are the activities (or most of them) for which budgetary provision is made under such heads as those of "Trust Funds" and "Special Accounts"—for instance the U.N. Special Fund, UNKRA, UNSCO, EPTA, UNRWA, UNICEF, the U.N. Fund for the Congo, and the U.N. Congo Famine Fund. No doubt special considerations applied in some of these cases; still, the fact remains that contributions were not claimed as a matter of actual obligation.

The same point arises in another way, in relation to head B II in the list of expenditures ranking as expenses of the Organization given at the end of Section V above. What expenditures precisely should

this head B II be regarded as covering? There are broadly two main classes of functions which the Organization performs under the Charter—those which it has a duty to carry out, and those which are more or less permissive in character. Peace-keeping, dispute-settling and, indeed, most of the political activities of the Organization would come under the former head; many of what might be called its social and economic activities might come under the latter. Expenses incurred in relation to the first set of activities are therefore true expenses, which the Organization has no choice but to incur in order to carry out a duty, and an essential function which it is bound to perform. Therefore the principle enunciated by the Court in the *Injuries to United Nations Servants* case, and mentioned earlier, applies: the Organization "must be deemed to have those powers which, though not expressly provided in the Charter, are conferred upon it by necessary implication as being essential to the performance of its duties" (citation on p. 92 above). Even without Article 17, paragraph 2, the Organization could require Member States to contribute to these expenses.

It is less clear that any similar power exists to require Member States to meet the costs incurred in performing merely permissive activities carried out under non-binding resolutions. There certainly would be no such power without Article 17, paragraph 2—at least not as regards Member States which voted against the resolution giving rise to the expenditure concerned; and even with the assistance of Article 17, the position is not entirely clear. There is a definite distinction, inasmuch as where the activities involved are such as the Organization has a duty to carry out, non-contribution by a Member State would be fundamentally inconsistent with that State's membership, as being calculated to prevent or gravely impede the performance by the Organization of an essential function. Where the costs of permissive, or non-essential activities are concerned, there is no correspondingly clear-cut inconsistency, and there must remain a question whether, in this type of case, Article 17, paragraph 2, is sufficient to give rise to a financial obligation *for the dissenting voter*. If it is sufficient, then it would follow that, in theory at least, the Assembly could vote enormous expenditures, and thereby place a heavy financial burden even on dissenting States, and as a matter of obligation even in the case of non-essential activities. This would be reading a lot into such a provision as Article 17, paragraph 2. In this connexion, it must be borne in mind that, if a two-thirds majority is required for the adoption of financial resolutions, the present scales of apportionment cause a major part of the resulting contributions to fall on a comparatively small minority of the Member States. As has already been mentioned, the existence here of a genuine difficulty seems to have been recognized in practice within the Organization, inasmuch as the cost of a major part of these permissive activities is met from voluntary contributions.[10]

[10] I have already given it as my view (see Section V above) that no financial obligation arises where the Organization acts outside the ambit of the Charter, even if (because it has been invited to do so, and confines its action to consenting States) no illegality is involved. But in these cases, the lack of obligation derives not so much from the casting of a contrary vote, as from the fact that, in my opinion, the expenditures involved would not properly speaking be "expenses of the Organization" within the meaning of Article 17, paragraph 2, at all.

To set against these considerations, there is the fact that it would not be easy to draw a hard and fast line between necessary, essential and obligatory functions of the Organization, on the one hand, and merely optional, non-essential and permissive ones on the other. Changing concepts also are involved. Today, the humanitarian and aid-giving functions of the Organization are, if less imperative, hardly less important than its political functions, and may well contribute materially, or even be essential, to the success of the latter.

For the purposes of the present Request it is not necessary to express any final view about these points, but I have thought it useful to draw attention to them. There is moreover at least one case of this kind as to which I feel no doubt about the obligation to contribute, irrespective of how a Member State's vote has been cast. It has been suggested by some of those who deny all validity to peace-keeping activities organized by the Assembly, that (on the analogy, as I suppose, of the well-known Prize Law doctrine of "infection") even *civil* expenditures in the nature of technical assistance, famine relief, etc., given to any country contemporaneously and in connexion with such peace-keeping activities (as is the case under some of the resolutions now involved) become, by a process of association, "tainted", as it were, with the same invalidity as is alleged to exist for the peace-keeping activities themselves. I take a view which is the exact antithesis of this, and applies the doctrine of "infection" in reverse. Even if it should be the case (and on this I do not express any final view) that there is no positive obligation to contribute to the expenses of carrying out social and economic activities of a permissive character (except for Member States supporting or not opposing the activity concerned), I consider that where such an activity is closely connected with, arises out of, and, in short, is basically part of a peace-keeping endeavour, and necessary for, or directly contributory to the success of that endeavour, the activity in question takes on the nature of an essential activity, the expenses of which are expenses of the Organization to which all Member States are bound to contribute, irrespective of their votes.

Consequently, my concurrence in the Opinion of the Court extends no less to the civil than to the military expenditures incurred under the Resolutions specified in the Request.

(*Signed*) G. G. FITZMAURICE.

SEPARATE OPINION OF JUDGE MORELLI

[Translation]

I concur in the Court's affirmative reply to the question submitted to it by the United Nations General Assembly. I also agree with the way in which the Court has disposed of most of the particular points which it thought necessary to consider concerning the conformity of the resolutions relating to the Emergency Force and to the operations in the Congo with the Charter. I think however that the Court did not need to go into these particular points, because an affirmative answer to the question as formulated by the General Assembly does not in my view depend on the conformity of those resolutions with the Charter.

I

1. I should like first of all to indicate what in my view are the criteria by which the task that the Court has to perform is to be determined.

The question referred to the Court has a clearly defined subject, namely whether the expenditures authorized in certain General Assembly resolutions, relating to the operations undertaken in pursuance of certain other resolutions of the General Assembly and the Security Council, constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter of the United Nations.

That being the question submitted to the Court, the Court must remain within the bounds of that question, and it is that question alone which the Court must answer in the operative provisions of its Opinion. It is for the organ empowered to request an opinion of the Court to frame in full freedom the question to be submitted to the Court, and that organ is consequently free to give the question the scope which it considers most suitable.

According to the amendment proposed by the French delegation in the General Assembly, the scope of the question ought to have been broader, and the question ought to have been worded as follows: "Were the expenditures authorized, etc., decided on in conformity with the provisions of the Charter and, if so, do they constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?" If such an amendment had been adopted the Court would have been bound, by the actual terms of the request for advisory opinion, to consider in the first place the question of the conformity of certain resolutions with the Charter, and the Court would have had to dispose of this question in the operative provisions of its Opinion. The French amendment having been rejected, it follows that the question of the conformity with the Charter of the resolutions concerned must be regarded as not forming the subject of the request for advisory opinion. This means that the Court is not bound by the actual terms of the request

for opinion to consider that question and that it could not, in any case, dispose of it in the operative provisions of the Opinion.

2. However, the question which is the subject of the request for opinion is one thing; another are the various questions which the Court must necessarily consider and dispose of in the reasons for the Opinion in order to be able to arrive at an answer to the question submitted to it.

It is exclusively for the Court to decide, in the process of its reasoning, what are the questions which have to be solved in order to answer the question submitted to it. While, as is stated above, the organ requesting the opinion is quite free as regards the formulation of the question to be submitted to the Court, it cannot, once that question has been defined, place any limitations on the Court as regards the logical processes to be followed in answering it. That organ cannot therefore exclude the possibility of the Court's dealing with a question which the Court might consider it necessary to answer in order to perform the task entrusted to it. Nor can the organ requesting the opinion oblige the Court to presuppose any particular answer to a preliminary question. Any limitation of this kind would be unacceptable because it would prevent the Court from performing its task in a logically correct way.

However, in the present case there is nothing either in the text of the request for opinion or in the debates which preceded the adoption of that request by the General Assembly which shows an intention on the part of the Assembly to limit in any way the Court's freedom to select the path to be followed in answering the question submitted to it. No limitation of this sort, which would be quite unacceptable, could be inferred from the rejection of the French amendment. By rejecting that amendment the Assembly did no more than quite legitimately define the question which is the subject of its request to the Court.

Therefore, even according to the request for advisory opinion, the Court is free to consider or not consider the question of the conformity of the resolutions with the Charter (or the other question, which does not necessarily coincide with the former, of the validity of the resolutions). This freedom can however be understood only as subordinated both to the rules of law and logic by which the Court is bound and also to the objective which the Court must pursue, which is the solution of the question submitted to it. In the present case that question relates solely to the legal characterization of certain expenditures. The Court would therefore be obliged to consider either the question of the conformity of the resolutions with the Charter, or the question of the validity of the resolutions, should it recognize that it is necessary to dispose of one or other of these questions in order to answer the question of the characterization of the expenditures. Should the Court on the contrary not recognize any such necessity, it should refrain from considering the questions referred to above.

II

3. For the consideration of the question submitted to the Court it is desirable to draw a very general distinction between three different categories of resolutions which may be adopted by the organs of the United Nations.

(a) First from the logical and chronological standpoint, there are (or may be) resolutions in which some activity is decided on or recommended. Such are the General Assembly and Security Council resolutions concerning the Emergency Force and the operations in the Congo.

(b) Secondly, there are resolutions in which the General Assembly, when approving the budget under Article 17, paragraph 1, authorizes expenditures. Such resolutions may be related to resolutions of the first category. This is so in the case of the Emergency Force and the operations in the Congo. But General Assembly resolutions authorizing expenditures may also be independent of any previous resolution. This happens in the case of United Nations activities directly provided for by the Charter.

(c) Thirdly, there are the resolutions by which the General Assembly apportions the expenses among the Members under Article 17, paragraph 2.

This distinction, which is purely schematic, does not exclude the possibility that a resolution falling within one of these categories may be the inferential result of another resolution falling in a different category. In particular, a resolution authorizing a certain expenditure may have to be considered as implied in the resolution by which the General Assembly apportions the same expense under paragraph 2 of Article 17. In this case, the first of the two resolutions must be regarded as a resolution adopted by the Assembly on the basis of paragraph 1 and not paragraph 2 of Article 17.

4. The question submitted to the Court is whether the expenditures authorized in certain General Assembly resolutions constitute "expenses of the Organization". Reference is made to paragraph 2 of Article 17 of the Charter. This reference defines the subject of the question submitted to the Court, and means that an affirmative reply to the question implies the following consequences: (1) that the expenses referred to must be borne by the Members; (2) that the General Assembly is empowered to apportion those expenses among the Members.

The General Assembly has in fact adopted resolutions in which the expenses in question have been apportioned among the Members. The Court however has not to pronounce either on the validity or on the effects of such resolutions, because the question submitted to it relates to a point logically prior to the apportionment; it is directed solely to the characterization of the expenditures as expenses of the Organization within the meaning of Article 17, paragraph 2.

Such being the problem submitted to the Court, it is not possible to envisage its settlement by saying that it is for the Assembly to decide whether an expenditure is or is not an expense of the Organization within the meaning of Article 17, paragraph 2, and that in the present case the Assembly has expressly or impliedly so characterized the expenditures relating to the Emergency Force and the operations in the Congo. Indeed, even if the view were taken that the General Assembly's characterization of an expenditure as an expense of the Organization within the meaning of paragraph 2 of Article 17 is in any case final and binding upon the Members, and that the Members have consequently no possibility of disputing the validity of such characterization by alleging its non-conformity with the rules of the

Charter, such a view would not prevent the Court from verifying whether the General Assembly's express or implied charactization of the expenses relating to the Emergency Force and the operations in the Congo is correct or not. This is for the very simple reason that it is precisely such verification which constitutes the subject of the request for advisory opinion made by the Assembly itself to the Court.

5. I am of the view that the question of what expenditures constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, can be answered only by taking that paragraph in relation with paragraph 1 of the same Article 17. The link between the two first paragraphs of Article 17 shows in my view that the "expenses of the Organization" referred to in paragraph 2 can be only expenditures which the General Assembly has authorized when approving the budget under paragraph 1.

The term "budget" used in paragraph 1 is not accompanied by any restriction (such as that in paragraph 3, which refers to the "administrative budgets" of the specialized agencies), and must be understood in the widest sense. It means all the budgets of the Organization—not only the ordinary or administrative budgets, but also the extraordinary budgets. The fact is that paragraph 1 of Article 17 confers on the Assembly a general and exclusive competence in budgetary matters.

It follows that the "expenses of the Organization" referred to in paragraph 2 are all the expenditures which the General Assembly has authorized in any way whatever when approving the budget under paragraph 1. I have no need to repeat that authorization of an expenditure may be the inferential result of the resolution in which the General Assembly apportions that expense among the Members.

6. It is however quite clear that according to paragraph 1 of Article 17 the General Assembly may not act in an arbitrary manner when it approves the budget. It can authorize only certain expenditures, that is to say, expenditures which are concerned in some way with the Organization. It can be seen from this that there is a concept of expenses of the Organization which must be regarded as underlying paragraph 1.

It must be observed, however, that the two concepts of expenses of the Organization, that implicit in paragraph 1 and that which is used in terms in paragraph 2 are different. The first indicates the expenses which may be authorized by the Assembly, the second indicates the expenses which are to be borne by the Members as apportioned by the Assembly. Not only do the two concepts have different purposes, but they refer to subjects which are not coincidental, in spite of the relationship between the first two paragraphs of Article 17. The concept of "expenses of the Organization" which is used in terms in paragraph 2 to indicate the expenses which are to be borne by the Members as apportioned by the General Assembly relates not to the expenses which the Assembly *may* authorize but rather to the expenses which have *in fact* been authorized by the Assembly.

The question submitted to the Court is only whether certain expenditures do or do not constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2. The question does not relate (or at any rate does not directly relate) to the other concept of expenses of the Organization implicitly referred to in paragraph

1 of Article 17, that is to say, the expenses which may be authorized by the General Assembly.

I have said that the "expenses of the Organization" referred to in Article 17, paragraph 2, are the expenditures which the General Assembly has authorized when approving the budget under paragraph 1 of that Article. But this is far from disposing of the question referred to the Court. The term approval of the budget (and hence authorization of expenses) can be used to indicate only *valid* approval. It follows that to characterize an expenditure as an expense of the Organization within the meaning of Article 17, paragraph 2, necessarily presupposes the validity of the General Assembly resolution in which that expenditure was authorized.

But the question may arise whether it is sufficient to stop short at the problem of the validity of the authorization of the expenditure, or whether it is necessary to go further back and examine also the validity of any acts of the Organization which decided on or recommended the activity to which the authorized expenditure relates. In other words, in the present case, the question may arise whether it is also necessary to examine the validity of the General Assembly and Security Council resolutions establishing the Emergency Force and deciding on the operations in the Congo. Moreover, since the Emergency Force was established by a resolution adopted by the General Assembly in pursuance of the Uniting for Peace resolution of 3 November 1950, the question may even arise whether the validity of that resolution also must be verified.

As will be seen, this raises the rather delicate problem of the validity of the acts of the United Nations. It is my view that this problem cannot be avoided at least as far as the resolutions in which the General Assembly authorized the expenditures in question are concerned. It will be seen later if and how consideration also has to be given to the validity of the earlier resolutions.

7. The rules under which in any legal system the problem of the validity of legal acts is considered face two different requirements. On the one hand there is the requirement of *legality*, that is to say, conformity of the act with the legal rule. Exclusive consideration of that requirement would have as its consequence the denial of any value to an act not in conformity with the legal rule. On the other hand, however, there is the requirement of *certainty*, which would be very seriously jeopardized if the validity of a legal act were at all times open to challenge on the ground of its non-conformity with the legal rule.

The two opposed requirements which I have indicated have been happily reconciled in national legal systems, particularly as regards the acts of public authorities and, even more so, as regards administrative acts.

It must first of all be observed that in municipal law there are a whole number of cases in which the non-conformity of an act with the legal rule constitutes a mere irregularity having no effect on the validity of the act. But there are more serious cases where lack of conformity, on the contrary, entails the invalidity of the act. Such invalidity may well constitute *absolute nullity*, operating *ipso jure*, so that the act which it affects produces no legal effects. However, in municipal law cases of absolute nullity are of a quite exceptional

character. In general, the invalidity of acts in municipal law, and in particular administrative acts, involves not the nullity (absolute nullity), but rather the *voidability* of the act. A voidable act is an act which, in spite of the defects by which it is vitiated, produces all its effects as long as it is not annulled by the competent organ. It is only as a result of being annulled that the act loses, retroactively, its effectiveness. This aspect of invalidity of an administrative act as voidability in municipal law is closely linked with the system of the means of recourse open in such municipal law against the illegitimacy of administrative acts, and which have to be used in a prescribed form and within a fixed time-limit.

It follows that an administrative act, even though vitiated by a defect of such a nature as to entail invalidity, may in spite of that produce all the effects proper to a completely valid act: not only temporary, but also permanent, effects. First, this occurs whenever the existing remedies are not made use of in the manner and within the time-limits prescribed. Secondly, the same occurs when the competent supervisory organ, although the matter has been properly referred to it, does not recognize the defect by which the act is objectively vitiated. It is precisely by prescribing on the one hand forms and time-limits in which the existing remedies against illegitimate acts may be sought, and by conferring on the other hand finality on the supervision exercised by the competent authority, that municipal law ensures that the requirement of certainty in connection with legal situations arising from administrative acts shall be satisfactorily met.

8. In the case of acts of international organizations, and in particular the acts of the United Nations, there is nothing comparable to the remedies existing in domestic law in connection with administrative acts. The consequence of this is that there is no possibility of applying the concept of voidability to the acts of the United Nations. If an act of an organ of the United Nations had to be considered as an invalid act, such invalidity could constitute only the *absolute nullity* of the act. In other words, there are only two alternatives for the acts of the Organization: either the act is fully valid, or it is an absolute nullity, because absolute nullity is the only form in which invalidity of an act of the Organization can occur. An act of the Organization considered as invalid would be an act which had no legal effects, precisely because it would be an absolute nullity. The lack of effect of such an act could be alleged and a finding in that sense obtained at any time.

It must be recognized that there may be cases in which an act of the Organization would have to be considered as invalid, and therefore as an absolute nullity, with the rather serious consequences which I have just indicated. The problem is to determine what these cases are. As will be seen, this is a question of construction of the rules determining the conditions for a legal act which are of the nature of absolute requirements, that is to say where failure to satisfy the condition constitutes an essential defect involving the invalidity of the act.

In dealing with such a question of construction, the nature and significance of the invalidity which may be held to attach to an act of the Organization must never be lost sight of, such invalidity constituting, as has been seen, the absolute nullity and not the void-

ability of the act. This prevents the conditions for the validity of acts of the Organization being given an extension similar to that of the conditions for the validity of acts under municipal law, and in particular administrative acts. If, ignoring the difference between the nature of the invalidity of domestic administration (voidability) and the nature of the invalidity of acts of the United Nations (absolute nullity), the same extensions were given to the conditions for the validity of both these classes of act, very serious consequences would result for the certainty of the legal situations arising from the acts of the Organization. The effectiveness of such acts would be laid open to perpetual uncertainty, because of the lack in the case of acts of the Organization of the means by which the need for certainty is satisfied in connection with administrative acts under domestic law.

This makes it necessary to put a very strict construction on the rules by which the conditions for the validity of acts of the Organization are determined, and hence to regard to a large extent the nonconformity of the act with a legal rule as a mere irregularity having no effect on the validity of the act. It is only in especially serious cases that an act of the Organization could be regarded as invalid, and hence an absolute nullity. Examples might be a resolution which had not obtained the required majority, or a resolution vitiated by a manifest *excès de pouvoir* (such as, in particular, a resolution the subject of which had nothing to do with the purposes of the Organization).

It is otherwise in the case, for example, of violation of the rules governing competence. The violation of such rules in domestic law involves the invalidity of the act in the usual form of voidability. For the reasons I have given, the violation of the rules concerning competence by an organ of the United Nations cannot entail the voidability of the act; but the same violation does not have the much more serious effect of the absolute nullity of the act. This means that the failure of the act to conform to the rules concerning competence has no influence on the validity of the act, which amounts to saying that each organ of the United Nations is the judge of its own competence.

9. The restrictive application of the concept of validity to the resolutions in which the General Assembly authorized the expenditures in question in this case must in my view lead to a conclusion upholding the full validity of those resolutions.

It has already been said that the General Assembly may not in this field act in an arbitrary way. The Assembly is bound by the provisions of the Charter which it must interpret and apply correctly. Under these rules, the Assembly is required to establish and appreciate correctly a body of factual circumstances. It must also verify the validity of the resolutions of the different United Nations organs concerning the activity to which the expenditure to be authorized or not relates; this naturally has to be done in accordance with the very restrictive criteria indicated above.

However, it is one thing to say that the General Assembly is bound by the rules of the Charter and by the actual facts or legal situations to which those rules relate; it would be quite another to say that this obligation on the General Assembly has its sanction in the invalidity of resolutions of the Assembly not in conformity with that obligation.

For the latter it would be necessary to show that the legal rule concerning the approval of the budget and hence authorization of expenses by the General Assembly (the rule arising from Article 17, paragraph 1 of the Charter) makes the validity of the Assembly's resolution dependent both on conformity of the resolution with the provisions of the Charter and on the correctness of the Assembly's ascertainment of situations of fact or of law in any way relevant. It is my view that this is not possible.

In my view it is not possible to suppose that the Charter leaves it open to any State Member to claim at any time that an Assembly resolution authorizing a particular expense has never had any legal effect whatever, on the ground that the resolution is based on a wrong interpretation of the Charter or an incorrect ascertainment of situations of fact or of law. It must on the contrary be supposed that the Charter confers finality on the Assembly's resolution irrespective of the reasons, whether they are correct or not, on which the resolution is based; and this must be so even in a field in which the Assembly does not have true discretionary power.

10. Once the validity of the resolutions in which the General Assembly authorized the expenditures relating to the Emergency Force and the operations in the Congo has been recognized, it will be seen that the question of validity does not arise at all in connection with the resolutions which are presupposed by those I have just mentioned, that is to say, the resolutions by which the General Assembly established the Emergency Force and the Security Council decided on the operations in the Congo.

If the question of the validity of these latter resolutions were to be examined independently and in general terms, that is to say, as regards all the effects which those resolutions seek to produce, it would have to be answered in the affirmative, for reasons similar to those which I have given in connection with the validity of the General Assembly resolutions authorizing the expenditures. But the problem of the validity of those resolutions, which might be called the basic resolutions, does not arise at all in connection with the answer to be given to the question submitted to the Court.

For the purposes of that question, the basic resolutions have not to be taken into account as regards the totality of their effects. They constitute only circumstances which the Assembly had to have regard to and satisfy itself as to the existence of. For reasons that I have indicated, the examination by the Assembly of the validity of the basic resolutions for the purpose of authorizing the relevant expenses is final. In consequence, the validity of the basic resolutions cannot be challenged with the purpose of challenging the validity of the Assembly resolutions authorizing the expenses: that would be so even on the supposition (which in my view must be dismissed) of the validity of the basic resolutions having to be denied in respect of their other effects.

To say that in order to authorize a particular expenditure the General Assembly must *inter alia* satisfy itself of the validity of the resolutions concerning the activity to which the expenditure relates, and that its judgment is final, does not mean that the General Assembly exercises true supervision over those resolutions. This is because the General Assembly's examination does not relate to the resolutions

in question as far as the whole of their effects is concerned, but relates to those resolutions only as a circumstance which the General Assembly has to take into account with a view to authorizing expenditure. The finality of the Assembly's judgment is but an aspect of the finality of the authorization of the expenditure.

11. My reasoning may be summarized in the following propositions:

(1) "Expenses of the Organization", within the meaning of Article 17, paragraph 2, of the Charter are expenses which have been *validly* authorized by the General Assembly under paragraph 1 of that Article;

(2) The resolutions in which the General Assembly authorized the expenditures relating to the Emergency Force and the operation in the Congo are *valid* resolutions, irrespective of the validity of the General Assembly and Security Council resolutions by which the Emergency Force was established and the operations in the Congo decided upon;

(3) Consequently, the expenditures relating to the Emergency Force and the operations in the Congo constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter.

(*Signed*) GAETANO MORELLI.

DISSENTING OPINION OF PRESIDENT WINIARSKI

[Translation]

To my great regret I am unable to agree with the Court's affirmative reply to the question submitted to it by the request of the General Assembly. I shall indicate my reasons as briefly as possible, confining myself to what is essential. I shall therefore refrain from discussing the points on which I am not in agreement with the Opinion, such, for example, as the interpretation of Article 17, paragraph 2, of the Charter.

In the first place it would seem that although the request appears to contain an exact statement of the question, as required by Article 65 of the Statute of the Court, that question requires to be interpreted, and here I differ from the view expressed in the Opinion. The Opinion distinguishes three questions in paragraph 2 of Article 17: the identification of the expenses of the Organization, the apportionment of those expenses, and the obligation of Member States to bear them, and it states that it is only the first of these which is raised by the request for opinion. This limitation of the problem seems to me to be pregnant with consequences. Again, the Opinion says: "The amount of what are unquestionably 'expenses of the Organization within the meaning of Article 17, paragraph 2' is not in its entirety apportioned by the General Assembly and paid for by the contributions of Member States, since the Organization has other sources of income." It follows that the reply that all the expenditures authorized by the General Assembly which are enumerated in the request constitute "expenses of the Organization within the meaning of Article 17, paragraph 2" provides no clear indication to the General Assembly, which expressed in the preamble "its need for authoritative legal guidance as to obligations of Member States . . . in the matter of financing the United Nations operations in the Congo and in the Middle East".

The question might however be understood in a different way: the reference to paragraph 2 of Article 17 limits the scope of the question and gives it its true meaning. Of the total amount of the expenses, those which are not met by voluntary contributions or from other sources of income in accordance with the decisions of the General Assembly must be borne by the Members according to the apportionment decided upon by the General Assembly. The terms of the resolution appear to confirm this interpretation. The reference to the need for legal guidance is illustrated by the facts set out in the dossier. According to the "Statement on the collection of contributions as at 31 December 1961" (Congo *ad hoc* Account) for the period 14 July to 31 December 1960, 35 Member States paid their assessed contributions, 64 States did not pay; for the period 1 January to 31 October 1961 the proportion of those who paid to those who did not pay was 21 to 78. Long and important discussions, which are set out in the

dossier, began in the General Assembly from the time of the earliest resolutions in 1956 and continued until December 1961 when the proposal to request an advisory opinion was adopted. The debates revealed profound differences of view as to the methods to be adopted to meet the expenditures relating to the operations in the Middle East and in the Congo. These facts confirm the view that in the question formulated in the request for opinion the emphasis must be placed on the words "within the meaning of Article 17, paragraph 2, of the Charter".

In the course of the lengthy debates of the Working Group of Fifteen (June–November 1961) the question of the conformity with the Charter of the General Assembly resolutions relating to the financing of the above-mentioned operations was discussed. Thus, for instance, a statement was formulated which appeared to go to the heart of the problem:

> 11. When the Security Council or the General Assembly *recommends* the execution, with United Nations military forces, of an operation for the maintenance of peace, the expenses involved in such operations cannot be considered as "expenses of the Organization" within the meaning of Article 17 of the Charter and the financial contribution of Members to the cost of such operations will be of a voluntary nature.

Here, too, the voting revealed a deep division of opinion. In these circumstances, the French delegation proposed an amendment to the text of the question to be submitted to the Court; the amendment was to the effect that it should first be asked whether the expenditures referred to were "decided in conformity with the provisions of the Charter". This amendment was rejected, a fact which has been interpreted in different ways; this question having been considered in the Opinion, it is not for me to consider it further.

By definition, only lawful expenses can be expenses of the Organization; they must be validly approved and validly apportioned among the Members. The question is therefore one of the interpretation of the Charter; the Court cannot answer the question submitted to it without examining the problem of the validity of the resolutions authorizing the expenditures, that is to say, the problem of their conformity with the Charter.

It has been said that since the General Assembly has exclusive powers in budgetary matters—which is not disputed—if it takes a decision by the requisite majority, the expenses are validly authorized and apportioned in accordance with Article 17, paragraphs 1 and 2. But that is a purely formal validity, which is a primary condition of any authorization. To limit the question to that of formal validity would be too simple and would not justify the requesting of the Court's opinion.

In the Court's Advisory Opinion on the interpretation of Article 4 of the Charter (1948) it is said: "The political character of an organ cannot release it from the observance of the treaty provisions established by the Charter when they constitute limitations on its powers or criteria for its judgment." The French delegation's amendment did not expressly ask that the Court should examine the Security Council and General Assembly resolutions in pursuance of which operations were undertaken in the Middle East and in the Congo; but in examining the conformity with the Charter of the resolutions

authorizing the expenditures, the Court would inevitably have been led to examine this problem too; this has been very clearly shown by Judge Bustamante y Rivero in his dissenting opinion and I can therefore confine myself to the General Assembly resolutions authorizing the expenditures.

But it has also been said that the Assembly, which is a political organ, interprets the Charter by applying it and that its interpretation is final. This is true to a certain extent and particularly where its interpretation has been generally accepted by Member States. This question was very thoroughly considered at the San Francisco Conference and the results of the deliberations were formulated in the report of the Special Subcommittee of Committee IV/2 which concludes thus:

> It is to be understood, of course, that if an interpretation made by any organ of the Organization or by a committee of jurists is not generally acceptable it will be without binding force.

And the report continues:

> In such circumstances, or in cases where it is desired to establish an authoritative interpretation as a precedent for the future, it may be necessary to embody the interpretation in an amendment to the Charter. This may always be accomplished by recourse to the procedure provided for amendment.

This decision was adopted—unopposed—on 22 June 1945; the rule would seem still to hold good.

* * *

It is recognized in the Opinion that to interpret paragraph 2 of Article 17 it is necessary to look not only at Article 17 as a whole, but also at all the other relevant provisions of the Charter. In this respect the Opinion follows the rule which has been well established since the time of Roman law: "*Incivile est*" (this is a very strong expression) "*nisi tota lege perspecta, una aliqua particula ejus proposita judicare vel respondere.*" In his celebrated chapter on the interpretation of treaties (Book II, Chapter XVII) Vattel applies the same rule to international law.

It is thus this general rule for the interpretation of statutes and conventions which it is sought to follow in the Opinion. I regret that I cannot always agree with the result of this examination.

The Opinion attaches great importance to the purposes of the Organization as set forth in Article 1 of the Charter. Indeed, it has been asserted that these purposes and in particular the maintenance of international peace and security may provide a legal justification for certain decisions, even if these are not in conformity with the Charter, and that in any event a consideration of the purposes must furnish guidance as to the interpretation of the Charter. In the case before the Court, however, this argument certainly has not the importance which there is a temptation to attribute to it; on the contrary, care must be taken not to draw conclusions too readily from it.

The Charter has set forth the purposes of the United Nations in very wide, and for that reason too indefinite, terms. But—apart from the resources, including the financial resources, of the Organization—it does not follow, far from it, that the Organization is entitled to seek to achieve those purposes by no matter what means. The fact that an organ of the United Nations is seeking to achieve one of those purposes does not suffice to render its action lawful. The Charter, a multi-

lateral treaty which was the result of prolonged and laborious negotiations, carefully created organs and determined their competence and means of action.

The intention of those who drafted it was clearly to abandon the possibility of useful action rather than to sacrifice the balance of carefully established fields of competence, as can be seen, for example, in the case of the voting in the Security Council. It is only by such procedures, which were clearly defined, that the United Nations can seek to achieve its purposes. It may be that the United Nations is sometimes not in a position to undertake action which would be useful for the maintenance of international peace and security or for one or another of the purposes indicated in Article 1 of the Charter, but that is the way in which the Organizaiton was conceived and brought into being.

The same reasoning applies to the rule of construction known as the rule of effectiveness (*ut res magis valeat quam pereat*) and, perhaps less strictly, to the doctrine of implied powers.

Reliance has been placed upon practice as providing justification for an affirmative answer to the question submitted to the Court. The technical budgetary practice of the Organization has no bearing upon the question, which is a question of law. From the strictly legal point of view, it is difficult to find here anything that would justify a firm conclusion. The way in which the parties have consistently applied a convention may certainly provide evidence of their intention for the purpose of its interpretation. Furthermore, if a practice is introduced without opposition in the relations between the contracting parties, this may bring about, at the end of a certain period, a modification of a treaty rule, but in that event the very process of the formation of the new rule provides the guarantee of the consent of the parties. In the present case the controversy arose practically from the beginning in 1956, and the Secretary-General, in paragraph 15 of his report of 6 November of that year, said the following:

> The question of how the Force should be financed likewise requires further study. A basic rule which, at least, could be applied provisionally, would be that a nation providing a unit would be responsible for all costs for equipment and salaries, while all other costs should be financed outside the normal budget of the United Nations.

And resolution 1001 (ES–I) adopted by the General Assembly on 17 November 1956 "approves provisionally the basic rule concerning the financing of the Force laid down in paragraph 15 of the Secretary-General's report" (para. 5).

In resolution 1089 (XI) of 21 December 1956 we read:

> Considering . . . that several divergent views, not yet reconciled, have been held by various Member States on contributions or on the method suggested by the Secretary-General for obtaining such contributions . . .

Resolution 1090 (XI) of 27 February 1957 "decides that the General Assembly, at its twelfth session, shall consider the basis for financing any costs of the Force in excess of $10 million not covered by voluntary contributions".

Resolution 1263 (XIII) of 14 November 1958 is still seeking to see matters clearly: it "requests the Fifth Committee to recommend such action as may be necessary to finance the continuing operation of the United Nations Emergency Force".

Lastly, resolution 1337 (XIII) of 13 December 1958 "requests the Secretary-General to consult with the Governments of Member States with respect to their views concerning the manner of financing the Force in the future . . ."

As settlements fell due, the expenses were in large part met out of various funds, even after obligatory contributions had been voted for.

In respect of the financing of the United Nations operations in the Congo, the General Assembly resolutions decided that the expenses should be apportioned among the Member States according to the ordinary scale of assessments, but these resolutions, as I have indicated, were not followed and the number of Member States which refuse to pay is too large for it to be possible to disregard the legal significance of this fact. I would recall that the military operations in Korea were paid for by voluntary contributions as were a number of "civilian" operations in which there is also to be discerned a certain connection with international peace and security. It is therefore difficult to assert, in the case before the Court, either that practice can furnish a canon of construction warranting an affirmative answer to the question addressed to the Court, or that it may have contributed to the establishment of a legal rule particular to the Organization, created *praeter legem*, and, still less, that it can have done so *contra legem*.

It is sometimes difficult to attribute any precise legal significance to the conduct of the contracting parties, because it is not always possible to know with certainty whether they have acted in a certain manner because they consider that the law so requires or allows, or for reasons of expediency. However, in the case referred to the Court, it is established that some at least of the Member States refuse to comply with the decisions of the General Assembly because they dispute the conformity of those decisions with the Charter. Apparently they are of opinion that the resolutions cannot be relied upon as against them although they may be valid and binding in respect of other States. What is therefore involved is the validity of the Assembly's resolutions in respect of those States, or the right to rely upon them as against those States.

It has been said that the nullity of a legal instrument can be relied upon only when there has been a finding of nullity by a competent tribunal. This reasoning must be regarded as echoing the position in municipal or State law, in the international legal system. In the international legal system, however, there is, in the absence of agreement to the contrary, no tribunal competent to make a finding of nullity. It is the State which regards itself as the injured party which itself rejects a legal instrument vitiated, in its opinion, by such defects as to render it a nullity. Such a decision is obviously a grave one and one to which resort can be had only in exceptional cases, but one which is nevertheless sometimes inevitable and which is recognized as such by general international law.

A refusal to pay, as in the case before the Court, may be regarded by a Member State, loyal and indeed devoted to the Organization, as the only means of protesting against a resolution of the majority which, in its opinion, disregards the true meaning of the Charter and adopts in connection with it a decision which is legally invalid; in such a case it constitutes a grave symptom indicative of serious disagreement as to the interpretation of the Charter. As this Court has

on one occasion said, the United Nations is not a super-State and paragraph 1 of Article 2 of the Charter states that "The Organization is based on the principle of the sovereign equality of all its Members."

A serious legal objection to the validity of the General Assembly resolutions authorizing and apportioning the expenses may be briefly formulated as follows: these resolutions ignore the fact that the resolutions authorizing the operations have the character of recommendations. By levying contributions to meet the cost of the operations from all States in accordance with Article 17, paragraph 2, the resolutions of the General Assembly appear to disregard the fundamental difference between the decisions of the Security Council which are binding on all Member States (Chapter VII of the Charter) and recommendations which are not binding except on States which have accepted them.

As is noted in the Opinion the General Assembly does not indicate the articles of the Charter on which its resolutions are based. The same is true of the Security Council. Of 29 resolutions listed in the request, only one, that of the Security Council of 9 August 1960, in which all Member States are called upon to accept and carry out its decisions, refers to Articles 25 and 49 which do not appear to be of such a character as to enlighten the Court (the General Assembly repeated the words in its resolution 1474 (ES–IV) of 20 November 1960); at one point, the Secretary-General envisaged, with some hesitation, the possibility of invoking Article 40; finally he adopted a negative position: the United Nations operations in the Middle East and in the Congo were not undertaken in pursuance of binding decisions under Chapter VII of the Charter. The General Assembly appears to have adopted the same position and this view is shared in the Opinion.

But, if there is no longer any question of the binding decisions of the Security Council referred to in Chapter VII, then these are recommendations; recommendations of the Security Council and the General Assembly; General Assembly resolution 377 (V), the conformity of which with the Charter has itself sometimes been regarded as at least dubious, itself only speaks of recommendations.

The difference between binding decisions and recommendations constitutes one of the bases of the whole structure of the Charter. Decisions are the exception in the system of the means provided for the maintenance of international peace and security; they are taken in grave cases and it is only in those cases that Member States have consented to accept the necessary limitation of the exercise of their sovereignty. Recommendations are never binding and the United Nations must in all its activities ever have in view that its means of action are thus limited.

It follows that if it be recognized that the expenditures enumerated in the request constitute expenses of the Organization, inevitably the question arises whether participation in these expenses is obligatory for all Member States, as appears to be suggested by the question in the request and as is accepted in the Opinion. And yet it is apparent that the resolutions approving and apportioning these expenses are valid and binding only in respect of the Member States which have accepted the recommendations.

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It is difficult to see by what process of reasoning recommendations could be held to be binding on States which have not accepted them. It is difficult to see how it can be conceived that a recommendation is partially binding, and that on what is perhaps the most vital point, the financial contribution levied by the General Assembly under the conditions of paragraph 2 of Article 17. It is no less difficult to see at what point in time the transformation of a non-binding recommendation into a partially binding recommendation is supposed to take place, at what point in time a legal obligation is supposed to come into being for a Member State which has not accepted it.

This leaves unresolved the question how and when the acceptance of a recommendation by a Member State, or the refusal to accept it, is to be placed on record, but the answer to that question should present no difficulty for the Organization.

To the question as framed in the request, which appears to contemplate only the answer "yes" or "no", it is not, in my opinion, possible to give a legally adequate answer. My reply can only be in the negative.

(*Signed*) B. WINIARSKI.

DISSENTING OPINION OF JUDGE BASDEVANT

[Translation]

In accordance with Article 65, paragraph 2, of the Statute of the Court, the request asking the Court to give an advisory opinion must contain "an exact statement of the question upon which an opinion is required". It is in these circumstances and on that basis that, under Article 65, paragraph 1, the Court "may give an advisory opinion".

This provision has not been complied with.

The request for an opinion starts from a given factual element, namely the existence of "expenditures authorized in General Assembly resolutions". As stated the request for an opinion does not determine whether the Court should purely and simply start from the existence of "expenditures authorized" or whether it should first of all ascertain whether those expenditures were properly authorized by the General Assembly. If the Court is purely and simply to start from the existence of "expenditures authorized" the reply to the question put would appear to be fairly simple: the expenditures were an element of the activity of the United Nations as such, they were incurred and made under its responsibility, and they thereby became expenses of the Organization. Reference to the activities of the United Nations in making these expenditures may be understood as being the sense in which the request for an opinion was formulated. This request relates to expenditures made up to the end of 1961. Nothing is contemplated or, still less, expressly stated, as regards expenditures made subsequent to 1 January 1962. An enquiry into whether the former were decided upon and authorized in accordance with a particular provision of the Charter may have seemed to have no practical significance, the expenditures having already been made. The question of the financing of those expenditures, of their apportionment among the States Members of the United Nations, and of the contribution to be borne by them would then arise, but this question has not been included in the request for opinion. That request may be understood as asking the Court whether the "expenditures authorized" which are submitted to it constitute "expenses of the Organization".

But the factual element set forth in the request for opinion may also be construed as including a legal question, namely: were the authorized expenditures referred to authorized in a proper manner? This question occupied a substantial place in the oral proceedings before the Court and, consequently, in the Opinion. In noting this I am by that very fact compelled also to note that the request for opinion did not, on this essential point, comply with Article 65, paragraph 2, of the Statute which requires "an exact statement of the question upon which an opinion is required".

After this inadequacy regarding the indication of the factual element which the Court must take as its point of departure, the Court

was faced with an even more serious uncertainty in the course and at the end of the examination which it was invited to undertake.

The Court is in the position of having been invited to determine whether the "expenditures authorized" submitted to it deserve the legal characterization of "expenses of the Organization". The request provides no criterion enabling this characterization to be defined more explicitly. It confines itself to quoting this term and adding "within the meaning of Article 17, paragraph 2, of the Charter of the United Nations". These additional words add nothing concerning the actual meaning of the term used, but simply set forth the consequences which the General Assembly may attach to these expenses when it comes to exercise its powers of apportionment. In using the term "expenses of the Organization" under consideration neither Article 17, paragraph 2, nor the request state what is comprised in the term.

The Court has not deemed it possible to confine to this reference. At the outset of its study of the legal question submitted to it the Court addressed itself to the law applicable to it and examined Article 17 of the Charter as a whole, supplementing its study by the application of which this provision has been the subject. The Court has not confined itself to a reading of and commentary on the paragraph 2 of Article 17 referred to in the request for opinion. The Court has thereby provided the best demonstration of the fact that the mere reference to paragraph 2 of Article 17 in the request did not correspond to the requirement of paragraph 2 of Article 65 of the Statute of the Court which is that there should be "an exact statement of the question upon which an opinion is required".

It may even be added that the reference to paragraph 2 of Article 17 of the Charter in the request for opinion appears to have been deliberately imprecise. No explanation is given as to what must be understood by "expenses of the Organization". It would seem that reference is made to such expenses only to introduce a reference to the manner in which these expenses are to be treated, the manner in which they are to be apportioned and borne. That does not, however, come within the subject of the present request for opinion.

Consequently, and counter to the wording of the request in its reference to Article 17, paragraph 2, the Court, without having been invited to do so by the terms of the request, has carefully given room to Article 17 as a whole, and especially to its first paragraph. In it the Court has found the source of the General Assembly's budgetary power, its power to consider and approve expenses, and finally the Court has had reference to it to determine what must be understood by "expenses of the Organization". The interpretation of Article 17 as a whole, supported by the practice to which the Court has given attention, has acquired in the reasoning of the Opinion a place which was not to be foreseen from the terms of the request.

To note this is to note that the request was not stated in the terms required by Article 65, paragraph 2, of the Statute.

The Court has adopted an interpretation of the request for opinion which it was not by the terms of that request bound to do. Starting from this interpretation and on the basis of considerations on the cogency of which it would not be fitting for me to express a judgment, the Court, seeking guidance from the Charter, its main provisions, its spirit, the purposes of the United Nations and the practice

of the United Nations, has concentrated mainly on the budgetary competence conferred on the General Assembly. This has led the Court to declare that the expenditures submitted to it were "authorized by the General Assembly" in a manner in conformity with the Charter. If, following the example of the request for opinion, it is desired to state that these expenditures "constitute expenses of the Organization" and even to add "within the meaning of Article 17, paragraph 2, of the Charter", that is only a form of words.

I consider that on the basis of the considerations adduced by the Court in the reasons for its Opinion, it would have been preferable for the wording of the operative provision of the Opinion not to be taken from the terminology used in the request. The reference in the request to "expenses of the Organization" with the further detail "within the meaning of Article 17, paragraph 2" seems to have in mind the apportionment of those expenses by the General Assembly and the burden thereof falling on the States Members. These two questions, however, do not come within the request submitted to the Court.

There is still another point which seems to me to be deserving of attention.

By its terms the request for opinion is concerned only with the authorized expenditures which are referred to in it and which have been authorized up to 31 December 1961. For what may be termed a transitional period, expenditures have been authorized by the General Assembly up to 30 June 1962. After that date no provision has been made.

Thus the Court is invited to give the support of its legal opinion only in respect of the view which may be formed after the event of what has been done in the past. The Court has not, on the other hand, been invited to give guidance to the other principal organs of the United Nations on what should be done in respect of their undertakings in the Congo and in the matter of the Emergency Force. Where it would have been possible to obtain from an opinion requested of the Court collaboration in the present work of the United Nations, it has been sought to obtain from the Court only a retrospective evaluation of what was done up to the end of 1961.

The request for opinion did not contain that exact statement which should have led the Court to reply to it and thereby to give to the other higher organs of the United Nations the collaboration due to them from it.

I should be departing from my proper role if, by reference to the preamble of General Assembly resolution 1731 (XVI) of 20 December 1961, I sought to divine what might have been done to secure that collaboration between the principal organs of the United Nations.

I regret to have to express my conviction that the request for opinion has not been presented in a proper fashion. It is for this reason that I consider myself unable to concur in the Opinion by which the Court replies to the request submitted to it.

(*Signed*) BASDEVANT.

DISSENTING OPINION OF JUDGE MORENO QUINTANA

[Translation]

I greatly regret that I am unable to concur in the advisory opinion given by the majority of my colleagues concerning the financial obligations of Members of the United Nations. It would have been for me a matter of great satisfaction to contribute in the exercise of my judicial function to the most effective realization of the essential purpose of the Organization. But I cannot depart from certain legal concepts which to my mind are of cardinal importance for the interpretation of the Charter; they are those which, in the present case, preclude the Court from giving the opinion requested of it.

* * *

By its resolution 1731 (XVI) of 20 December 1961 the General Assembly of the United Nations requested of the International Court of Justice an advisory opinion which raises an important question, that of the obligations of Member States in the matter of financing the United Nations operations in the Congo and in the Middle East.

On 12 February 1962 the Secretary-General transmitted to the Court an Introductory Note. Seventeen written statements by Member States were also received by the Court on the question of whether the various expenses incurred by the United Nations in financing its operations in the Congo and in the Gaza strip constitute expenses within the meaning of Article 17, paragraph 2, of the Charter. Four other written statements were later presented to the Court. A voluminous dossier consisting of five parts was also transmitted to the Court. This dossier contains a large number of documents and two notes which inform the Court of decisively important facts and circumstances, with a view to enabling it to pronounce on the question submitted to it. Such matters as the debates in organs of the United Nations which led the General Assembly to ask the Court for an advisory opinion; the operations undertaken by the United Nations in the Congo (ONUC); the operations of the United Nations Emergency Force in the Middle East (UNEF); the drafting and adoption by the San Francisco Conference in 1945 of Article 17, paragraph 2, of the Charter; and the procedure and practice of the organs of the United Nations in applying that provision.

* * *

At the origin of the request for an advisory opinion are the discussions which took place between the fifteen members of the Working Group set up on 21 April 1961 by the General Assembly to examine the administrative and budgetary procedures of the United Nations. A number of views were expressed by these members and by the Secretary-General in the Working Group on the legal nature of the financial obligations arising from peace-keeping operations. Having regard to their divergence, the Working Group

advised the General Assembly to ask the Court for an advisory opinion, and the General Assembly decided on the wording of the question.

The question was put in a concrete way by that organ, which recognized that it had need for authoritative legal guidance and listed the General Assembly resolutions on the expenditures incurred through the operations undertaken in pursuance of various resolutions of the Security Council and of the General Assembly itself. The wording of the question, from the standpoint of its legal scope, may be reduced to the following: Do the expenditures authorized by the General Assembly with regard to the operations undertaken by the United Nations in the Congo and Middle East constitute expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter?

The Court has already, from 1948 to 1955, devoted six Advisory Opinions to its task in connection with the interpretation of the Charter. These Opinions were, in a sense, at the foundation of the legal implementation of that instrument. They dealt with the admission of new Members to the United Nations, reparation for injuries suffered in the service of the United Nations, the competence of the General Assembly for the admission of a State to the United Nations, the international status of South West Africa, the effect of awards of compensation made by the United Nations Administrative Tribunal and the voting procedure of the General Assembly with regard to the aforementioned territory. The exercise of the Court's advisory jurisdiction which derives from Article 96 of the Charter and from Article 65 of the Statute of the Court—the *interpretatio legis* of the Roman jurisconsults—is growing from year to year. It may soon perhaps become more important than the Court's jurisdiction in contentious proceedings, which does not always satisfy the aspirations of those who would have preferred the tribunal with international jurisdiction to be established on other bases. To say that this new advisory opinion might decide the fate of the United Nations in the years to come would certainly be rash, but it may at least be affirmed that its effects would be far-reaching. It relates to a matter as decisive as that of the financing of the Organization for the achievement of its purpose of maintaining international peace and security.

An egalitarian solution, taking the financing of operations mainly based on military action as being a normal expense of the Organization to be apportioned among all Member States, seems an attractive one from the point of view of the cause served by the purpose in question. But it does not seem to be very desirable in the light of the small financial resources of a great number of Member States, many of which are under-developed countries. On the other hand, a qualified solution which made such financing an exclusive responsibility of the members of the Security Council, would be directed at the States directly committed to that cause. It would perhaps have the disadvantage of limiting all action in this connection out of concern for the financial consequences. That then is the setting today of the question put to the Court. But the latter has to examine the question from the point of view of law and not from the political point of view.

* * *

To situate the context in which the question submitted to the Court arises, it is necessary to go back to the origins of the financial difficulties encountered by the United Nations when it had to assist Member States which asked for the Organization's support with a view to the maintenance of the principal purpose assigned to it by the Charter. A short historical account would seem in any case to be necessary.

In October 1956, an act of aggression was launched against Egypt, a Member State of the United Nations, by three other Member States, two of which were permanent members of the Security Council. Since the lack of agreement among the permanent members prevented the Security Council from fulfilling its essential task, the General Assembly set up an international emergency force (UNEF) and adopted the necessary measures. Seven resolutions of that organ adopted between 1956 and 1958 dealt with the matter. Eight other resolutions, from 1956 to 1960, dealt with the financing of the related operations. The request for an opinion lists these. In short, having regard to the views expressed on several occasions in the competent organs of the United Nations by the Secretary-General, the General Assembly finally took up the position indicated in its resolution 1575 (XV) of 20 December 1960, according to which the amount authorized for the financing of the expenditure on the operations in the Middle East for 1961 would be met by all Member States on the basis of the regular scale of assessment.

Soon after, as a result of the state of anarchy into which the Congo, a new Member of the United Nations, seemed to be falling, in 1960 and 1961 the Security Council adopted five resolutions which decided on operations by the Organization in that country (ONUC); and, in the same years, the General Assembly in its turn adopted four resolutions on the subject. The financing of these operations was the subject, also in 1960 and in 1961, of five resolutions by the General Assembly. All these resolutions are indicated in the request for opinion. Although the Security Council adopted measures, in the case of the Congo, which it could not take in the case of the Middle East, it did not consider the question of financing them. Lengthy debates began in the Fifth Committee, where various views on the subject were expressed. On 20 December 1960, the General Assembly declared in its resolution 1583 (XV) that the expenses involved in the operations in the Congo constituted expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter, and that the assessment thereof against Member States created binding legal obligations on them to pay their assessed shares.

This historical account shows how, faced with divergent opinions, the General Assembly acted to assure the efficacy of the measures taken by itself or by the Security Council in pursuance of the lofty mission to maintain international peace and security. Are the decisions taken by the General Assembly on the financing of operations in the Middle East and in the Congo binding or not binding on all the Member States of the United Nations and, if they are binding, in what degree? That is what should be examined.

* * *

The Court has received twenty-one written statements by Member States of the United Nations on the question referred to it, in addition to the ample account which the Secretary-General has given in his Introductory Note for the Court. It has also heard oral statements by the representatives of nine States which confirmed the position set forth in their written statements. A further indication of the various positions taken up is also given by the views more than once expressed by the Secretary-General in the Fifth Committee and the Advisory Committee, in his reports to the General Assembly, in the opinions expressed by various delegations at the meetings of the competent organs, and in the legal tone itself of the resolutions of the General Assembly. It is now necessary to extract the substance of the various views, reduce them to common denominators so as to arrive at a summary and a synthesis, and strike the balance.

All this material could be simplistically classified by establishing whether the answer to the question is *yes* or *no*. But such a method would be quite inadequate for the purposes which must be sought. Only a concrete exegisis of the different positions taken up and the grounds on which they are based can furnish a reasonable working basis. From this point of view, and without taking into account certain variants or reservations which have been expressed, four principal contentions can be discerned: an affirmative contention, another contention apparently affirmative but subject to certain definite conditions, a negative contention, and lastly, the contention according to which it is not possible for the Court to pronounce on the question.

As an ideological position, the affirmative contention is the most attractive. It remains to be seen whether it is correct from the legal point of view. It takes the view that the expenses involved in the operations of the United Nations in the Middle East and in the Congo are expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter. Although of a different nature from those covered by the administrative budget, they are normal expenses to ensure the maintenance of international peace and security, the Organization's principal purpose. They are to be borne by all the Member States and should be apportioned among them; all the States are under a legal obligation to pay their share according to the scale of assessment laid down for that budget. The collection of the payments in question is a technical matter of book-keeping which should be solved in some appropriate way: incorporation in the ordinary budget, setting up of an additional budget, or the opening of a special account. Apart from questions of detail, such is the contention upheld by the Secretary-General and adopted, presumably, by the resolutions of the General Assembly, in particular by resolution 1583 (XV) of 20 December 1960. This view is also upheld, in their written statements, by the Governments of Italy, Denmark, the Netherlands, the United States of America, Canada, Japan, Australia, the United Kingdom and Ireland; and also, in the oral proceedings, by the Norwegian Government.

The other affirmative contention nevertheless makes its effectiveness dependent on the fulfilment of certain conditions. It does not dispute the legal basis of the reply to be made to the question, but it attributes a voluntary character to the contributions requested for military operations, and subordinates them to the capacity of the Govern-

ments concerned to pay or to the authorization required by their constitutional processes. These various positions were taken in 1959 by certain delegations in the Fifth Committee.

The negative contention derives its main strength from prescriptions concerning the distribution of functions. It comes from the fact that under Articles 11, 39, 41, 42, 43 and 48 of the Charter, any action involving force or the use of armed forces comes within the competence of the Security Council. The General Assembly may make recommendations as to the maintenance of international peace and security, but may not take measures with regard to them. It is therefore for the Security Council and not for the General Assembly to make the necessary financial arrangements for the fulfilment of its specific function. Any decision taken on such a matter should be based on the special agreements between the Security Council and the Member States of the United Nations to which Article 43 of the Charter refers. The expenses referred to in Article 17, paragraph 2, of the Charter are only those of the budget drawn up for the normal activities of the Organization and not expenses for other activities. It is on these Member States whose action brought about the establishment of a military force that the obligation to contribute to financing it falls. And Member States which have not agreed to the establishment of the force do not have that obligation. This contention was advanced in the Fifth Committee and in various written statements. It is the view taken, in different forms, by the Governments of the Soviet Union, Mexico, Indian, Upper Volta, Czechoslovakia, Portugal, Spain, South Africa, Byelorussia, Bulgaria, the Ukraine and Romania. It may be deduced from it, in particular as regards the position taken up by the States of the Soviet group, that the legal non-obligation to pay the expenses in question is based not only on the invalidity of the resolutions under which the operations were undertaken, but also on the fact that the expenses are not those referred to in Article 17, paragraph 2. This last argument, as an established fact, would straightway suffice to furnish the reply to the question submitted in the request for an advisory opinion.

A fourth contention is that advanced by France, and deals with a fundamental question of procedure in this matter. In this view the question put to the Court by the request for an opinion was put in an equivocal way. The circumstances in which the Court is being consulted are not such as to make it possible to obtain the legal opinion which is expected of it. These circumstances would tend to involve, by means of a devious procedure, a revision *de facto* of the constitutional rules of the Charter, which would go beyond its letter and spirit. The same point of view was also put forward by South Africa.

* * *

The legal problem for the Court's consideration is, therefore, that of the interpretation of Article 17, paragraph 2, of the Charter, which runs: "The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly." To decide the question, it is necessary to consider various elements of appreciation. These include the general principles which governed the adoption of the text, the scope and significance of the resolutions by which it has been applied, the administrative procedures and practices followed in the matter, the preparatory work which preceded the adoption of the

text, and, finally, the exegesis of the text itself. Last of all—unless it is done *ab initio*, that is a question of method—the problem of the competence of the Court to reply to the question as it has been submitted to it must be dealt with.

Does the provision in question, whose scope seems to be of a general nature, apply to *all the expenses* of the Organization or *only to the expenses* related to its normal activities? The phraseology used is ambiguous and leaves ample room for doubt. The provision must clearly have a meaning because it is "within the meaning of Article 17, paragraph 2, of the Charter" that the General Assembly submits the question to the Court. With this provision must also be linked that of paragraph 1 of the same Article, which refers to the "budget of the Organization". Is by this budget to be understood that relating to normal activities or one including all the expenses, both current and extraordinary, of the Organization? For there is a technical relationship of cause and effect between the budget which authorizes the necessary appropriations and the resulting expenditure. No single conclusion can be drawn from the successive positions adopted by the General Assembly and by the Secretary-General on this problem. For, although the final position adopted by both one and the other seems to be that which has already been put forth, from other documents a different position emerges. In the Secretary-General's Report of 6 November it is stated that every nation providing a unit for UNEF would be responsible for all costs for equipment and salaries while all other costs should be financed outside the normal budget of the United Nations. In its turn the General Assembly, by its resolution 1619 (XV) of 21 April 1961, recognized that "the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that therefore a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses".

It might be considered in the first place, as a starting point for formulating an advisory opinion on the matter, whether an international organization such as the United Nations does or does not enjoy the financial independence necessary to implement the purposes and principles which are at the basis of its existence. The reply is at once seen to be in the affirmative. This solution was confirmed, though from different situations, in the Advisory Opinions which the Court gave in 1949 on the reparation for injuries suffered in the service of the United Nations, and again in 1954 on the effect of awards made by the United Nations Administrative Tribunal. It is the necessary consequence of the establishment of an international organization, but it does not however imply that any specific organ should take certain measures, nor that all the expenses must necessarily be borne by all the Members. Nothing stands in the way of an appropriate distribution of responsibilities, obligations and powers. That depends not only upon the degree of interest involved but also on the degree of intervention assigned to each category of Members by the constitutive instrument of the Organization. Each organ has its due function. The implied powers which may derive from the Charter so that the Organization may achieve all its purposes are not to be invoked when explicit powers provide expressly for the eventualities

under consideration. The problem, thus stated, seems to focus on the specific provisions which govern the functioning of the organs and the financial arrangements of the United Nations and not on those provisions laying down its general purposes.

The validity of the resolutions by which the General Assembly and the Security Council undertook operations in the Middle East and in the Congo in the name of the United Nations has been questioned by several delegations, in particular those of Czechoslovakia, the Soviet Union and Byelorussia. Consequently, the expenditure incurred by these operations (authorized by resolutions of the General Assembly) would, in this view, involve no financial obligation for Members of the Organization. From this standpoint it may be inferred that, even if the expenditures in question might by their nature be binding on all the Member States, the latter would nonetheless be relieved from all obligation by virtue of the invalidity of the resolutions at their base. An opposite reasoning is to be found in the opinion expressed in the Fifth Committee in 1961 by the Secretary-General—and this is the opinion of the Netherlands also—namely, that this obligation does exist in view of the fact that the expenditures in question did not relate to action involving force under Article 41 of the Charter, nor to the use of armed forces provided for in Articles 42 and 43, but were expenses for the normal activities of the Organization. The payment of these expenses would thus be an obligation to be borne by all the Members of the United Nations, even when the expenditure involved by the action in question was of an extraordinary nature.

This distinction does not however seem to be well founded. There is no warrant for it in the Charter. Any use of armed forces intended for whatever purpose implies by definition enforcement action, and all expenses other than those in support of the use of such forces—even those for activities which are non-military but which relate to the operation undertaken—partake of the same character.

The case of Katanga, which from the end of 1961 until the beginning of the present year has been the scene of events which are a matter of public knowledge, is particularly revealing in this connection. It would be difficult to infer therefrom a conclusion that the United Nations forces did not undertake enforcement action, or that, even if coercive in nature, it did not fall within the purview of Article 11 of the Charter which refers to a "State". When there have been dead and wounded, bombardments on both sides, when civilian populations have paid the price, when a cease-fire and other military agreements have been negotiated between two belligerent groups, it is not easy to evade the analysis of the question of enforcement action by restricting the interpretation to a purely grammatical construction discountenanced in previous decisions of the Court. Nor is it possible to disregard in such a case the action of a belligerent community recognized under international law as possessing a legal personality. And what would be the position if tomorrow Israeli armed forces, renewing the aggression unleashed in 1956 against Egypt, attacked the Gaza strip and obliged the United Nations forces to repel them? Would this be enforcement action or would it not? The facts would speak the answer for themselves. It is then, as laid down in Article 24 of the Charter, for the Security Council and not the General Assembly to exercise the specific powers derived from the maintenance of international peace and security.

The problem discussed by the delegations referred to and by the Secretary-General is in every way of the greatest legal interest with respect to the interpretation of the Charter. In its written statement the French Government makes it an important question from the point of view of the expenses involved. South Africa's written statement makes the same point. This question could have been submitted to the Court as an integral part of the request for an advisory opinion, and as a preliminary question to the one submitted in the present request. But the General Assembly did not see things that way, and has not asked the Court to pronounce on the validity of the resolutions in question nor to say whether the operations launched by the United Nations in the Middle East and in the Congo are a consequence of the normal activity of the Organization, or whether they constitute action involving force or the use of armed forces as provided for in the Charter. The reply to the request which is made to the Court has been restricted and comes exclusively within the ambit of Article 17, paragraph 2. This is a great pity, for it prevents the Court from bringing its judgment to bear on the legally decisive factor in the case and hence perhaps from solving the problem which is put to it for consideration.

As to the procedure and practice followed in budgetary matters by organs of the United Nations in pursuance of the above-mentioned provision of the Charter, it is not to be denied that they are of definite technical importance. They show in what way the regular budget of the Organization is drawn up, how the estimates are approved, and in what way the financial administration is carried out. Important information is also given on other book-keeping aspects and particularly on those concerning the special accounts opened for the United Nations operations in the Middle East and in the Congo. A consequence may be the adoption of an actual stand on the problem at issue; which was the case in respect of the relevant resolutions of the General Assembly. Certainly none of these procedures and practices constitute an application of the law, but they do nonetheless make clear the necessity for a technical separation between the normal administrative expenses of the Organization and those called for by exceptional circumstances.

The preparatory work leading to the adoption of a given text can certainly be very useful when the text is not sufficiently clear. That is obviously not the case with respect to Article 17, paragraph 2, of the Charter, which deals without any doubt with the expenses of the Organization. But to what expenses does it refer, since it does not limit them to certain expenses only nor does it include them all? For it was stressed in the debates of the special committee of the San Francisco Conference that the General Assembly was the only organ of the United Nations authorized to approve the budget of the Organization, that the expenses were to be borne by its Members, that the General Assembly should fix the scale of contributions, etc. None of these arguments however constitutes a decisive factor for solving the present case. They may be used to support either a liberal or a restrictive construction. From the work of the San Francisco Conference, a conclusion *a contrario sensu* might however be inferred from what was said as to the application of the sanction provided for by Article 19 of the Charter, namely that if expenditures of the kind

under discussion do not involve the application of the sanction in question they are not the expenses mentioned in Article 17, paragraph 2. The reply requested from the Court remains essentially a question of interpretation and, therefore, of legal exegisis.

What did Article 17, paragraph 2, of the Charter intend to mean when it laid down that the expenses of the Organization shall be borne by its Members? This paragraph certainly did not intend to make any innovation in the matter, but rather to lay down a rule common to almost all types of international organization. It would be difficult to find any international organization where all the Members benefited and only some of them bore the expenses. The Article has a general bearing which does not seem to discriminate between different types of expenditure, and the saying *ubi lex non distinguit, nec nos distinguere debemus* would in any case be applicable to it. But the lease expert mind is inclined to understand that only normal expenses are meant, that is to say those that are indispensable in any organization—in other words, the administrative expenses which are those that could not be dispensed with without the organization disappearing. For, if it were not so, and if all the Member States of the United Nations were obliged to bear burdens over and above the responsibility to which they had committed themselves, then the financial power of the Organization would be substituted for the national powers of each of its Members. It is established that the United Nations is not a super-State, as the Court affirmed in its Advisory Opinion on the reparation for injuries suffered in the service of the United Nations (see *I.C.J. Reports 1949*, p. 179). The Organization is an association of States with a view to the achievement of certain common purposes, and of which the constitutive instrument recognizes the sovereign equality. All other expenditure, such as that deriving from the exercise of functions proper to each organ of the United Nations, has its own particular regulations governing it, and does not appear to have been considered in the request for an advisory opinion. This point is particularly applicable to the circumstances under which the special agreements mentioned in Article 43 of the Charter are drawn up.

In Article 23 the Charter provides for two categories of Members in the composition of the Security Council: the permanent members and the non-permanent members. The permanent members have a seat on the Council *ad vitam societatis;* the non-permanent Members act for the duration of their mandate as though they were permanent Members, apart from the right of veto. According to Article 24 of the Charter, the Security Council has the "primary responsibility for the maintenance of international peace and security". The responsibility is conferred by all the other Members on whose behalf the Security Council acts and it supposes a mandate of honour which cannot be renounced or revoked as far as the permanent members are concerned; it is at the very basis of the United Nations. Article 106 of the Charter makes this point particularly clear: it lays on the parties to the 1943 Four-Nation Declaration, and France, pending the coming into force of the special agreements referred to in Article 43, the responsibility for "such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security". This task is incumbent, first of all, upon

this limited group of States, next on the members of the Security Council and not on the other Members of the Organization. The reference could not be clearer. But such a privilege would seem also to have its counterpart. The exercise of the right to administer world affairs goes together with the duty of furnishing the necessary means for the accomplishment of that duty. It is therefore the obligation of the members of the Security Council to pay the expenses incurred by such operations as those in the Middle East and the Congo.

Hence, a legal interpretation of the provision in question leads to the view that the expenses referred to in Article 17, paragraph 2, of the Charter are the current administrative expenses of the Organization, and not other expenditure such as that resulting from the undertaking of operations by military forces.

* * *

With regard to the request which is made for an advisory opinion from the Court there are three solutions which the Court may consider. For the circumstances in which the matter has been referred to the Court require a prior decision as to its competence in the case. It cannot be denied that an advisory opinion by the Court must be of utility to the United Nations. The request in fact excludes from the opinion requested the question of the validity of the basic resolutions in which the General Assembly decided to undertake the operations in the Middle East and in the Congo, and that of the resolutions authorizing the relevant expenditures. That can clearly constitute a serious obstacle to the fulfillment of its judicial task by the Court. The Court might therefore deliver its opinion in a purely formal fashion in view of the limited frame of reference of the request; deliver an opinion on the substance while nonetheless analysing the validity of the resolutions in question; or, again, might say that the circumstances in which the request has been made prevent the Court from delivering the opinion which is expected of it. This is a question of procedure which, connected with the much more important problem of the Court's competence in the matter, must be solved at the outset.

If the Court should deliver in a formal manner the Opinion requested, it should, as it were, start from the idea that the expenditures in question were validly authorized by the General Assembly. Their validity derived from the vote of two-thirds of the Members would dispense the Court from deciding the question of the validity of the resolutions which were at the base of the military operations. In that case the question would be a clearly defined legal one. In its Advisory Opinion on the conditions of admission of a State to membership in the United Nations the Court stated: "To determine the meaning of a treaty provision—to determine, as in this case, the character (exhaustive or otherwise) of the conditions for admission stated therein—is a problem of interpretation and consequently a legal question" (see *I.C.J. Reports 1947–48*, p. 61). But this would be in any case a very incomplete background for a judgment, owing to the absence of the legal analysis required by the circumstances of the case. An opinion given under these conditions would also be of a nature to distort the legal aspects of the case. The Court would, despite itself, be making itself the intermediary for an affirmative or a negative solution, which would however rest on a hypothetical basis only.

Its opinion would therefore be of but trifling help to the United Nations in the fulfillment of its purposes. The Court's prestige would suffer, and the Organization would derive no practical benefit.

If the Court chose to deliver a reply of substance, it would have to pronounce on both the intrinsic and formal validity of the resolutions involved. That would amount to passing judgment of a politico-legal phenomenon by virtue of which the General Assembly, having in view the effectiveness of the pacifist system of the Charter, has in recent years substituted itself for the function assigned to the Security Council. Although Article 18 of the Charter lists the "important questions" which are the subject of "decisions" of the General Assembly, such decisions, when concerned with the question of the maintenance of international peace and security, merely assume the form of "recommendations"; nor is there any international organ which, by its decisions approving recommendations, can alter their intrinsic character, which is non-obligatory. No type of action other than enforcement action for the maintenance of international peace and security, which is the exclusive prerogative of the Security Council, is provided for by the Charter as the function of any other organ. The Court might perhaps in that case accord an extra-legal, if not legal, character to the resolutions by which the General Assembly, faced with the paralysis of the Security Council, took over the function which the Charter allots to the latter body with a view to securing the primary purpose of the Organization to maintain international peace and security. Such a process of adaptation of the original provisions of the Charter to the new circumstances of international life is in any case beyond the Court's scope of interpretation of the Charter. It would assume the exercise by that organ, by indirect means, of an activity *de lege ferenda* which is assigned to it neither by the Charter nor by its Statute.

There thus remains for the Court only the third course as an adequate solution; namely, to inform the General Assembly, as the organ of the United Nations which has requested the opinion, that the Court is prevented from delivering an opinion in view of the limitation imported into the request. Such a procedure would be absolutely consistent and in accordance with the right that the Court possesses, under Article 65 of its Statute, to accede or not accede to a request made to it. It is unnecessary to recall the use in this Article of the word *may*—"the Court may give an Advisory Opinion . . .". Here, no injunction or order is laid down, as would have been the case if the word *must* had been used. Furthermore this interpretation has been confirmed by the Court in previous decisions. "The permissive provision of Article 65 of the Statute"—the Court stated in its Advisory Opinion on Reservations to the Genocide Convention—"recognizes that the Court has the power to decide whether the circumstances of a particular case are such as to lead the Court to decline to reply to the request for an opinion" (see *I.C.J. Reports 1951*, p. 19). This interpretation was also applied in the Advisory Opinion requested of the Permanent Court on the question of Eastern Carelia, where the Court said: "It appears to the Court that there are other cogent reasons which render it very inexpedient that the Court should attempt to deal with the present question" (see P.C.I.J., Series B, No. 5, p. 28).

In its Opinion on Judgments of the Administrative Tribunal of the I.L.O. upon complaints made against UNESCO, the Court referred to the "compelling reasons" which would cause the Court to decline to give an advisory opinion requested within the framework of the indispensable collaboration with the organs of the United Nations (see *I.C.J. Reports 1956*, p. 86). The present case, in my opinion, furnishes compelling reasons militating against the possibility of its fulfilling with the necessary effectiveness and indeed expediency the advisory function assigned to it.

* * *

In conclusion, it will be appropriate to summarize the relevant points of view as follows:

(1) The Charter of the United Nations gave the Organization the financial independence required for the fulfillment of its purposes, but this does not mean that all the Members are under the obligation to contribute to all the expenses which may result;

(2) The question of the legal nature of the resolutions by which the General Assembly and the Security Council undertook the operations in the Middle East and in the Congo constitutes the decisive element in the present case;

(3) The budgetary procedures and practices of the organs of the United Nations, which are of a technical and not of a legal character, do not on that account prevent a clear separation being made between two categories of expenses;

(4) The preparatory work of the San Francisco Conference does not indicate in any precise fashion which of the Members of the United Nations are required to contribute to the financing of specific operations, but they enable the reply to the question raised to be inferred *a contrario sensu;*

(5) The exegesis of Article 17, paragraph 2, leads to giving to its words the legal construction which seems to proceed from it, in the sense that the expenses it refers to are the administrative expenses of the Organization and not those expenses which, by their nature, are the exclusive responsibility of the members of the Security Council;

(6) The circumstances in which the question put to the Court in the request for an advisory opinion is worded do not, in view of the resulting limitation of its competence, permit the Court conscientiously to accomplish its task in the present case.

(*Signed*) Lucio M. Moreno Quintana.

86138—62——36

DISSENTING OPINION BY JUDGE KORETSKY

I regret that I cannot agree with the Opinion of the Court both (a) as I do not consider that the Court would and should give an opinion on the given question posed to it by the General Assembly of the United Nations, and (b) as the Court, to my mind, did not come to the acceptable conclusion in relation to the question which in substance is a question of financial obligations of Member States in peacekeeping operations.

1. To give an Advisory Opinion on the question "do the expenditures authorized in General Assembly resolutions (numbered in its request) constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?" is impossible without an appraisal, from the point of view of validity, "charterability," of the named resolutions.

The French delegation proposed an amendment to the draft of the given resolution: to include the words: (The expenses . . . "decided on in conformity with the Charter" (A/L 378)). The amendment was rejected. In this connection the following question arises: is the Court to be precluded from giving an advisory opinion without entering into the question of conformity of the resolutions with the Charter? The Court's Opinion says "No" referring to "the clear statements of sponsoring delegations that they took it for granted the Court would consider the Charter as a whole." Generally speaking, an interpretation of sponsors of a given resolution after it was adopted does not always have a decisive significance. But even if we might equate the phrase "that the Court may consider the Charter as a whole" to "leaving it to the Court to examine whether the resolutions are in conformity with the Charter," then may we consider that the situation is as if the amendment was approved or—what is the same to say that the General Assembly had no grounds to reject the amendment—as if by that expression (to consider the Charter as a whole) the Court were invited to ignore the voting of the Assembly on the French amendment. The phrase mentioned in the Opinion was pronounced by one of the sponsors of the resolution in the Fifth Committee before the French amendment was proposed. The amendment was submitted later—in the plenary meeting of the Assembly. In the plenary meeting (A/P. V. 1086) even sponsors spoke in a different way—that the adoption of the amendment would "compel the Court to consider the validity of a large number of resolutions adopted by the General Assembly itself", that it "calls into question every resolution", that it "raises a political issue, the legality of action taken by the General Assembly in implementation of decisions of the Security Council". So it was apparently considered that the Court must, *pro veritate habetur* the resolutions of the General Assembly, proceed on the presumption of their validity, of a kind of "infallibility" of the General Assembly.

2. The General Assembly in its request for an advisory opinion put to the Court the question connected with the resolutions already adopted and the expenses already effected. Hence the Court, in answering the question, would give, instead of answering the question in the form of principle, based on an interpretation of the Charter, a quasi-judicial appraisal of the effected expenses, some kind of judgment as if it had before it a concrete case about effected expenses.

3. The question posed to the Court, in spite of its apparent narrowness, involves more than an interpretation of only one Article and even of one paragraph of that Article (Article 17(2)). As was stated by the Mexican delegate, the problem would not be regarded as basically a budgetary one; there was, rather, a basic constitutional problem. Political issues prevailed over jurisdictional considerations. First and foremost we have there a political question, the question of financial policy in peace-keeping matters and, connected with it, a question of the powers and responsibilities of the principal organs of the United Nations, the political essence of which can hardly be denied. As the political aspect of the question posed to the Court is the prevailing one, the Court, to my mind, ought to avoid giving an answer to the question on the substance and ought not to find unwillingly that its opinion may be used as an instrument of political struggle. I think that there are "compelling reasons" for not giving an answer on the substance of the request of the General Assembly as "the circumstances of the case are of such a character as should lead it to decline to answer the request" (*I.C.J. Reports 1950*, p. 72).

The Court embarked on a different course. I am obliged therefore to follow the Court and examine also the substance of the posed question. I find it necessary to examine the history of the resolutions numbered in the request. In that way it is easier to come to the right conclusion.

4. The Opinion of the Court pays much attention to the description of the functions of UNEF as set forth in the resolutions of the General Assembly. It accepts the creation of the United Nations Emergency Force as something that can be based on the Charter, strives to soften the military purpose of this Force by denying the fact that it has been set up for "enforcement action" and stating that it corresponds to the measures provided by Articles 11 and 14 of the Charter.

On this basis, the Court reaches the conclusion that the expenses for the United Nations Force must be considered as those provided by Article 17 of the Charter and allocated according to paragraph 2 of this Article.

The Court illustrates all this by the resolutions approved by the General Assembly, quoting some paragraphs of these resolutions. The Opinion states that the resolutions about the functions of UNEF have been approved without a dissenting vote, and at the same time it states that the question of the financing of UNEF presented perplexing problems in the debates of these problems and that the resolutions reflected "the uncertainties and the conflicting views about financing UNEF."

5. The Opinion did not consider it necessary to go into details about the contradictions, statements and positions of the delegations, limiting itself to quoting some paragraphs of the resolutions and paying

much attention to the quotations of the Secretary-General's statements and reports.

This can be partly explained by the fact that in the General Assembly's resolutions, as was the case with resolution 1001 (ES–I), the reference is often made to that or those "guiding principles for the organization and functioning of the United Nations Emergency Force as expounded in paragraphs 6 to 9 of the Secretary-General's report", to "the definition of the functions of the Force as stated in paragraph 12 of the Secretary-General's report" to the basic rule concerning the financing of the Force laid down in paragraph 15 of the Secretary-General's report" a.s.o. Thus the recommendations on the measures to be taken have been made not by the Member States but by the Secretary-General.

The mere formula of referring the expenses of the United Nations Force to paragraph 2 of Article 17 originated in the Secretariat. The Secretary-General, who "shall be the chief administrative officer of the Organization" (Article 97), has proved to be an instrument directly influencing United Nations policy.

6. It seems to me necessary to follow more critically the course of development of the provisions of the General Assembly's resolutions, considering them from an angle somewhat different from the Opinion of the Court.

7. As has been done in the Opinion of the Court, one should naturally begin with resolution 997 (ES–I) of 2 November 1956.

The General Assembly, stating there that foreign armed forces "have penetrated deeply into Egyptian territory" and "are conducting military operations against Egyptian territory", appealed to:

1. "All parties now involved in hostilities in the area agree to an immediate cease-fire and as part thereof, halt the movement of military forces and arms into the area";

2. "the parties to the armistice agreements . . . to observe scrupulously the provisions of the armistice agreements";

3. recommended "that all Member States refrain from introducing military goods in the area of hostilities . . .", and finally,

4. it has asked the Secretary-General "to observe and report promptly in compliance with the present resolution to the Security Council and to the General Assembly . . .".

In these resolutions, which in their nature are nothing else but recommendations, one cannot yet see anything contradicting the Charter.

But in the Opinion of the Court the attention is drawn to the words in paragraph 5 which state that the Secretary-General has been asked to report to the General Assembly "for such further *action* as they may deem appropriate in accordance with the Charter".

The Court's Opinion stresses the words "action as they may deem . . .". It tries to make the word "action" especially important and justifies with this word the creation of the United Nations Emergency Force.

Quite apart from the fact that by a UNO resolution approved even without a dissenting vote one cannot change the Charter, still it should be pointed out that in this very resolution the word "action" is subordinated to the possibility of implementing it "in accordance with the Charter".

And in accordance with the Charter the General Assembly in the problems relating to the maintenance of international peace and security may only *discuss* and *make recommendations.* This recommendation in some cases may be considered as an "action" in its common meaning, but it is not an "action" within the meaning of Article 11(2) of the Charter.

The words "action" and "recommendation" are not identical.

But the expression "to report to the Security Council *and* to the General Assembly", while mentioning the word "action" expressed the wish of some States, if not to put aside the Security Council in any case to make the Security Council equal to the General Assembly regarding the function of maintaining international peace and security.

8. The resolution 998 (ES–I) of 4 November 1956 has immediately revealed it. It has violated the Charter, turned "a dangerous corner" in requesting the Secretary-General to submit "a plan for the setting up . . . of an emergency international United Nations Force to secure and supervise the cessation of hostilities in accordance with all the terms of the aforementioned resolution" (997 (ES–I)).

Here we can see two violations of the Charter:

1. The General Assembly has entrusted the Secretary-General to secure the cessation of hostilities, i.e. entrusted him to take an action within the meaning of the Charter. The Court in its Opinion assures that the verb "secure" as applied here "might suggest measures of enforcement were it not that the Force was to be set up with the consent of the nations concerned". "The consent" means that they ought not to be forced to give such a consent. But the United Nations Armed Force has to be ready to maintain (i.e. to enforce) the preservation of conditions, to which the parties concerned gave their consent.

2. The General Assembly has assumed a task of setting up the United Nations Force. One should state that the Charter does not include such a notion as a United Nations Armed Force. Even the Security Council itself is not authorized to set it up. Article 45 binds the Members to hold immediately available for urgent military measures national air force contingents for *combined* international enforcement action. This Article refers to Article 43. Article 43 says that "All Members of the United Nations . . . undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities . . . ". Armed forces which would be available to the Security Council would continue to be armed forces of the Members of the Organization and not those of the Organization. They must be relatively compared with the armies of some military alliance (coalition), which might act together or in close co-ordination, but do not form an army separate from the national armed forces. Article 42 of the Charter, mentioning action by air, sea and land forces, which the Security Council may take "to maintain or restore international peace and security" states that such action is being carried out by air, sea or land forces of Members of the United Nations and not by forces of the United Nations. Article 47 refers to "the employment and command of *forces*", and to "the strategic direc-

tion of any armed forces placed at the disposal of the Security Council".

9. Resolution 999 (ES–I), approved on the same day, authorized the Secretary-General "immediately to arrange with the parties concerned for the implementation of the cease-fire and the halting of the movement of military forces and arms into the area". But in order "to obtain compliance of the withdrawal of all forces behind the armistice line", it needed the force which would be capable of securing the fulfilment of this task. The General Assembly suggested that the Secretary-General should apply for "the assistance of the Chief of Staff and the members of the United Nations Truce Supervision Organization".

10. And on that very day the Secretary-General, in compliance with resolution 998 (ES–I), presented his report on the plan for an emergency international United Nations Force (Doc. A/3289). In his report he considers that "the General Assembly should decide immediately on the establishment of a United Nations Command", declaring that he would try "to determine from which countries the necessary troops might be drawn without delay, as well as from which countries recruitment may be possible for a somewhat later stage", and that "as a matter of principle, troops should not be drawn from countries which are permanent members of the Security Council".

11. On the following day (i.e. 5 November 1956) the General Assembly, in its resolution 1000 (ES–I), repeating almost word for word the main proposals of the Secretary-General, established "a United Nations Command for an Emergency International Force to secure and supervise the cessation of hostilities . . . ", and appointed the Chief of the Command, authorizing him to undertake the recruitment of officers in consultation with the Secretary-General.

12. One reads all that and wonders involuntarily whether Article 43 and especially Article 47 ever existed, in compliance with which there has been set up a Military Staff Committee "to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal . . . ".

13. The Opinion uses quite a number of quotations from the Secretary-General's report of 6 November 1956 (Doc. A/3302). In his report the Secretary-General assured that the setting up of the Force must not be considered "as part of an enforcement action directed against a Member-country". "There is", he wrote, "an obvious difference between establishing the Force in order to secure the cessation of hostilities, with a withdrawal of forces, and establishing such a Force with a view to enforcing a withdrawal of forces."

Was then the United Nations Force only an observers' corps? In the Secretary-General's report it was stated that the United Nations Force is "more than an observers' corps". If it is "more" than that, then it is not simply "observers". And he acknowledged that the Force had military functions, but he added that this Force must not exceed the limits necessary to secure peaceful conditions. Such peaceful conditions might be secured by the mere "presence" in a dangerous area of the armed forces sent there in compliance with the Charter. But circumstances might compel the armed forces to undertake "en-

forcement action". The Secretary-General himself acknowledged the fact that "the possibility that the Security Council could use such a Force within the wider margins provided under Chapter VII of the United Nations Charter" is not excluded.

Ergo, they were forces of compulsion, whether they were only "stationed" there, i.e. "supervised", or were acting, i.e. undertook "actions".

14. On 7 November 1956 the General Assembly in resolution 1001 (ES–I) continued on its "anti-Charter" way as recommended by the Secretary-General. It approved "the guiding principles for the organization and functioning of the Emergency international United Nations Force as expounded in paragraphs 6 to 9 of the Secretary-General's report", agreed with his definition of the functions of the Force, authorized him "to issue all regulations and instructions which may be essential to the effective functioning of the Force", requested "the Chief of the Command, in consultation with the Secretary-General as regards size and composition, to proceed forthwith with the full organization of the Force".

All these provisions were directed to performing "actions", which did not fall within the functions of the General Assembly. They cannot naturally be substantiated by the Charter. But the General Assembly made no reference to Articles of the Charter, as it is quite clear that Articles 11 and 12 of the Charter bar the way to the aforementioned decisions of the General Assembly.

The Opinion invites reference to Article 14 of the Charter, considering that "actions" undertaken in pursuance of decisions of the General Assembly might be considered as "measures" recommended under Article 14. But Article 14 has nothing to do with the question under discussion. It provides for quite different situations. If one considers that it involves "the maintenance of international peace and security", as stated by the Court, then there would be no need to include in the Charter before Article 14, Articles 11 and 12 which specially define the role of the General Assembly "in the maintenance of international peace and security". Besides, Article 14 provides that "the General Assembly may *recommend* measures for the peaceful adjustment of any situation". What kind of measures are they supposed to be? One may refer to Chapter VI and to Article 33(1) in particular. The General Assembly may only recommend measures in distinction to the Security Council which may—as stated in that Article—"*call upon* the parties to settle their dispute by such means". To whom may the General Assembly recommend measures? To the Governments of the Member States concerned. If they approve the recommendations, then they have to carry them out. The General Assembly cannot make recommendations to itself or to the United Nations staff. And in this case the General Assembly not only recommended these measures but brought and stationed the armed forces set up by it in the area where the military invasion had taken place, i.e. in Egyptian territory.

To consider that the recommendation of measures for the peaceful adjustment, referred to in Article 14, may be turned into the measures for securing "the cease-fire, withdrawal of troops and other matters related to the military operations in Egyptian territory" would have been, from a logical point of view, a deviation from the Charter and its provisions.

15. Citing the resolutions mentioned in the preceding paragraphs, the Opinion has deemed it necessary to mention several times that they were adopted without a dissenting vote. But it did not mention that in the statements of a number of delegations who considered it possible to abstain from voting, as indicated in the written and oral statements (p. 112) as well, the Delegation of the USSR made a statement in which it gave its reasons in detail for the view that it—

> regards the proposal for the establishment by the General Assembly of an international force to be stationed on Egyptian territory, a proposal which bypasses the Security Council, as contrary to the United Nations Charter. However, in view of the fact that in this instance the victim of aggression has been compelled to agree to the introduction of the international force, in the hope that this may prevent any further extension of the aggression, the Soviet delegation did not vote against the draft resolution, but abstained.

This statement forces us to make another evaluation of abstention from voting. But this will be a matter for later discussion.

16. Resolution 1001 (ES–I) of 6 November 1956 opened the epic struggle for and against the anti-Charter methods of financing the so-called peace-keeping operations.

The General Assembly in this resolution confined itself to provisionally approving "the basic rule concerning the financing of the Force laid down in paragraph 15 of the Secretary-General's report".

I do not intend to consider whether this form of resolution of the General Assembly (which has been used in the three paragraphs of the resolution and has usually been found objectionable under domestic legislation) was apt. But it reveals the role played by the Secretariat in defining the methods of financing the armed forces and operations.

Despite the aforementioned paragraph 15 of the Secretary-General's report (Doc. A/3302), no final conclusion has yet been reached on the procedure of financing the Force. The Secretary-General wrote that "the question of how the Force should be financed . . . requires further study". But still he considered that "A basic rule which, at least, could be applied provisionally, would be that a nation providing a unit would be responsible for all costs for equipment and salaries, while all other costs should be financed *outside the normal budget* of the United Nations".

There has not yet been any direct or indirect reference to Article 17 of the Charter.

In resolution 1122 (XI) of 26 November 1956 the General Assembly authorized the Secretary-General "to establish a United Nations Emergency Force Special Account to which funds received by the United Nations, outside the *regular budget* . . . shall be credited . . .", but at the same time it authorized him "pending the receipt of funds for the Special Account, to advance from the Working Capital Fund such sums as the Special Account may require to meet any expenses chargeable to it".

This already constitutes a scarcely permissible utilization of the common funds of the United Nations. The Working Capital Fund was set up in the beginning in order to finance the provisional budget of 1946, pending receipt of contributions. And later on its purpose was to meet regular budgetary expenses, inasmuch as contributions were usually delayed. It was not designed to meet unbudgeted expenditures. That was why the General Assembly had no grounds

for authorizing the Secretary-General to advance sums from the Working Capital Fund for financing the United Nations Emergency Force.

17. On 21 November the Secretary-General presented to the General Assembly his new report (Doc. A/3383 and Rev. 1) in which he wrote that he "considers it essential that the General Assembly decide at any early date on the method of allocating to Member States the costs of the Force to be financed by the United Nations" and recommended ("in order to assist the General Assembly in considering this question") the approval of a resolution "that the expenses of the Force be allocated to Member States on the basis of the scale of assessments to be adopted for the United Nations budget for 1957".

At the meeting of the Fifth Committee on 3 December 1956 (A/C 5/SR 541) the Controller, reporting on the above-mentioned proposal of the Secretary-General, made by him with regard "to the views expressed *informally* by a number of delegations", could not but mention that "from a *strictly budgetary and accounting viewpoint*, the expenses of the Force might be treated *as distinct* from the regular annual appropriation for financing United Nations activities". But, he added, "they nevertheless remained United Nations expenditures within the general scope and intent of Article 17 of the Charter".

Thus, Article 17 was brought into action for getting funds for operations beyond the Charter.

The General Assembly in resolution 1089 (XI) of 21 December 1956 has recorded that it took into consideration the recommendation made by the Secretary-General "that the expenses relating to the Force should be apportioned in *the same manner* as the expenses of the Organization", but it could not fail to draw attention to the still growing controversies and to the fact that "several divergent views, *not yet reconciled*, have been held by various Member States on contributions or on the method suggested by the Secretary-General for obtaining such contributions", and decided "that the expenses of the United Nations Emergency Force, other than for such pay, equipment, supplies and services as may be furnished without charge by Governments of Member States, shall be borne by the United Nations and shall be apportioned among the Member States, to the extent of $10 million, *in accordance* with the scale of assessments adopted by the General Assembly for contributions to the annual budget of the Organization for the financial year 1957", and set up a Committee "to examine the question of the apportionment of the expenses of the Force in excess of $10 million . . . including the principle or the formulation of scales of contributions *different* from the scale of contributions by Member States to the *ordinary* budget for 1957".

In this resolution there is no mention of Article 17. It did not equate, as the Secretary-General proposed, an apportionment of the expenses relating to the Force to an apportionment of the expenses of the Organization, but only compared them, drew an analogy between them, using the expression "in accordance with".

The General Assembly requested that the question of the apportionment of the expenses of the Force should be further studied, directing the Committee to look for an eventual principle and a formula of different scales of apportionment. And in all these researches, hesitations and unreconciled divergent views one could clearly distinguish

the difference of principle between budgetary expenses and the expenses for the armed forces which stood beyond the limits of the budget and even of the Charter itself.

It should be stressed that the General Assembly did not exclude the possibility of any "subsequent determinations as to responsibilities for situations leading to the creation of the United Nations Emergency Force and to ultimate determination as to claims established as a result of expenses arising in connection therewith".

18. In resolution 1090 (XI) of 27 February 1957 the General Assembly again returned to the question of financial arrangements for the United Nations Emergency Force. The allocated sums would be quickly exhausted.

The General Assembly assumed that "the expenses of the Force already approved for 1957 represent a sizeable increase in assessments placed on Member States, causing a grave unanticipated financial burden for many Governments", but it decided "to enter into commitments for the Force up to a total of $16.5 million", appealed to Member States to make voluntary contributions, permitted the borrowing of sums from the Working Capital Fund and even from "other funds under the control of the Secretary-General" (though the rightfulness of that is doubtful).

But still the General Assembly did not find the appropriate basis for the financing of the Force.

19. The expenses for maintaining the United Nations Force continued to grow. The terms of the stationing of the military contingents were prolonged. The financial claims of Members contributing troops were also growing.

The General Assembly by resolution 1151 (XII) of 22 November 1957 once again increased the supplementary allocations to $13.5 million, and even to $25 million.

The Secretary-General reported to the General Assembly (Doc. A/3694) that "a number of Member States have notified the Secretary-General that they will not participate in the financing of the Force for reasons stated, when the relevant decision was taken by the General Assembly. The percentage assessments of the States involved amount to a total of approximately 20 per cent."

The resolution passed over this statement and almost repeated the formula of resolution 1089 (XI), which provided that the expenses shall be borne by the Members of the United Nations *in accordance with* the scales of assessments adopted by the General Assembly for the financial year 1957 and 1958 respectively.

20. On 27 August 1958 the Secretary-General presented a report to the General Assembly in which he summarized the activity of the United Nations Emergency Force and its financing position. He wrote that contributions had been very badly assessed and that on 31 July 1958 only 41.1 per cent. of the total amount assessed for 1958 had been received, and sixty-two Members had made no payment of their 1958 UNEF assessment at that date and that "certain Members have reiterated their intention not to participate in the financing of the Force". All this (taking into consideration that regular budgetary contributions have been made more or less normally) was a kind of protest, whether direct or silent, against the adopted methods of financing. The Secretary-General strove to achieve stand-by finan-

cial arrangements. He considered that it should be established that the costs for the United Nations operations of the type in question, based on decisions of the General Assembly or the Security Council, should be allocated in accordance with the normal scale of contributions.

In reply, the General Assembly adopted resolution 1263 (XIII) of 14 November 1958 in which it limited itself to requesting the Fifth Committee "to recommend such action as may be necessary to finance the continuing operation of the United Nations Emergency Force".

21. By that time the three main positions on the question of the method of financing the expenses of the Force (Doc. A/4072) had been crystallized:

(a) The costs of the Force should be borne by all Member States on the basis of the regular scale of assessments, and Article 17 of the Charter should be applied to them;

(b) the application of the regular scale of assessments for the costs of the Force was not equitable and therefore it was suggested, while sharing the expenses of the Force, to take into consideration: (1) the special responsibility for the maintenance of peace and security of the permanent members of the Security Council (though by the usurping of the functions of the Security Council by the General Assembly, this special responsibility of the permanent members of the Security Council had been put aside together with the Security Council itself), (2) the substantial public and private investments of certain States in the area;

(c) the expenses should be borne by those States whose action had necessitated the creation of the Force.

At that time a great deal was said at the meetings of the Fifth Committee (697th and 698th meetings) about the fact that the costs of the Force related rather to Chapters VI and VII of the Charter, that it was impossible to apply to those costs Article 17 which related to expenditures under the regular United Nations budget, that UNEF had not to be financed in the same way as the regular United Nations budget ("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"), and that "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".

Thus were expressed the views of Member States on the question of meeting the expenses for the Force in some way other than as budgetary expenses.

At the same time voices were raised against the conversion of the UNEF, as an Emergency Force set up (though not by the appropriate organs) for stopping the aggression against Egypt, into a permanent international police force, "which had nothing in common with the principles of the Charter".

22. In order somewhat to weaken the resistance of a number of delegations, some Member States promised to make voluntary contributions "as special assistance towards the 1959 UNEF expenses".

The General Assembly, in resolution 1337 (XIII) of 13 December 1958 (being obviously under the influence of those promises) stated that the expenses for the Force "shall be borne by the Members of the

United Nations *in accordance with* the scale of assessments adopted by the General Assembly for the financial year 1959".

As can be seen, the General Assembly still did not consider it possible to relate the allocated sum directly to the budget for the year 1959, and suggested that this sum should be apportioned in accordance with the regular scale.

Explaining why the allocated sum was not included in the budget, it seemed appropriate to some to refer to the fact that "cost estimates could not . . . be developed with any precision"; but the sum of $19 million had been determined. Attention is drawn to the increased number of countries which abstained while voting this part of the resolution: out of 67 votes, 28 abstained. And even this procedure of financing was approved only for the year 1959.

The General Assembly was compelled to look once again for new means of solving the problem of financing the Force. At the suggestion of one of the delegations, it decided to request the Secretary-General "to consult with the Governments concerning the manner of financing UNEF in the future . . . ".

23. The required consultation was carried out (see Doc. A/4176 and Add. 1 and 2). Out of 50 States who sent an answer, 23 States expressed the opinion that the implementation of the regular scale of assessments should be used. Some of them considered that the expenses of UNEF "should be borne by the regular budget of the United Nations itself", that the Force should be financed "under the regular budget of the United Nations", being against an independent account. Six of the States supported the implementation of the regular scale.

The General Assembly by its resolution 1441 (XIV) of 5 December 1959 did not adopt the course of including the expenses for UNEF in the budget of the Organization, and therefore it did not mention Article 17 of the Charter. Having allocated some further $20 million it (a) decided to assess the amount "against all Members of the United Nations on the basis of the regular scale of assessments", and (b) striving to overcome the resistance of a number of delegations, it resolved that voluntary contributions "shall be applied as a credit to reduce by 50 per cent. the contributions of as many Governments of Member States as possible, commencing with Governments assessed at the minimum percentage of 0.04 per cent. . . .". This peculiar form of influencing the vote produced its results, though they were modest. As a result of this measure the number of those voting for this resolution somewhat increased and the number of those abstaining slightly decreased (this number, in comparison with the results of the voting on resolution 1337 (XIII), was still rather substantial), though it did not exert much influence on the actual contributions for the UNEF.

24. In December 1960 the General Assembly reconsidered the question of financing UNEF. The problem of UNEF was, at that time, somewhat overshadowed by the events in the Congo. At the sessions of the Fifth Committee it was already stated that UNEF had lost its emergency character. The complaint was made that there had not yet been any final decision with regard to the methods of financing the Force.

There continued to be contradictory views as to who should bear the financial burden of maintaining the Force and who should be

released from it. Each year considerable amounts were allocated, and with each year that passed the arrears were increasing. Some of the States, protesting against the anti-Charter creation of the UNEF, stated more than once that they would not participate in its financing.

But not only those who abstained from the voting, but even some of those who voted, have not paid. According to the data issued by the Secretariat (Doc. Dossier 217) up to 31 December 1961, more than 30 States have not made their payments to the UNEF special account for 1957, 1958 and 1959, and more than 40 States for the year 1960. The Advisory Committee on Administrative and Budgetary Questions proposed a number of "possible alternatives" in order to find a way out of the critical financial position of the United Nations; in particular (a) to increase the Working Capital Fund; (b) to finance UNEF from a section of the regular budget; (c) to establish a Peace and Security Fund; etc.

But the General Assembly in its resolution 1575 (XV) of 20 December 1960 disregarded these suggestions, limiting itself to a repetition of the former formula about the assessment of the allocated sum ($19 million) "against all States Members of the United Nations on the basis of the regular scale of assessments", indicating only one thing, i.e. for which States a reduction of 50 per cent. should be provided at the expense of the voluntary contributions.

25. A year passed. The General Assembly has been plunged in the operations in the Congo, which it undertook itself despite the provisions of the Charter, by-passing the Security Council. The operation in the Middle East seemed to be unnecessary. Attention was paid to the fact that "there were fewer incidents in the area, and the threat of a renewed conflict has been diminished". It was hoped that the Force might shortly cease to function.

The General Assembly in resolution 1733 (XVI) of 20 December 1961 did not give a radically new solution to the question of financing the UNEF. The General Assembly partly used the formulae of resolution 1732 (XVI) approved by it on the very day of the financing of the operations in the Congo. It assigned funds for the operations in the Congo for half a year only, decided to continue the special account for the expenses of UNEF (and not to include the expenses in the regular budget), apportioning the appropriated sum among all States Members of the United Nations in accordance with the regular scale of assessments for 1962, appealed to Member States to make voluntary contributions, and went forward along the road of reducing the assessment of a number of Member States (not only by 50 per cent., but even by 80 per cent.).

26. The whole history of financing the United Nations operations in the Middle East, mentioned above, shows that in no case could it have been carried out according to the regular scale of assessments, as those operations had an anti-Charter but at the same time a peace-keeping character. It is known that the financing of peace-keeping operations is not made within the regular budget. One should apply to Article 43 and not to Article 17. And though the Secretary-General and some of the delegations were forcing the General Assembly to refer to Article 17, the General Assembly makes no direct reference in its resolutions to Article 17(2) of the Charter.

27. Coming to the operations in the Congo, the Opinion of the Court gives no detailed analysis: neither of the Security Council's resolutions nor those of the General Assembly. In its Opinion the Court limited itself to objecting to the statements that the resolutions were implemented in violation of the Charter, stressing that the actions of the Secretary-General in implementing the resolution of 14 July 1960, and consequently other resolutions of the Security Council, were confirmed, approved and ratified by the Security Council and the General Assembly.

If one sought to find one's way through the paper jungle (according to the expression used by Mr. Lowton, the British Judge), through the voluminous documentation submitted (though it is not complete) to the Court by the Secretariat on the instructions of the General Assembly as "likely to throw light upon the question", then it would be possible to find quite a lot of complaints that there was a great divergence between what was written down in the resolutions and their implementation.

And if, in regard to the operations in the Middle East, one could state that they were implemented *ultra vires*, beyond the powers permitted to the General Assembly by the Charter, then, regarding the operations in the Congo, we may say that they were carried out *ultra vires* as well as *ultra terms* of the mandates given to the Secretary-General.

It seems appropriate, though this has not been done in the Opinion of the Court, to give a short account of the resolutions of the Security Council and the General Assembly which were approved in regard to the Congo. Otherwise it would be impossible to evaluate the degree to which these resolutions (including matters concerning financing) and their implementation correspond to the provisions of the Charter.

The Court must not shut its eyes to reality. The image of Themis with her eyes blindfolded is only an image from a fairy-tale and from mythology. The Court, taking reality into consideration, should at the same time have in mind the strict observation of the Charter

I am prepared to stress the necessity of the strict observation and proper interpretation of the provisions of the Charter, its rules, without limiting itself by reference to the purposes of the Organization; otherwise one would have to come to the long ago condemned formula: "The ends justify the means".

28. Reports about the beginning of the tragic events in the Congo reached the United Nations on 13 July 1960, when the Government of the newly-organized State sent telegrams. The Congo Government asked the Organization to provide military aid in order "to protect national territory against acts of aggression committed by Belgian metropolitan troops". Chapter VII of the Charter ought to have been brought into action here. It had to be determinating in choosing the methods for dealing with a threat to the peace and the means for their implementation.

In the Security Council, during the discussion of the Congo Government's request, reference was made to the necessity of halting the aggression against the Congo, and the aggression was condemned. But the Security Council, in resolution S/4387 of 14 July 1960, called upon "the Government of Belgium to withdraw its troops from the territory of the Republic of the Congo" (this was the main point in the

resolution) and decided "to authorize the Secretary-General . . . to provide the Government [of the Republic of the Congo] with such military assistance as may be necessary until, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security forces may be able, in the opinion of the Government, to meet fully their tasks".

It was apparently supposed that the Belgian Government would answer the appeal of the Security Council and would withdraw its troops from the Congo, that some of the African States, who agreed to render military assistance, would really lend it, that "the technical assistance in developing the security administration" of the Congo, to which the Secretary-General referred, would be carried out by the Secretariat. All this would hardly have required any considerable funds. Therefore, the question of financing had not yet been put forward at that period.

29. The situation in the Congo became more complicated with each day that passed. The Belgian troops had not been withdrawn. The Secretary-General brought there the armed forces, which he regarded as being "necessarily under the exclusive command of the United Nations, vested in the Secretary-General under the control of the Security Council". This whole formula contradicts what is said in Article 43 (that the armed forces should be made available to the Security Council on its call), in Articles 45 and 46 (which stipulate that the strength of national contingents and plans for their combined action shall be determined by the Security Council). The Military Staff Committee has been forgotten.

Attention is involuntarily drawn to the Secretary-General's report (Doc. S/4389) in which it was said that "it is for the *United Nations* alone to decide on the composition of military elements", instead of the clear references made in the Charter to the effect that this right belongs to the Security Council.

30. In its resolution (S/4405) of 22 July 1960, the Security Council once more called upon "the Government of Belgium to withdraw its troops", authorized "the Secretary-General to take all necessary action to this effect", and requested "all States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Congo of its authority and also to refrain from any action which might undermine the territorial integrity and the political independence of the Republic of the Congo".

This corresponds to Article 39 of the Charter according to which the Security Council, while determining "the existence of any threat to the peace . . . or act of aggression . . . shall make recommendations, or decide what measures should be taken . . .".

At that time in the Security Council it was pointed out that it was necessary to ensure the withdrawal of Belgian troops without delay in order to safeguard the territorial integrity of the Republic of the Congo, that the restoration of law and order in the Congo should be effected by the Central Government of the Republic of the Congo, and by no-one else, that, thus, this resolution cannot be regarded "as endowing the United Nations with the right to interfere in the domestic affairs of a State and to assume responsibility for a country's domestic laws and regulations" (S/P.V./879, paras. 116, 120, 121).

31. Before long (8–9 August 1960) the Security Council had to turn back to the Congo, where the situation became more and more complicated. The Belgian troops had not been withdrawn, especially from the province of Katanga. Some of the delegations had reason to suppose that there existed some forces who were striving to dismember the Congo. Another tendency—to prevent the resolutions of the Security Council from their proper realization—was marked as well. The question, put by a delegate of one of the African States: How the position taken by the Security Council was carried out—has become the main question in evaluating the Security Council's resolutions.

It was said that the United Nations armed forces were slow in entering Katanga despite the request of the Central Government of the Congo. Moreover, instead of ensuring the withdrawal of Belgian troops from the Congo, as stated in the telegram of the Government of the Congo, "the United Nations troops are disarming our (Congolese) soldiers and allowing Belgian forces to keep their arms which is incomprehensible." Some of the African States raised protests. In the Security Council statements were made demanding that an end be put to Belgian intervention in the domestic affairs of the Congo (disintegration of Katanga from the Congo), and that the legitimate rights of the Government of the Congo be restored.

And for the third time the Security Council, in its resolution of 9 August 1960 (Doc. S/4426), called upon the Government of Belgium to withdraw immediately its troops from the province of Katanga, reaffirmed "that the United Nations force in the Congo will not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise" and called upon "all Member States, in accordance with Articles 25 and 49 of the Charter of the United Nations, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Council." The last call directed to Member States was apparently caused by the obstacles put in the way of implementing the Security Council's resolutions.

The references made to Articles 25 and 49 of the Charter reaffirmed that the Council's appeals were nothing else but decisions binding on all Members of the United Nations. Besides, these references refute any suggestion that Chapter VII of the Charter has nothing to do with the operations of the United Nations Force in the Congo. But I have to discuss this matter a little later.

The resolution of 9 August requested the Secretary-General to implement it, but it did not give him a blanket mandate; it dealt with a relatively small area of action which he had to organize naturally according to the procedure provided by the Charter. This was stressed in the explanations of votes and in the statements made at the following sessions of the Security Council. In this respect it should be noted that the estimates of the results of the voting on the basis of purely arithmetical counting without taking into consideration the real position of Member States, can hardly be regarded as right.

Thus the USSR delegation explained that, despite some shortcomings of the resolution, it voted in favour of the text because it enabled the Security Council to carry out its most important task, namely to

ensure that Belgium would immediately and unconditionally withdraw all its troops from the entire territory of the Republic of the Congo, including the province of Katanga (S/P.V./886, para. 283).

32. In September 1960 the Security Council had to concern itself with a more detailed consideration of the methods of implementation of its preceding resolutions. The Belgian troops were still stationed on the Congolese territory. The separatist elements with the support from outside had in fact separated Katanga from the Congo. Some of the African States paid attention to the serious errors in the implementation of the Security Council's resolutions, to the erroneous orders issued by the Command. The Prime Minister of the Republic of the Congo protested against the interference of the Secretariat in the internal affairs of the Congolese nation. There were even some statements about the attempts to overthrow the existing Government. It was clear that some of the States tried to rectify the errors. But the draft resolution which was introduced to the Security Council did not satisfy some Members of the Council, and therefore it was not approved.

33. The Court may not go into the dramatic troubles into which the Republic of the Congo was plunged. But it cannot avoid the fact that immediately after this draft resolution had been voted down by the Security Council there was called an emergency Special Session of the General Assembly (on the date of the opening of its regular session), at which the above-mentioned draft of the resolution was approved, with some amendments.

We shall not dwell at present on the concrete content of this resolution. Though it did not suggest any measures for eliminating the errors to which the delegations paid their attention in the Security Council, and at the Extraordinary Session as well, it repeated the formulae discussed in the Security Council, the style of its resolutions, preserving even the references to Articles 25 and 49 of the Charter concerning the Security Council, and thus led itself to the denial of its powers to consider this question. Its statement that it "fully supports the resolutions of 14 and 22 July and of 9 August 1960" may be considered as nothing else but a moral support of the Security Council's resolutions. It would hardly be possible to reach a conclusion that we have here an example of some kind of collaboration between the two main bodies of the United Nations Organizations in maintaining and restoring international peace and security.

People say that you cannot have two coachmen in the driver's seat.

In the cause of the struggle for international peace and security, in the question of their maintenace or restoration, in questions of "action with respect to threats to the peace, breaches of the peace, and acts of aggression", the organizational confusion would only have been harmful.

Therefore the Charter clearly enough delimits the functions of the Security Council and those of the General Assembly.

To place the Security Council, as the Opinion does, beside the General Assembly, considering them as interchangeable in solving and implementing the tasks of maintaining international peace and security, would be objectively to replace the Security Council by the General Assembly, to put the Council aside and thereby undermine the very foundations of the Organization. It does not befit the Court to fol-

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low this line. It has been said that you cannot leave one word out of a song. The Charter represents one of the most important international multilateral treaties, from which it is impossible to leave out any of its provisions either directly or through an interpretation that is more artificial than skilful.

The Court's Opinion thus limits the powers of the Security Council and enlarges the sphere of the General Assembly. The Opinion achieves this by (a) converting the recommendations that the General Assembly may make into some kind of "action", and (b) reducing this action, for which the Security Council has the authority, to "enforcement or coercive action", particularly against aggression.

34. In order to prove that the General Assembly, in the matter of maintaining international peace and security, may not only discuss and make recommendations but take measures and carry out "actions" as well, the Opinion examines Articles 10, 11, 12, 14, 18 and 35 of the Charter.

The Opinion quotes Article 18 in order to show that the Assembly may take decisions. This has never been denied by anyone. But the questions mentioned in Article 18 have nothing in common with the question of maintaining international peace and security. The General Assembly may only discuss the latter and make recommendations.

Article 14 of the Charter, which the Opinion apparently considers to be specially important for purposes of transforming a "recommendation" into an "action" provides that "the General Assembly may recommend measures for the peaceful adjustment of any situation . . .". "To recommend measures" does not mean "to take measures". The General Assembly in fact may recommend *measures* but as has already been pointed out, it is not the General Assembly that takes these measures but those to whom the recommendations are addressed. Article 11 of the Charter makes it clear to whom the recommendations relating to the maintenance of international peace and security may be addressed. That Article provides that the General Assembly "may make recommendations with regard to such principles to the Members or to the Security Council or to both". Article 10 also provides (apart from the reference to the natural powers of the Assembly to discuss any question or any matters within the scope of the Charter) that "The General Assembly . . . except as provided in Article 12, may *make recommendations* to the Members of the United Nations or to the Security Council or to both on any such questions or matters".

The Opinion of the Court supposes that Article 11(2) may be interpreted in such a way that it appears that the General Assembly "could make recommendations only of a *general character* affecting peace and security *in the abstract*, and not in relation to specific cases".

I do not consider it proper to make such an interpretation. Article 35, for example, has in view a "special case"; Article 11 refers to "recommendations with regard to any . . . 'questions'." The recommendations may be, and it is even desirable that they should be, concrete. But the point is that the General Assembly may make *only* recommendations in regard to any questions relating to the maintenance of international peace and security except as provided in Article 12. It may, for example, recommend a cease-fire; but it cannot set up the United Nations Force and decide to bring it into an area of

military conflicts in order to provide the implementation of the cease-fire. Article 35 of the Charter deals with the proceedings of the General Assembly in respect of matters bought to its attention concerning any dispute, or any situation which might lead to international friction. But this Article makes a direct reference to Articles 11 and 12, and adds nothing new to our question.

To reach the conclusion, on the basis of the aforementioned Articles, that the Assembly may "organize peace-keeping operations" would, from a logical point of view, mean, to say the least, an anti-Charter encroachment upon the sphere of powers of another organ; while "to organize peace-keeping operations" means no more than "to perform peace-keeping actions".

35. The Opinion curtails the functions of the Security Council, reducing them, in the question of maintaining international peace and security, to the implementation of enforcement or coercive action. In this connection, the Opinion indicates that the Security Council, as provided in Article 24, has merely the primary but not the exclusive responsibility.

The word "primary" is not used in Article 24 in the sense of an ordinal number (i.e. first, second, etc.), but, one may say, in the hierarchical sense. The French text reads: "la responsabilité *principale*", the Spanish text: "la responsabilidad primordial," and the Russian text: "glavnuju otvjetstvjennostj" (which literally translated means "chief," "main" responsibility).

Of course no single organ of the United Nations has the monopoly in the matter of the maintenance of international peace and security, which is one of the main purposes of the United Nations. But the Organization is a complicated and intricate piece of "international machinery" in which each of the organs, as separate parts has a specific sphere of operation as provided in the plan, and with regard to the Organization, as provided in its Charter.

Despite all efforts to the contrary, under the Charter only the Security Council may take an action with regard to a question relating to the maintenance of international peace and security. Such is the meaning of Article 11(2). It reads: "Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion."

36. According to the Opinion the action which the Security Council should take is enforcement or coercive action. It is worth mentioning incidentally that the Security Council may not only take "action" but also make recommendations although they are not "action" as that word is used in the Charter.

But it may be agreed that the Security Council's decisions have a coercitive or (that is almost the same) enforcement character. (This is borne out by Article 25 and by the whole of Chapter VII itself; mention may also be made of Article 94(2) of the Charter.) But the main point in the arguments apparently lies not in this, but in the statement that the Security Council is competent to implement enforcement action directed *against* any of the States "if for example [to use the words of the Opinion] it [the Security Council] issues an order or command to an aggressor under Chapter VII". What is the basis for such an interpretation? If we turn to the first Article of Chapter VII, i.e. to Article 39, we are unable to find there any direct

reference to the fact that the measures which, as decided by the Security Council, "shall be taken . . . to maintain or restore international peace and security" should be directed against any of the States. But then the question arises: "What prompted the above-mentioned interpretation?" It is hardly worth reasoning in the abstract, and losing contact with the real situation that gave rise to the request for an Advisory Opinion and to the above-mentioned interpretation. The matter concerned the procedure for financing operations in the Congo. A number of Member States insisted that the question concerning the financing of these operations should be decided by the Security Council in accordance with Article 43 of the Charter.

The course of reasoning followed by the opponents of such a position may be outlined as follows: the implementation of Article 43 of the Charter might have been necessary, had the aforementioned operations been carried out in compliance with the procedure provided by Chapter VII of the Charter; Chapter VII allegedly provides for enforcement action against any of the States. The operations in the Middle East and in the Congo are allegedly not directed against any of the States.

Ergo, the provisions of Article 43 of the Charter cannot be applied to them.

This is motivated in the statements of some delegations and in the Secretary-General's reports. In one of his latest statements (A/C. 5/864), the Secretary-General, summarizing the statements of some delegations, spoke of the inapplicability of Article 43 of the Charter inasmuch as the Security Council's resolutions regarding the Congo could be considered as implicitly taken under Article 40, but certainly did not involve the type of coercitive action directed against Governments envisaged by the enforcement measures of Articles 41 and 42.

This provision has apparently been suggested to their chief by his legal advisers, who had in mind what had been said in literature or what they themselves had published; they did not, however, take into consideration the fact that Article 40 is closely connected with Articles 41 and 42 of the Charter through Article 39. The situation in the Congo was by no means a simple one and all efforts were devoted to preventing an aggravation of the situation. It was not simply a question of "call[ing] upon the parties concerned to comply with such provisional measures as it deems necessary or desirable".

37. Long before that date, the Security Council had had to take "account of failure to comply with such provisional measures" as provided in its resolutions from July 1960 onwards. And it inevitably had to turn its attention to the other Articles of Chapter VII.

Moreover, the Security Council should, from the very beginning, have acted in compliance with Article 39 of the Charter.

As already noted, the Government of the Republic of the Congo, applying for assistance on 13 July 1960, pointed out that "the purpose of the aid requested is not to restore the international situation in the Congo but rather to protect the national territory against acts of aggression".

If the Security Council in its resolutions did not call the activity of the Belgian troops an aggression, then this was only for tactical reasons. "We have refrained", said the representative of Tunis

(speaking in support of the draft resolution submitted by Ceylon and Tunis) ". . . from using the word 'aggression' or even the term 'aggressive acts' in resolutions, since we are most anxious not to exacerbate the feelings of the Belgian people . . .". But this cannot change the essence of the matter.

The Secretary-General was authorized to take all necessary action and to use force, if necessary, in the last resort. Military contingents were sent. The so-called United Nations Force in the Congo had grown up into an army numbering many thousands. To maintain this army and its operations, millions of dollars have been spent.

The United Nations Force was sent here, not to persuade or to parade, but to carry out military operations. And they did so. If we direct our attention to the last events connected with the blockading of the roads leading to Elizabethville, then we may say that such a blockade can be easily related to the measures provided by Article 41 of the Charter. Thus the whole chain of logical considerations, designed to justify the deviation from Article 43, may be easily torn to pieces on contact with reality.

For less than half a year more than $60 million were spent for the operations in the Congo. This greatly exceeded the expenses for UNEF and even the regular expenses for the United Nations itself.

The amount of the expenses, the character of the operations, the contradictions in the evaluation of the character of the United Nations Organization's activity in the Congo, the methods of implementing the approved resolutions have influenced the contradictory views put forward during the debates on the methods of financing the above-mentioned operations.

There could not have been the same common approach to the methods of financing which characterizes budget appropriations.

The report of the Fifth Committee of 19 December 1960 (A/4676), which summed up the methods of financing the operations in the Congo, as proposed by the delegations, has indicated six different methods:

(a) The expenses should be included in the regular budget and apportioned among the Member States in accordance with the 1960 scale of assessments for Members' contributions;

(b) The expenses should be entered in a special account and apportioned among the Member States in accordance with the 1960 scale of assessments for Members' contributions to the regular budget; voluntary contributions should be applied, at the request of the Member State concerned, to reduce the assessments of Members with the least capacity to pay;

(c) The expenses should be met under special agreements concluded in accordance with Article 43 of the Charter; between the Security Council and the countries providing troops;

(d) The expenses should be borne in larger part by the permanent members of the Security Council, as having a major responsibility for the maintenance of peace and security;

(e) The expenses should be borne in larger part by the former administering Power;

(f) The expenses should be financed entirely out of voluntary contributions.

Having regard to the approach of different groups of States to the methods of financing the operations in the Congo, the only way to reach a proper decision should be strict compliance with the Charter, of which Article 43 was to be regarded as decisive.

38. But the General Assembly in resolution 1583 (XV) of 20 December 1960 has followed another course. It accepted that "the expenses

involved in the United Nations operations in the Congo for 1960 constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations and that the assessment thereof against Member States creates binding legal obligations on such States to pay their assessed shares".

One need not for the present embark upon a critical analysis of these "preambular recitals" inasmuch as this whole resolution soon ceased to be mentioned (and this was not by chance) in the list of those resolutions which were recalled in subsequent resolutions (as is the tradition of the Organization).

It is however important to note that the Assembly did not dare to include in the regular budget the expenses of the Congo operations as advocated by some of the delegations. The delegate of the USA, whose Government had made a voluntary contribution, stated:

> The voluntary contribution was offered on the assumption that the costs for 1960 would be incorporated in the regular budget of the United Nations for that year. The United States wished to ensure that no-one would be tempted to argue in the future as some had argued without foundation in the past, that there was no legal obligation to pay assessments for expenditure which was not incorporated in a section of the regular budget (A/C. 5/SR. 803, para. 36).

But the Assembly decided to establish only an *ad hoc* account (not even a special account) for the expenses of the United Nations in the Congo. And the voluntary contribution, which was made with a purpose in view was used, as in the case of resolution 1575 (XV) for UNEF, to provide a reduction of up to 50 per cent. in the contributions of those Governments with a limited capacity to pay. But some reference has already been made to the true meaning of such a reduction and I must revert to this point. It is impossible not to mention the fact that slightly more than a half, i.e. 46 out of 87, voted in favour of this resolution.

But when on the same day resolution 1590 (XV) appropriating $24 million for the operations in the Congo for the period from 1 January to 31 March 1961 was put to the vote, less than half of the delegations, i.e. 39 out of 97 (44 delegations abstained) voted for it. This sounds stronger than adoption without a dissenting vote.

39. In February 1961 tragic events occurred. The Congolese national leaders, M. Lumumba and others, were killed. The Belgian troops were still not called back. The Security Council, having come to the conclusion that an immediate and impartial investigation should be carried out in order to ascertain the circumstances of the death of M. Lumumba and his colleagues and that the perpetrators of these crimes should be punished, approved a resolution on 21 February 1961 in which it urged "that the United Nations take immediately all appropriate measures to prevent the occurrence of civil war in the Congo, including arrangements for cease-fires, the halting of all military operations, the prevention of clashes, and the use of force, if necessary, in the last resort;" and "that measures be taken for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries".

Inasmuch as the Opinion of the Court states that this resolution was also approved without a dissenting vote, a fact which is regarded as constituting approval of the Secretary-General's actions, I am obliged to quote the statement made by the representative of the USSR in the

Security Council while this resolution was being voted on. He said that the delegation of the Soviet Union decided not to prevent the adoption of this resolution despite its weakness and shortcomings, as it still contained an objective condemnation of the national leaders' murderers and a demand to take measures for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and, also, because the delegation was taking into consideration the wish of the African and Asian countries.

But at the same time the representative of the USSR made an objection against entrusting the Secretary-General with the implementation of the suggested measures.

Therefore, any kind of vote on the resolution (and especially abstention from voting) does not mean that *all* the paragraphs of the resolution were approved by all those who did not cast a dissenting vote.

Such reservations are often made, even while voting "for" a resolution.

40. Attention should be drawn to the increasing number of those who abstained from voting on the resolutions on financing the operations in the Congo. It sometimes happened that the number of those abstaining exceeded the number of those voting "in favour". An evaluation from the political point of view must be made but this also requires a reconsideration of the importance of abstention from the procedural and juridical point of view.

Abstention from the vote on the resolutions cannot be made equal to the Old Roman "*non liquet*". Another Old Roman rule could be recalled, i.e. if one ought to say "yes", but keeps silent, then that means "no". But that would be excessively logical. Abstention from the vote on the resolutions on these or those measures proposed by the Organization should rather be considered as an expression of unwillingness to participate in these measures (and eventually in their financing as well) and as unwillingness to hamper the implementation of these measures by those who voted "in favour" of them.

Such an interpretation is proved by the way in which payments for UNEF operations, and especialy for ONUC, are made by States whose delegations abstained from voting.

According to the data available on 1 June 1962, more than 30 States, whose delegations abstained from the vote on financial resolutions for the Congo operations, did not make their payments to meet the expenses of those operations, though most of them had made such payments for the regular budget. This was a peculiar voting by non-payment.

41. The operations in the Congo became more complicated and expensive although the main tasks, which were set out in the resolutions of the Security Council, had not been implemented.

Though the General Assembly deplored that "the Government of Belgium has not yet complied with the resolutions and that such non-compliance has mainly contributed to the further deterioration of the situation in the Congo" and expressed once more the conviction "that the central factor in the present grave situation in the Congo is the continued presence of Belgian and other foreign military and paramilitary personnel and political advisers, and mercenaries, in total

disregard of repeated resolutions of the United Nations", it decided that the above-mentioned contingents and personnel "shall be completely withdrawn and evacuated" (resolution 1599 (XV) on 15 April 1961). At the same time, it complained of "the many difficulties that have arisen in the way of effective functioning of the United Nations operation in the Congo", considered "it essential that necessary and effective measures be taken by the Secretary-General immediately to prevent the introduction of arms, military equipment and supplies into the Congo, except in conformity with the resolutions of the United Nations" and urged the release of all members of Parliament, all political leaders under detention, and the convening of Parliament without delay. It called upon the Congolese authorities to co-operate fully in the implementation of the resolutions of the General Assembly, and although it decided to appoint a Commission of Conciliation (resolution 1600 (XV) of the same date), it nevertheless continued to appropriate millions of dollars "pending action" by the General Assembly (resolution 1595 (XV) of 3 April 1961).

When the enormous sum of $100 million had to be appropriated for nine months, the General Assembly was confronted with an acute problem of the methods of apportionment of these expenses. The amount of the appropriations itself (which was twice as large as the corresponding appropriations in the regular budget) stressed the qualitative difference between the expenses of the Congo operations and those for the normal (regular) budget. The General Assembly's resolutions 1619 (XV) and 1620 (XV) of 21 February 1961 has revealed it. I propose to return to this matter a little later.

It is important at this stage to state that resolution 1619 (XV) fixed the results of the continuous struggle that has been going on in the Fifth Committee and at the plenary sessions of the Assembly on the question of the procedure and resources for financing peace-keeping operations.

The Assembly clearly acknowledged that "the extraordinary expenses for the United Nations operations in the Congo are essentially *different in nature* from the expenses of the Organization under the regular budget and that, therefore, a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses"; and decided "to open an *ad hoc* account for the expenses of the United Nations operations in the Congo for 1961" and to apportion as expenses of the Organization the amount of $100 million among the Member States in accordance with the scale of assessment for the regular budget. At the same time, there was fixed for some of the States a reduction up to 80 per cent. of the corresponding assessment. This, however, was considered as a temporary measure. There was mentioned a year (1961) for which this sum was appropriated and the sum itself ($100 million) that was to be apportioned. Besides, it was stated that the aforementioned apportionment was effected "pending the establishment of a different scale of assessment to defray the extraordinary expenses of the Organization resulting from these operations."

In this last part of the phrase the Opinion finds confirmation of the fact that in this case reference is made only to *another scale of assessment* and not to some method other than assessment. But it is important to stress that the resolution states that the expenses for

operations in the Congo are essentially *different in nature* from the expenses of the Organization under the regular budget. Expenses of a different nature require different procedures. The General Assembly did not consider this to be the only procedure for defraying the extraordinary expenses of the Organization resulting from these operations. In the same resolution the General Assembly appealed to the permanent members of the Security Council and to the Government of Belgium to make voluntary contributions.

Moreover the General Assembly did not choose any of the "generally recognized procedures". In resolution 1620 (XV) approved on the same day, the General Assembly decided to provide for the study of the following points:

(a) Methods for covering the cost of peace-keeping operations;
(b) The relationship between such methods and the existing administrative and budgetary procedures of the Organization.

42. By the end of 1961 the resolutions of the Security Council on the Congo were not yet implemented. Katanga was practically separated. The General Assembly continued to appropriate ever new amounts for operations in the Congo.

Resolution 1633 (XVI) of 30 October 1961 authorized the Secretariat to incur commitments of $10 million per month. The divergencies about financing these operations became more acute. I have already cited various, and at times diametrically opposed, methods proposed for financing operations in the Congo. The Working Group of Fifteen which was specially appointed for the examination of the administrative and budgetary procedures of the United Nations stated, on the result of its work, that its report had been unable to indicate, because of the divergence of opinion among its members, any precise principles for finding a solution to the problem of financing peace-keeping operations undertaken by the United Nations (A/4971). The number of votes not cast in support of the resolutions, especially the number of abstentions, increased. The number of Member States which "abstained" from payment for operations in the Congo, even from among those who voted for the resolutions, also increased (though these Members, as a rule, are not in arrears in their contributions under the regular budget). According to the data on 1 June 1962, 49 Member States did not pay for the operations of the Congo in 1960; still more for the operations in 1961.

It was further stressed and became more evident that operations in the Congo should be exclusively within the competence of the Security Council, as they included such questions as the scope of the operations, the size and disposition of the Force, its armament and equipment. The Security Council, discussing the problems of the operations, had to determine in what way the questions relating to the financial implications of the operation were to be solved. Therefore, when the General Assembly at its session on 21 April 1961 failed (in one of the phases of the discussion) to come to a solution of the question of financing the operations in the Congo, the delegation of Ghana submitted a draft resolution in which it suggested that the question of "cost estimates and financing of the United Nations operations in the Congo be referred immediately to the Security Council for consideration."

The question, as we have seen, was solved without appealing to the Security Council, but the suggestion made by the delegation of Ghana is very significant. It had chosen the proper way of solving this problem.

Once more the Security Council had to deal with the question of the operations in the Congo. Its resolution (S/5002) of November 1961 may be said to sum up the provisions of all its previous resolutions.

Being a judge, I am not able to make an evaluation of this resolution. It is essentially a political document.

I deem it necessary to direct my attention only to what is related to the voting of this resolution, inasmuch as the Opinion attaches importance to the absence of a dissenting vote.

The representative of the Soviet Union voted for the above-mentioned resolution, but in his statement on the reasons for his vote he said that he considered it possible to support the draft because it satisfied the main task, i.e. it drew the attention of all the staff of the United Nations Organization and the United Nations Force to the solving of the problem of eliminating the source of foreign intervention in Katanga.

43. Generally speaking, after a study of all the Security Council's resolutions with regard to the Congo (and this had to be done because it was sometimes stated that the expenses of the operations in the Congo were those of the Organization, inasmuch as these operations were carried out in compliance with the Security Council's resolutions), it should be stated that there was no necessary conformity between the concrete, narrowly-specific resolutions of the Security Council and the arbitrary carrying out of the operations (which in the main hardly corresponded to the resolutions of the Council).

What is involved even more is the procedure of implementation of such operations, which is completely at variance with the provisions of the Charter.

44. The General Assembly, by its resolution 1732 (XVI) of 21 December 1961 providing for the appropriation of some further $80 million for operations in the Congo up to 1 July 1962, almost completely repeated its resolution 1619 (XV).

We can find there an acknowledgment of the fact that the expenses for operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget.

The Assembly preserved the *ad hoc* account for the expenses of the United Nations operations in the Congo, and appealed for voluntary contributions and reductions for a number of countries.

The studies of the "methods for covering the cost of peace-keeping operations" initiated by the General Assembly did not lead to the finding of any "generally recognized procedures". This was hindered, not by the Charter and its provisions, but by the heterogeneous political considerations in the aggravated political situation outside and within the United Nations Organization.

45. The General Assembly, in its resolution 1731 (XVI), adopted on the same day, decided to submit to the International Court of Justice for an advisory opinion the question that has become the subject of the Opinion of the Court.

The General Assembly declared that it considered it necessary to have legal guidance as to obligations of Member States under the Charter in the matter of financing the United Nations operations in the Congo and in the Middle East, and, requiring from the Court such a legal guidance, it drew the attention of the Court to the interpretation of Article 17, paragraph 2, of the Charter.

I am not of the opinion that by interpreting this paragraph one would resolve the political divergences that have arisen in the United Nations Organization with regard to the operations in the Congo. The problem submitted to the Court originated in, and is saturated with, political considerations.

It seems to me that the background of the resolutions which, in the General Assembly's opinion, called for an advisory opinion, reveals the merely political essence of the question submitted to the Court.

I have already said, and am ready to repeat, that the Court should have "declined to answer the request". But the Court did not agree with this. It pays much attention to the analysis of Article 17, paragraph 2.

46. I have to direct my attention to this analysis too, inasmuch as I cannot agree with the statement of the Court that the expenditures in question (which in their essence are nothing else but expenditures for peace-keeping operations in the Middle East and the Congo) should be considered as "expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter of the United Nations".

The General Assembly's request is to define "expenses of the Organization" within the meaning of Article 17, paragraph 2. It does not ask the Court to define "expenses of the Organization" in general.

Indeed this notion may include all expenditures made by the Organization or on its behalf, irrespective of the sources from which it derives them, for example, from different voluntary contributions.

The question submitted to the Court localizes this notion, connecting it with Article 17 of the Charter. But Article 17 deals with the budget.

Therefore the question submitted to the Court should be regarded as the question whether it is possible to consider the expenditures made in compliance with the aforementioned resolutions as the expenses of the Organization provided by its budget.

47. It is suggested that paragraph 2 is not obligatorily related to paragraph 1 of Article 17, and that paragraph 2 has its own independent meaning, that the apportionment of the expenses which the General Assembly may make is connected with all the expenditures of the Organization, irrespective of whether they were provided in the budget or not.

This however would contradict the position occupied by paragraph 2—and what is sometimes called a "topographical" interpretation of the rules of law. Both paragraphs—the first (on considering and approving the budget) and the second (on the apportionment of the expenses) are not only placed in one Article but the second paragraph follows the first. And such an order is not a coincidence. If we follow the course of discussion at the San Francisco Conference of the Article which later became Article 17, then we may easily see that in

the preliminary draft the Article read: "the General Assembly shall apportion the expenses among the Members of the Organization", and only then followed the matter of the consideration and approval of the budget.

As a result of the discussion of this Article in the Co-ordination Committee and at the plenary of the Conference, the above-mentioned paragraphs changed places. It was as if the two principal approaches to budgetary policy were placed in juxtaposition.

Here is what is decisive: either the possibility of collecting amounts (by apportionment among the Members) for drawing up the budget or of meeting the amount of expenses necessary for the Organization and then apportioning them among the Members.

The preliminary draft Articles appeared to reflect the first approach, and its final form as approved, the second. Thus the question of apportionment is closely connected with the budget and its appropriations.

The budget of the Organization provides for all the expenses necessary for its maintenance (in the narrow sense of this word). These are usually called common expenses, running expenses, and the budget itself is called a regular budget, budget proper, etc. What kind of expenses are these? In each of the annual budgets of the United Nations, the expenses are enumerated. They are expenses for the sessions of the General Assembly, the councils, commissions and committees, for special conferences, investigations and inquiries, for Headquarters, the European Office, Information Centers, hospitality, advisory social welfare functions, etc.

These expenses are contrasted with the so-called operational expenses for the various kinds of economic, social and technical assistance programmes.

Determined by the various interests of different countries they are usually financed through voluntary contributions, in any case outside the regular budget.

In the document submitted by the Secretariat (Dossier No. 195) on the "Budgetary and Financial Practice of the United Nations" there is a division into two parts: (1) *Regular budget* (General Fund and Working Capital Fund), and (2) Trust Funds, Reserve Accounts and Special Accounts *outside the regular budget*.

The document enumerates thirteen such Special Accounts among which it names: Special Account for UNEF and *ad hoc* Account for the United Nations operations in the Congo.

Sometimes, in order not to mix the budgetary and non-budgetary appropriations and expenses, a distinction was made with regard to the administrative and operational budgets (if a given programme is so extensive that it necessitates the elaboration of a special budget for it, but this budget does not merge with the regular budget).

The Opinion of the Court, in comparing paragraphs 1 and 3 of Article 17, denies the fact that the notions of "regular budget" and "administrative budget" are identical, since paragraph 1 refers to the "budget" and paragraph 3 to the "administrative budgets" of specialized agencies.

I am not of the opinion that paragraph 3 makes it at all possible to distinguish the "regular" budget from the "administrative" one. Paragraph 3 rather helps, by singling out "financial and budgetary

arrangements", to distinguish budgetary from operational expenses, i.e. the expenses provided by the programme outside the regular budget.

The specialized agencies (see Articles 57 and 63) conclude agreements "defining the terms on which the agency concerned shall be brought into relationship with the United Nations".[1]

One of the purposes of these agreements is to avoid "the establishment and operation of competitive or overlapping facilities and services", which must inevitably lead to the co-ordination of the budgets.

In the Agreement with the International Refugee Organization of 18 November 1948 it is stated that this Agreement is concluded "with a view to achieving in so far as practicable, uniformity in presentation of the administrative budgets of the United Nations and of the specialized agencies for the purpose of providing a basis for comparison of the several budgets".

But no other special administrative, separated from the regular budget of the United Nations Organization, is known to the Charter. Apparently the notions "administrative" and "regular" budget coincide.

In so far as I have managed to become acquainted with the budgets of the specialized agencies, I could not find (except in one case) any such notion of administrative budgets.

Thus the Unesco budget is familiar with the notion "regular budget" as opposed to the "financing of activities by funds from sources outside the Organization's budget".

The stressing of this difference in regard to Unesco and other specialized agencies can be explained by the extended development of the programme operations and services. Only in the above-mentioned agreement of the International Refugee Organization can one find any such notion of "an administrative budget" (Article XV, 4(a)).

But this can be explained by the fact that along with the Specialized Agency there also exists "the Office of the United Nations High Commissioner for Refugees", which is being maintained within the budget of the United Nations.

Therefore, the administrative expenditures of the Agency could only have been implemented on a limited scale.

The Statute of the Office of the United Nations High Commissioner for Refugees refers to administrative expenditures and not to the administrative budget:

> The Office of the High Commissioner shall be financed under the budget of the United Nations. Unless the General Assembly subsequently decides otherwise, no expenditure, other than administrative expenditures relating to the functioning of the Office of the High Commissioner, shall be borne on the budget of the United Nations, and all other expenditures relating to the activities of the High Commissioner shall be financed by voluntary contributions.

General Assembly resolution 411 (V) of 7 December 1950 is entitled "Administrative Budgets of the Specialized Agencies". But the text of this resolution refers only to the budgets, stressing the expenditures of technical assistance funds and other extra-budgetary funds.

48. May I now return to the question of the expenses for the operations in the Congo.

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[1] There is a special United Nations publication entitled: *Agreements between the United Nations and the Specialized Agencies.*

Even the fact that those expenses have never been included in the regular budget proves that it is impossible to argue that these expenses might be apportioned under Article 17, paragraph 2, of the Charter. It has been said more than once that peace-keeping operations should be financed in another way.

At the San Francisco Conference the necessity was at any rate realized of establishing a special procedure for assessment of eventual expenditures for operations of this kind. It is the Security Council which has, first of all, to decide about the financial implications of concrete peace-keeping operations. Article 43 gave directives as to how to arrange financial questions which might arise from these operations. Article 17 has nothing to do with these questions unless the Security Council should ask that necessary measures be taken by the General Assembly.

One cannot consider that decisions of the Security Council regarding the participation of any Member State in concrete peace-keeping operations are not obligatory for a given Member. Its obligation to participate in a decided operation was based on Articles 25 and 48 of the Charter. Agreements envisaged in Article 43 proceed from this general obligation. Article 43 says that all Members undertake to make available to the Security Council *on its call* armed forces, etc. Agreements must (not may) specify the terms of participation, the size of armed forces to be made available, the character of assistance, etc., envisaging all the ensuing financial consequences as well. The General Assembly may only *recommend* measures. Expenses which might arise from such recommendations should not lead to an obligatory apportionment of them among all Members of the United Nations. That would mean to convert a non-mandatory recommendation of the General Assembly into a mandatory decision; this would be to proceed against the Charter, against logic and even against common sense.

This appiles even more to resolutions adopted not in conformity with the Charter. It is not within the power of the General Assembly "to cure" the invalidity of its resolutions enumerated in the Request by approving the financial provisions of these resolutions.

For the reasons given above I am of the opinion that a negative answer must be given to the question put to the Court by the General Assembly.

(*Signed*) V. KORETSKY.

DISSENTING OPINION OF JUDGE BUSTAMANTE

[Translation]

1. I am among the Judges who held the view that the question of the *conformity or non-conformity* with the Charter of the United Nations resolutions concerning the Middle East and the Congo should be examined as being a necessary means of appraisement in order to reply to the question put by the General Assembly in its request for an advisory opinion. That is why I consider it necessary to give an account of my line of reasoning in this matter so as to explain my conditional reply to the request and to make the true scope of that reply clear.

2. First of all, I should explain why I have thought that the Court should give the General Assembly its opinion, in conformity with Article 65 of the Statute.

It is true that a preliminary question was raised in this respect: namely whether it was possible or not to reply to the request for an opinion, since the text of the request relates exclusively to the characterization of certain expenditures as "expenses of the Organization", implicitly excluding any pronouncement on the part of the Court as regards the intrinsic and formal legality of the resolutions by which those expenses were authorized. But I think that the General Assembly's power to determine the limits of the questions upon which it asks an opinion is not incompatible with the power of the Court, as master of its own reasoning, to take into consideration all the elements of appraisement which it thinks useful or necessary in order to arrive at a definition of its standpoint on the question on which an opinion is asked. These elements, having the character of *reasons* for the Court's view, should not be included in the operative part of the Opinion.

This view is in accordance with the rule that the interpretation of one of the clauses of a treaty should be carried out by considering that clause in the light of all the other relevant provisions of the treaty, taken as a whole. Any limitation whatever on this point would run counter to the principle of judicial independence.

Furthermore, the fact that the Court has communicated the request for an advisory opinion to all the Members States in conformity with Article 66 of the Statute implies, in my opinion, an obligation for the Court to consider the points of views of those States which expressed objections to the resolutions referred to in the request. On this point the dossier sent to the Court by the Secretary-General of the United Nations contains abundant documentation. The debates in the Fifth Committee and the General Assembly, and the report dated 10 November 1961 of the Working Group of Fifteen on the Examination of the Administrative and Budgetary Procedures of the United Nations (Document 57 of the dossier, Part I), reveal the very serious differences of opinion which were expressed regarding various points of interpretation of the Charter bearing on the Middle East and Congo

questions and on the expenditures involved. An examination of the problem would be incomplete, and the Court's reply would risk being either fruitless or devoid of any great utility, if these aspects of institutional reality are not taken into account, and if no attempt is made to clear up precisely those doubts and disagreements which led to the request for an advisory opinion. As I understand it, the case may be put in these terms: since the Charter is the legal standard to which the acts of the United Nations must conform, it follows that a study of the legality (conformity with the Charter) of the resolutions cited in the request constitutes an indispensable factor in the decision whether the expenditures referred to are, or are not, "expenses of the Organization". In the Court's reply an attempt is made to remain strictly within the limited terms in which the request for an opinion has been worded; nevertheless in the reasoning of the Opinion the question of legality is discussed as an essential premise. It cannot be supposed that the General Assembly wished to limit the Court's freedom of judgment by excluding absolutely from its own consideration the question of legality. In my opinion, the General Assembly's intention was well stated by the representative of the Government of the United States when, in his oral statement before the Court, he said:

> . . . The Assembly . . . did not mean to put to the Court a question which it could not answer, or to place conditions upon the Court which would prevent it from answering. . . . From this it follows that, if the Court should differ with the views advanced by the Governments of the United States, the United Kingdom, Australia, Ireland and others, that the issues can properly be limited so as to avoid passing upon the validity of the underlying resolutions, then it is free to inquire into these broader questions. (*Oral Statements*, p. 131, lines 1–4 and 26 ff.)

My conclusion, then, is that the Court can and should reply to the request for an advisory opinion put to it by the General Assembly. But it does not necessarily follow that the Court, after having considered all the elements of the problem, will be in a position to give a categorical answer to the question submitted in the request.

* * *

3. I have said that a prior examination of the legality of the respective resolutions seems to me to be absolutely indispensable for ascertaining whether the expenditures mentioned in the request are, or are not, "expenses of the Organization".

Among the resolutions listed in the request, it should be mentioned that some of them deal exclusively with the political aspects of the two problems of the Middle East and the Congo, describing events in order to justify the armed action of the United Nations. These are the *basic* resolutions. There are others which, on the strength of the basic resolutions, authorize the commitment of the Organization's resources and prescribe the method of financing the expenditure involved by the action taken. These are the *derived* or *subsidiary resolutions*. The objections raised by certain States relate to a number of resolutions in both groups.

The question of the legality or of the conformity with the Charter of the resolutions examined covers the two aspects of *formal legality* (regularity of form, quorum, votes, etc.) and the *intrinsic* or substantive *legality*. The concurrence of the two factors determines the *validity* of the resolution.

* * *

As to the *formal* legality, the objections raised by certain States relate in particular to the Security Council resolutions concerning the Middle East and the Congo respectively. These two series of resolutions must therefore be examined separately.

In the case of the Middle East, the intervention of the United Nations in Egyptian territory was ordered at the end of October 1956, following an appeal by the Egyptian Government.

During three consecutive meetings (Nos. 748 to 750), the Security Council was not able to secure the unanimity of the permanent members for adopting a definite position as regards the invasion of Egypt; it therefore decided (resolution of 31 October 1956) to convene the General Assembly in an emergency special session—in conformity with resolution No. 377 A(V) of 1950—"in order to make appropriate recommendations". This was agreed to by 7 votes (including the United States, the Soviet Union and China) to 2 (France and the United Kingdom) with 2 abstentions (Australia and Belgium).

In conformity with Article 27, paragraph 3, of the Charter, a permanent member which is a party to a dispute which may endanger the peace according to Chapter VI *shall abstain from voting. A fortiori*, there must be such abstention from voting if a permanent member is already a party to an existing conflict involving a breach of the peace (Chapter VII). In this case, France and the United Kingdom were debarred from taking part in the Council's vote, and were under an obligation to abstain. Compulsory abstention is, naturally, the negation of the right to veto. In such a case, the unanimity of the permanent members refers only to those permanent members who are duly *entitled* to vote in the matter or *not debarred;* the decisions being valid if taken by the legal majority of the votes, including those of all the permanent members who are *not debarred.* Hence, the resolution of 31 October was, from a formal point of view, properly adopted.

The General Assembly dealt with the matter on the basis of this Council resolution and, in its turn, passed resolutions Nos. 997 to 1001 and 1121, inspired by the purpose of restoring peace. Since these resolutions were adopted by more than two-thirds of the votes (Article 18, para. 2) their formal legality is beyond question.

* * *

The operations in the Congo began in July 1960. The Government of the new Republic protested against the entry of Belgium troops on Congo territory, appealing for the military help of the United Nations to obtain their evacuation and also—according to information supplied by the Secretary-General—to obtain assistance so as to restore public order, which was disturbed by mutinies. The Security Council complied with this request and adopted the resolutions of 14 July, 22 July, 9 August and 17 September 1960 and 21 February and 24 November 1961, in which various measures were prescribed, according to the course of events, to deal with the international and internal situation of the country.

As to the *formal* conditions in which the Security Council resolutions were adopted, it should be said that the resolution of 17 September 1960, *against* which one permanent member (the Soviet Union) voted, concerned the calling of an emergency special session

of the General Assembly. Nevertheless, at a later date, namely 21 February 1961, the Security Council reaffirmed resolution No. 1474 (ES–IV) of 19 September 1960, adopted by the General Assembly in the special session called by the Council. The resolution of 17 September was thus indirectly confirmed.

The Security Council's resolution of 22 July 1960 was adopted unanimously. None of the other resolutions involved any votes *against*, but only *absetentions*. It is already well known that an unwritten amendment to the Charter has taken place in the practice of the Security Council, namely, to the effect that the abstention of a permanent member present at a meeting is not assimilated to the exercise of the right to veto.[1] No doubt this type of amendment may be legally repudiated in a given case by invoking the text of the Charter (Article 27, para. 3) since, no permanent member has undertaken to apply it without reservations; but in the case of the Congo, of the permanent members abstaining, none asserted that its abstention was to be regarded as a veto. On the contrary, on two occasions France (17 September 1960) and the Soviet Union (21 February 1961) stated that their attitude did not mean taking up a position contrary to the resolution. Again, China and the United Kingdom on three occasions (resolutions of 22 July and 9 August 1960 and 21 February 1961) obliterated, by subsequent favourable votes, any traces of their original abstention of 14 July, although indeed the United Kingdom did renew its abstention on 24 November 1961. The Soviet Union voted for four resolutions and abstained with regard to that of 21 February 1961, considering it not strong enough, although useful up to a certain point. The only country which maintained its abstentionist line was France, except at the meeting of 22 July 1960, when she voted *for*.

The impression in law and conscience given by this vote is that the Security Council's resolutions in the case of the Congo are not devoid of formal legality, and that the resolutions of more recent dates in fact ratify the earlier ones, by continuing the course of armed action.

With respect to the "basic" resolutions of the General Assembly, 1599 (XV), 1600 (XV) and 1601 (XV), all of them dated 15 April 1960, they deal with the carrying out of the Security Council's resolutions within the scope of the objectives laid down by the latter organ. This is also the case with the first resolution 1474 (ES–IV) of the General Assembly, of which I have already spoken and which was ratified by the Security Council. All these Assembly resolutions were approved by two-thirds of the Members present and voting, in conformity with Article 18, paragraph 2, of the Charter. The formal aspect has thus been observed.

* * *

4. The chief objections made by certain States as regards the intrinsic or substantive legality may be summed up as follows:

(a) The Charter—it is said—has been violated because in the case of the Middle East it was not the Security Council but the General Assembly which took the decision to undertake armed action, in contravention of Articles 39 to 43 of the Charter.

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[1] Georges Day: *Le droit de veto dans l'Oranisation des Nations Unies*, Pedone, Paris, 1952; Pierre F. Brugière: *La règle de l'unanimité des Membres permanents au Conseil de Sécurité—Droit de veto*, Pedone, Paris, 1952.

I have already explained how the Egyptian question was referred by the Security Council to the General Assembly. Can the Security Council so delegate or transfer its functions? Speaking in general terms, the reply is clearly negative, because that would upset the "spheres of competence" which the Charter has laid down for these two organs. But in this particular case a really exceptional situation, and one not provided for in the Charter, had arisen, by reason of the obvious incapacity of two permanent members of the Council. The Council evidently thought that it could not take action freely with respect to or against the interested parties without provoking a dangerous breach within the organ, making its intervention ineffective. Faced with this problem, what the Council did, in my opinion, was not to delegate its functions but to return to the Organization the mandate which the latter had conferred upon it under Article 24 of the Charter. The principal reassumes the exercise of his powers when the agent renounces his mandate or is prevented from exercising it. Thus, as a body representative of all the Member States, the Assembly would be reassuming the exercise of the competence and the responsibility conferred by them on the Security Council under Article 24.

Thus the intervention of the General Assembly may be said to have begun and continued by virtue of a case of *force majeure*, namely the impossibility acknowledged by the Security Council of carrying out its responsibilities in respect of a conflict to which two permanent members were parties. If account is taken of the fact that the Organization was then faced with this dilemma: either passively to allow the occupation of Egypt to be accomplished, or to adopt urgent measures to preserve peace and put an end to hostilities, it would seem that the Assembly's active intervention may be justified since the Organization was obliged to fulfil the principal purposes of its existence under Article 1 of the Charter.

To sum up, I think that the United Nations intervention in the case of the Middle East derives from resolutions which are intrinsically valid from the point of view of the competence of the organ concerned. Although the Security Council did not take part in the matter, there were quite exceptional reasons which justified the General Assembly's intervention. The latter was therefore competent to act. This holds for the period from 31 October to 24 November 1956, the date of the last basic resolution No. 1121 in the dossier. As from that date, the situation needs to be considered from a new point of view. Since the United Kingdom and France agreed to abandon their armed action against Egypt and to withdraw their forces, the bar to their participation as permanent members of the Security Council no longer existed, and the Council therefore became once more the competent organ to take decisions concerning the functioning of the Emergency Force and the continuation of United Nations action in the Israel-Palestine question. So far as I know, the Security Council did not intervene; perhaps by virtue of the theory of the non-applicability of Article 43 of the Charter and of the competence of the Assembly to act in respect of actions not of an enforcement nature. But this question will be dealt with further on.

(b) Another question closely related to the foregoing refers to the spheres of competence of the Security Council and the General Assembly from the point of view of *action* for the maintenance of peace.

It is the Security Council—it is said—which is the only organ having the right to take *action* (Articles 24; 35, para. 3; and 39–43). The General Assembly is expressly forbidden to take action (Article 11, para. 2, last part; and Article 35, para. 3). In this respect the Assembly only has the power to discuss or make recommendations (Articles 10; 11, para. 2; and 14) and to call the Security Council's attention to situations which seem to be dangerous (Article 11, para. 3). Nonetheless—it is alleged—in the case of the Middle East it was the Assembly which took the responsibility for authorizing the *military action* and, further, which created a special United Nations Emergency Force to carry out the operation, although this step was not expressly provided for in the Charter. In the case of the Congo, while it was the Security Council which decided on military assistance under the supervision of the Secretary-General, it was the General Assembly which undertook the application of this measure regarding the support and financing of ONUC, the latter being an auxiliary force not provided for in the Charter.

With regard to these observations, an interpretation is required of the sense in which the word "*action*" is used in the provisions of the Charter.

It may be mentioned that, in other fields, the General Assembly may take certain clearly defined *actions*, for instance the admission of new Members (Article 4), the suspension and expulsion of a Member (Articles 5 and 6), the performance of functions with respect to the international trusteeship system (Article 16) or the Economic and Social Council (Articles 18 and 86 ff.), and administrative and budgetary questions (Article 17).

It remains to be considered whether there are other examples of actions which the Assembly might take, without violation of the Charter, in the peace-keeping field.

In Article 11, paragraph 2, the Charter adds no adjective to the word "action", no qualification indicating the specific character of the Security Council's action. What then is the nature of the action which the Charter entrusts to the Council as something within its *exclusive* competence, as something prohibited for the Assembly under Article 11, paragraph 2, and Article 35, paragraph 3?

It may at once be said that the action allotted to the Council is not exclusively *military* action. I base myself on the text of Article 35, paragraph 3, which refers to the pacific settlement of disputes (Chapter VI of the Charter). Here, no actual conflict has yet taken place, no factual situation which calls for the use of armed force; it is so far only a matter of disputes which in the future, possibly a distant future, might lead to a threat to the peace. Nonetheless, in such cases, it is the Council and not the Assembly (Article 35, para. 3) which is to take action, not indeed military action, but good offices, mediation, invitation to arbitrate or submit for international judicial settlement, etc., all of which are strengthened by a certain moral compulsion (Article 33 *et seq.*).

If military action is not the only type of action within the power of the Council, what then is the type of action which the Charter confers on the Council and what are its distinguishing features? It would be possible to attempt to elaborate a theoretical conception which might enable the General Assembly to embark on a course of

action. The solution may perhaps be found in Articles 1 (para. 1), 2 (paras. 2, 3, 4, 5), 5, 6, 24 (paras. 1 and 2), 33, 36 (para. 3) 37, 39–44 and 48 of the Charter. All these provisions imply on the part of Member States certain partial and contractual renunciations in respect of the exercise of their own sovereignty—which indeed is fully recognized by Article 2 (paras. 1 and 7)—in the interests of international co-operation and peace. Furthermore, some of these articles imply on the part of States Members the *a priori* recognition of the Organization's rights to exercise upon them its comminatory authority to compel them to fulfil the obligations of the Charter. This authority runs from moral pressure (Article 33, para. 2; Article 36, para. 1; Article 37, para. 2), through economic and diplomatic pressure (Article 41), to preventive armed intervention (Article 42) and the use of force (Article 43). All this comprises *enforcement action* under its two aspects of prevention or imperative admonition, and punishment. Such is the gravely responsible function which the Charter has entrusted to the Security Council, where the five Great Powers of the world have permanent seats. Only in the case of Articles 5 and 6 (institutional punishment) is the principle mitigated and does the Assembly take part, side by side with the Council, in the punitive function.

Seeking to establish the difference between this power of action of the Security Council and the powers of the General Assembly, I would say that the latter are of a kind to respect always and under all circumstances the limitations imposed by State sovereignty; and that is why the Assembly's role is confined to discussions, petitions, recommendations and actions of limited scope. But when a crisis in the matter of peace occurs, the international community finds itself in an abnormal situation; and then, by virtue of the contractual rules of the Charter, the sovereign interests of particular States come below the more fundamental interests of the community, and the Security Council has the power to resort to compulsion and even to force so as to restore order.

This interpretation of the meaning of the *action* which the Charter mentions as one of the attributes of the Security Council simplifies the solution of problems affecting the maintenance of peace. The Council's action presupposes the existence of a State which has committeed an infringement, and hence the possibility of an *authoritative* or *comminatory* decision by the Council. There is in addition, in these serious cases, lack of compliance on the part of the infringing State, and consequently *enforcement* action *against* it, including the use of force. At this stage, the consent of the State which is responsible is ignored, and the Council may act against the will of that State.

If this interpretation can be accepted, it is easier to understand the General Assembly's attitude in the case of the Middle East, as expressed and explained in the Secretary-General's reports.[2] No doubt, if military assistance had been asked for by the Egyptian Government, if France and the United Kingdom had agreed to abandon their policy of force, and if Israel had stopped its invasion, then

[2] Document A/3267, 3 November 1956, p. 3; Document A/3287, 4 November, p. 11; Document A/3289, 4 November, p. 15; all these documents are included in the volume of annexes of the first Emergency Special Session, 749th and 750th meetings of the Security Council, dated 30 October 1956—Dossier of the United Nations Secretariat, Document No. 132.

the *action* undertaken by the United Nations would not, it is asserted, have involved real belligerence *against* a State within the meaning of Article 43 of the Charter, but would—by mutual agreement—have become action, other than enforcement action, of security and supervision, taken in conformity with Article 14, with a view to supervising the withdrawal of the troops and the re-establishment of the armistice line. It is in this way that it has been sought to justify the dispatch of the Emergency Force.

However, this distinction between enforcement action and armed action which is not coercive but simply police or security action is perhaps too subtle for the second of these to be assigned to the General Assembly. For that, a specific addition to or an amendment of the Charter, made by the competent organ of the United Nations, would perhaps be required. After all, this has reference to a military mobilization action on foreign territory, which is always liable to cause complications, which has in fact occurred on occasion. It is only the consideration of this exceptional circumstance of the Security Council's paralysis in the particular case of Egypt which makes the matter clearer and lessens the doubts which I have referred to. In this connection, reference has been made to the precedent of other similar interventions by the General Assembly, which are said to have constituted a reaffirmation of the scope of the Assembly's peace-keeping powers. Among these interventions have been mentioned the establishment of a Special Committee on the Balkans (October 1947), of the Commission for the Unification of Korea (October 1950), and of the observation group in the Lebanon (June 1958). It is for the Organization to appraise the pertinence and the weight of these precedents.

In the case of the Congo, the military action was ordered by the Security Council and not by the General Assembly. Hence no problem arises as to the validity of the resolutions initiating the action. One may perhaps arise with regard to its continuance in new and complex circumstances. The presence of ONUC in the Congo having continued, financial resolutions by the General Assembly followed one another indefinitely and gave rise to objections on the part of certain States.

To sum up, it may be asserted that in the cases of the Middle East and the Congo a definition by a competent authority of the United Nations is indispensable of the nature of the *action* undertaken by UNEF and ONUC (enforcement action or mere security policing); and also of the scope of the obligations of States Members in respect of this type of armed expedition—not provided for in the Charter—which are not imposed by the Security Council under Article 43 of the Charter, but which emanate from decisions of the Security Council or from recommendations by it and by the General Assembly with a view to carrying out, with the consent of the States interested, a mere action of police control without enforcement character.

(c) The Charter—it is asserted—has been violated because the Organization has intervened in the domestic affairs of the Republic of the Congo in spite of the provision of Article 2, paragraphs 1 and 7. In fact, it is added, one of the purposes of the armed action authorized by the Security Council (resolutions of 14 and 22 July

and 8 August 1960, and 21 February and 24 November 1961), was to supply the Government of the Congo with the military assistance which it needed to restore internal law and order and, subsequently, to stamp out the secessionist movement of Katanga province; but these two objectives—it is said—come clearly within the exclusive competence of the local government and the Congolese people.

The view taken by the Security Council establishes a close connection between the maintenance of internal law and order and the maintenance of international peace and security, in view of the presence of Belgian troops and the influence of complex interests within the country. It was added that since the Congo was a new Republic, only recently having become a Member of the United Nations, it should receive from the Organization all the assistance which it had asked for to achieve its normal formation as a State (Article 1, para. 3, of the Charter). Finally, it was said that the political constitution of the new State was founded upon the principle of the confederal unity of the various provinces, of which Katanga was one; and that, not having yet completed either its constitutional "process" or the organization of its national powers with the participation of the representatives of all the provinces, any kind of movement against the *loi fondamentale* was premature and called for condemnation by the international community.

This broadened interpretation of the new tutelary functions of the United Nations in respect of new States clearly contains a theory which is a noble conception from the humanitarian and civic point of view; but the scope of this theory must first be reconciled by the Organization with the principle laid down by Article 2, paragraphs 1 and 7, and likewise with the financial possibilities of States Members. That is the question which has to be solved.

As to the principle of non-intervention in matters within the domestic jurisdiction, it is beyond dispute that the Organization has not in fact committed any infringement in the case of the Congo, since it was the Government of that State which, on its own initiative, asked for the assistance of the United Nations. But the question is not so simple from the financing point of view. These new financial obligations of Member States were not contemplated in the Charter. Hence it is doubtful whether a contractual obligation to pay exists. It may be said that the policy of assisting the Congo to settle its domestic affairs was adopted in the spirit of Articles 1 (paragraph 3) and 55 (paragraphs (b) and (c)) of the Charter; but in the field of international co-operation, expenses are met by means of voluntary contributions and are not compulsorily apportioned among all States. In any case, some general interpretative decision on the part of the Organization is lacking on this subject.

(d) The States which raised objections to the expenditures in question contend that there has been a violation of the Charter because the execution of armed actions in the Middle East and the Congo was not made the military and financial responsibility of a State or group of States under "special agreements" signed with them by the Security Council (Article 43), but that the actions in question were taken in hand directly by the General Assembly, and therefore placed under the responsibility of the Organization and entrusted to a spe-

cial United Nations Force, for which there is no provision in the Charter.

To understand and evaluate this objection, two questions must be considered: one of law and one of fact.

The legal question is whether the negotiation of "special agreements" is according to the spirit of the Charter, such a basic one that, if such agreements are not concluded, the action ordered should not be undertaken. I incline not to think so. In practice it may occur that the State or group of States called upon to supply armed assistance cannot do so at once or decline to accept the responsibility. In the theory of the Charter—it should be noted—there is no provision for such refusal but, in any case, that would be sufficient to frustrate the decision of the United Nations to maintain or reestablish peace. In that event, the Security Council must fill the gap by means of direct measures. The principle of "institutional effectiveness" which the Court has applied on certain occasions (*Reports*, Advisory Opinion of 11 April 1949) indicates that the Organization may, in such circumstances, seek in the spirit of the Charter the effective means of attaining its purposes (Article 1). No other means would appear to be available to the Organization but the formation of a special force for the operations.

One more point remains to be cleared up: are the States called upon to intervene, by means of the "special agreements" mentioned in Article 43, only States which are members of the Security Council or only its permanent members, or can they be any other Member States of the Organization? Undoubtedly, the view favourable to the first two hypotheses has been put forward and may find support in the fact that the members of the Council are the responsible parties before the whole world in decisions on peace and war; and also in the fact that the permanent members represent the most important centre of gravity within the international community from the point of view of power and resources. But the text of Articles 43 and 45, in agreement with Article 2, paragraph 2, and Articles 17, 24 (paragraph 1) and 25 of the Charter, in my opinion, make it possible to recognize an obligation on *all* States to answer, if necessary, the call of the Security Council to participate in "special agreements". That is another question where a decision by the United Nations is expected by the objecting States.

As to the question of fact, it seems to me that a mistake has been made when it is stated, with regard to the Middle East and Congo, that "special agreements" were not entered into. Several States replied favourably to the Secretary-General's request to supply troops for the United Nations expeditions in Egypt,[1] and several of these countries did in fact send troops and, probably, signed partial agreements stipulating the conditions of their assistance. A similar situation arose in the case of the Congo, when the Secretary-General reached agreement with several African States for the provision of troops. It cannot therefore be said that the rule as regards "special agreements" has been violated. The distinguishing feature is that the carrying

[1] *Official Records*, Annexes, 11th Session of the General Assembly, continuation of agenda item 5 of the first emergency special session (1–10 November 1956), New York 1956–1957—No. 153 of the dossier transmitted to the Court by the Secretariat of the United Nations.

out of the armed action was not entrusted *wholly* to a single State or to a group of States as laid down in article 43, but rather it was the United Nations which contributed as an organization a large share of the expenses and which created an Emergency Force which was independent but made up of the national contingents of several States and supplied by them with arms, equipment, means of transport, etc., under special agreements. Obviously, this type of United Nations force is not mentioned in Article 43 and its origin must be sought in the notion strongly upheld in the Assembly and the Secretariat that the cases of the Middle East and the Congo were not cases coming under Chapter VII of the Charter (threats to the peace, breaches of the peace, and acts of aggression), but actions of security and supervision freely accepted by the parties concerned, having no enforcement character. As an element of these actions, the creation of the Emergency Force was held—in the opinion of the Assembly and the Secretariat—to come within the power of the General Assembly to establish secondary organs (Articles 14 and 22). In this view there would be no obligation—so it has been maintained—to have regard only to the provision of Article 43 with regard to "special agreements".

The reservations which I have expressed on the scope of the General Assembly's power of *action* are equally relevant here. And I must also make reservations as to whether a military force may be described as a "subsidiary organ" of the United Nations, since institutional organs presuppose a certain discretionary capacity of thought if they are to fulfil conscientiously the duty assigned to them, and a military force lacks all deliberative powers and is simply a disciplined executive *instrument* of orders from on high. The Assembly, would, no doubt, be able to create such an *instrument of action*—endeavouring to overcome bureaucratic objections—if the fundamental problem were first resolved in its favour, that is to say if it were recognized that, leaving aside Article 43, there were certain categories of military or para-military non-belligerent *actions* which it could take up, independently of the Security Council and outside the special agreements. No unwritten amendment of the Charter on this subject has so far in my opinion been made because, from the first moment, the idea was objected to by several States Members, which rejected the innovation. This reluctance is closely bound up with another objection of a financial character, which I shall now consider.

(d) The objection considered in the foregoing paragraph concerns the political aspect of the absence of "special agreements" and their replacement by the Emergency Force of the United Nations in the cases of the Middle East and the Congo. But the objection has a wider bearing and concerns at the same time the financial aspect of the actions undertaken for the maintenance of peace. In the opinion of certain States, the expenditures on this type of armed action should be borne exclusively by the State or group of States called upon to carry out the action in accordance with "special agreements" previously signed under Article 43; but not by all States Members, as the practice of the General Assembly seeks to establish. Certain States go further and take the view that, in accordance with the spirit of the Charter, only members of the Security Council and particularly its permanent members, should be required to sign and to finance "spe-

cial agreements" effecting armed operations by the Organization, taking into consideration:

(a) the primary responsibility for the maintenance of peace assigned by the Charter to members of the Council;

(b) their decisive intervention in decisions concerning armed action by the Organization (Articles 24, 25 and 39–43);

(c) the great share of authority which the Charter allots to permanent members in the political direction of the Organization (Article 27, para. 3).

Other, additional, criteria have been put forward, namely:

(d) the special responsibility of States which have a direct interest in the pacification of the territory affected by the conflict;

(e) the liability of the State or States which caused the disturbance of the peace.

That is why, during debates in the various organs of the United Nations, there was much discussion of the question whether the expenses incurred by the application of resolutions authorizing armed *actions* are included or not in the "expenses of the Organization" within the meaning of Article 17, paragraph 2. Several Member States gave a negative reply to this question, and maintained that expenditure on armed action is subject to special rules different from the ordinary one laid down in paragraph 2 of that Article. This view leads one to consider whether, in the intention of Article 43, the "special agreements" presuppose that the financial burden of each armed intervention will always fall completely and exclusively on the State or group of States whose assistance has been asked for; or whether this expenditure may be shared between those individual States and the Organization as such; or borne by the Organization alone. In the absence of any express rule—the Charter itself is not explicit on the matter—I think that a consideration of the general context of Article 43 bears in favour of the second interpretation. It is in fact laid down in paragraph 2 of that Article that the "agreements" shall govern not only the numbers and types of forces etc., but also "*the nature of the . . . assistance to be provided*"—that is to say, in my view, whether this assistance shall be free or paid for, or a mixture of both, and in what proportion. And if this assistance is to be paid for wholly or partly by the Organization, the amount which the latter bears will in principle constitute an "expense of the Organization" within the meaning of Article 17, paragraph 2, of the Charter. The case has also to be contemplated in which the State or States called upon to carry out the armed action are not able to do so or to sign "special agreements", the Organization itself in that case undertaking the carrying out of the action. Furthermore, the text of Article 43, paragraph 1, and that of Article 2, paragraph 4, and Articles 45 and 48 in principle places the responsibility for the maintenance of peace and consequently the responsibility for the expenditure on all Member States.

A particular and an important aspect of the objections raised to the inclusion in Article 17, paragraph 2, of expenditure for the maintenance of peace is the amount—every day a larger amount—of that expenditure, in view of the great extension of the armed interventions of the United Nations to preserve or restore peace. This refers not only to the enforcement operations coming under Article 43 of the

Charter, but to any kind of armed action giving rise to expenditure borne by the Organization; which is exactly the case of the armed interventions described as not of an enforcement but of a police character, such as those of the United Nations Forces (UNEF and ONUC), a large proportion of the expenditure on which has fallen upon the Organization.

Certain Member States have, in this connection, maintained that it is impossible for them in their national budgets to meet the international obligations for the defense of peace, since the cost of these goes beyond the economic capacities and the fiscal resources of their countries. This argument carries particular weight with regard to underdeveloped countries, whose primordial duty is to care for the fundamental needs of their own population. It is maintained that the continual increase in military operations of this nature from the promulgation of the Charter up to the present time constitutes a new factor which has created equally new circumstances, and that these should be taken into consideration from a legal point of view so as to safeguard equity and the interests of the contracting parties. France has indeed maintained that to seek to make financial decisions of the Assembly prevail over the will of the parliamentary authority of each State would amount to admitting the existence in the United Nations of a supranational power which would be in conflict with the Charter (Article 2, paras. 1 and 7). These assertions undoubtedly deserve very thorough consideration. It is not merely a question of *quantity*, for this real conflict of powers and obligations between two public law persons must not be underestimated.

It is clear to me that, at the time of the signature of the Charter, none of the States Members could have foreseen that the obligations which they acknowledged in respect of the Organization could one day conflict with their obligations under municipal law vis-à-vis their national communities. Nobody foresaw that the increase in expenditure of the United Nations could one day endanger the solvency of national budgets. But since this state of affairs has risen subsequently to the coming into force of the Charter, it is obvious that such a new factor calls for very special consideration by the competent organ of the Organization. The apportionment of assessments according to the system of budgetary scales has been the subject of continual criticisms. Some more explicit and formal compromise between the budgetary necessities of the United Nations and the constitutional problem of the objecting States must therefore be arrived at, so as to incorporate in the Charter settlement some further rule covering the new situation. In the meantime, the case not having been foreseen and not coming under any specific pre-established agreement, it is not clear by virtue of what principle of law the obligation to meet this type of expenditure *ultra pacte* could be invoked. To declare, in these circumstances, that these types of expenditure are expenses of the Organization, before there is any special regulation in the matter, would in my view be an extremely serious step: it would amount to placing certain States before the dilemma of failing in their duties to the Organization or of acting to the detriment of their own domestic law.

The General Assembly has seen the full importance of this problem, as also the difficulties which it involves, and it has—I believe—begun to face it. It has introduced into the preamble of its most recent finan-

cial resolutions some of the new criteria which have been suggested regarding the different degrees of responsibility of certain States Members in meeting the expenditure incurred in peace-keeping operations. But the adoption of a special method taking such criteria into consideration has not yet come to a satisfactory conclusion although indeed resolution 1619 (XV) of 21 April 1961 announced an intermediate solution, namely the establishment of a new scale of assessments for the extraordinary expenditure incurred in these operations.

(e) The Secretary-General has been reproached with having violated the Charter, in connection with the Middle East and Congo conflicts, by discharging functions and responsibilities which belong to the Security Council or to the General Assembly. But, in this respect, regard must be had not only to Articles 22 and 29 of the Charter, which enable those organs to establish subsidiary executive organs, but also to Article 98, under which the Secretary-General, over and above his own functions, shall perform such other functions as are entrusted to him by "the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council. The General Assembly in its resolutions of 1956, and the Security Council in its resolutions of 1960 and 1961, expressly charged the Secretary-General with the implementation of their decisions regarding armed action in the two countries. In the case of such mandates, the Secretary-General acted in the name of and on behalf of the mandators. There is therefore no usurpation of functions, unless it is shown that the Secretary-General has gone beyond his rights in the exercise of his mandate.

5. From the foregoing examination its follows *in principle*—that is to say, by a *theoretical* interpretation of the Charter and without contemplating any specific case—that it may be affirmed that the expenses incurred by armed actions legally undertaken for the maintenance of peace are expenses of the Organization within the meaning of Article 17, paragraph 2. But, according to the view of certain Member States, it equally follows that in the Middle East and Congo conflicts, special circumstances of fact arose, because of which resolutions were adopted by the organs of the United Nations involving infringements of the Charter. In these circumstances—they say—no reliance can be placed as against Member States on obligations deriving from resolutions which are not lawful.

Here is the point where a definition is required. And it is not the Court which can help to find it, since the request for an advisory opinion does not include the question of the legality or the validity of the resolutions to which it refers. I shall therefore confine myself to certain observations regarding this deadlock, so as to explain my views as to the answer to be given to the request.

The United Nations is an association of States in which the rights and obligations of the Members are contractually prescribed in its constituent charter. It is the Charter which governs the mutual relations of the associates and their relations with the Organization itself. Only because of their acceptance of the purposes of the Charter and the guarantees therein laid down have the States Members partially limited the scope of their sovereign powers (Article 2). It goes without saying, therefore, that the real reason for the obedience of States Members to the authorities of the Organization is the conformity of

the mandates of its competent organs with the text of the Charter. This principle of the conditional link between the duty to accept institutional decisions and the conformity of those decisions with the Charter is enshrined in Article 25, which, although referring explicitly to the Security Council, in my opinion lays down a fundamental basic rule which is generally applicable to the whole system of the Charter. Article 2, paragraph 2, confirms this interpretation.

There is therefore a legal presumption that each of the organs of the Organization is careful in its action to comply with the prescriptions of the Charter; but when, in the opinion of one of the Member States, a mistake of interpretation has been made or there has even been an infringement of the Charter, there is a right to challenge the resolution in which the error has been noted for the purpose of determining whether or not it departed from the Charter.

It cannot be maintained that the resolutions of any organ of the United Nations are not subject to review: that would amount to declaring the pointlessness of the Charter or its absolute subordination to the judgment—always fallible—of the organs.

But the case of the United Nations is clearly a special one. Having regard to the fact that it is the highest international institution as being an association of sovereign States, its unfettered autonomy is subject to no higher tribunal capable of reviewing its acts. It is the institution itself which has the power to rectify or to confirm them. That is probably why no provision was made in the Charter for any supervisory organ to determine legality or conformity with the Charter, such as some tribunal to which it would be possible to refer—in the manner of judicial proceedings—the objection of a Member State to a decision of the Organization. But that in no way excludes the Organization's function of dealing with complaints by its Members. And I think I find evidence that that was the intention of the Charter in the text of its Article 96, which makes provision for the advice of the International Court of Justice on legal questions. An advisory opinion, taking the place of judicial proceedings, is a method of voluntary recourse which, if only by way of elucidation, precedes the decision which the Organization is called upon to give with regard to legal objections raised by Member States.

In respect of the Middle East and the Congo, observations have been made by certain States on various matters: some of them stating that certain resolutions of the General Assembly or the Security Council are not in conformity with the Charter; others pointing out possible mistakes of interpretation of the Charter which have imposed on all Member States obligations for which there should not be general responsibility; others, again, asking that the Organization should lay down rules on matters for which there is no provision in the Charter. The non-obligatory character of decisions which result from a mere recommendation and not from an imperative mandate by a principal organ has also been pointed out. This attitude on the part of certain States derives from an inherent right of all members of associations which have a body of rules to which the acts of the institution have to conform. This principle of conformity with the rules is, one must not forget, the basis for a contractual obligation. The fact that, faced with this number of objections, the General Assembly has asked for the legal opinion of the Court is, in my view, the best proof that this organ

of the United Nations intends to decide in accordance with law the objections put forward by several of its Members and—perhaps—to embark upon a review or adaptation of the Charter to the new circumstances. Meantime, it is not possible to determine whether, with regard to the objecting States, the expenditures incurred in the operations in Egypt and the Congo are lawful expenses and, accordingly, expenses of the Organization.

It might be said that the resolutions objected to having been adopted by the majority required by the Charter (Article 18, para. 2, and Article 27, para. 3) are legally valid and indeed binding on all Member States, although some of them voted *against* or did not take part in the vote. This is, indeed, the general principle which governs the agreements of any association with a view to guaranteeing institutional unity and efficacity. But that refers only to the *formal* or external legality and not to the intrinsic validity of the resolutions. Non-conformity with the Charter is a question of intrinsic legality which may be raised by States Members even though the formal legality may be indisputable. An objection to the substantive legality relates to the very existence of an obligation, since the very existence of a contractual bond is in issue.

Furthermore, the Organization must pronounce on the allegation that resolutions which approve mere recommendations of the Assembly or the Security Council do not have obligatory effect for States which have not accepted them. This is a special feature of the system of the United Nations, as to which nothing is defined in the Charter. What would be the difference between an *imperative* resolution of the Security Council and another involving simply a *recommendation* of the Assembly or of the Council itself? Does the recommendation become binding on all, by virtue of the approval of the majority? The word recommendation implies suggestion, advice, advisability, usefulness, but not an order or an imperative mandate. Logically, suggestion or advice cannot normally be transformed into an obligation. It is the question which has to be determined.

Turning to another aspect of the matter, it has been said that the General Assembly's resolutions regarding the commitment of resources for the operations in the Middle East and in the Congo or the financing of operational expenditures ("derived" resolutions) are themselves independent and ought not to be considered as depending on the *basic* resolutions which authorize military operations. Each organ of the United Nations—it is said—is the judge of its own competence; and the financial resolutions of the Assembly have, in themselves, a binding force which proceeds from the authority and the judgment of this organ, independently of the connection with the basic resolutions. A legal defect of any kind which might affect these last resolutions would not, therefore, communicate its defect to the financial resolutions of the Assembly. I do not agree with this view. One cannot demolish by this type of reasoning the substantial and objective connection of cause and effect between the resolution authorizing armed action and a resolution providing for funds to cover the expenditure involved. The legitimacy of the Assembly's competence to fulfil its duty of financing the Organization's expenses is one thing; whether the purpose of the expenses and the method of financing are or are not in conformity with the Charter is a very different matter.

An examination of this latter question is in my opinion permissible with regard to all types of resolution. Moreover, some of the objections raised cover, not only the *basic* resolutions, but also in a direct fashion those of a financial nature, with regard to the apportionment of the burden of the expenses among all the States.

A complication with regard to the financial resolutions lies in the fact that many of them lay down the obligation to pay, by way of reimbursement, for certain expenses met out of credits supplied by third parties. Both the honour and the good faith of the Organization require the discharge of this type of obligation, even if it originated in defective or unlawful resolutions. I think that the solution is to be found in the general system of the Charter itself. If the resolutions were adopted according to the prescribed forms, by the majority of Member States required by the Charter, there is a provisional presumption of legality in favour of these decisions. The isolated cases of allegations on the part of some State or States against the validity or conformity with the Charter of such resolutions, should also be decided by the competent organ at the appropriate time; but in the meantime the effects of the resolutions towards third parties should remain intact. Two possible solutions may be considered: either the performance of the obligations is borne by the States which explicitly or implicitly accepted the resolution in question; or the responsibility is ascribed to all State Members—and, in the latter case, after the settlement of objections put forward by any State, internal arrangements or compensation may be made if the decision is in favour of the objecting State. The first solution might principally be applied when it is a question of resolutions deriving from simple recommendations, and the second solution when the obligation derives from an imperative mandate by the competent organ.

6. What I have said above suffices, I think, to explain why I cannot reply simply *yes* or *no* to the question put in the request for an advisory opinion, since in my view a substantial element of appraisement is lacking, namely the ascertainment of the conformity or non-conformity with the Charter of certain resolutions mentioned in the request, which have been the subject of legal objections on the part of various Member States.

From my present statement it is possible to infer my own judgment with regard to these objections, some of which in my opinion are ill founded, while there are serious reasons in support of others. In any case, I think it indispensable to seek a legal definition which decides as to the legality of all these objections or which expressly governs situations not provided for in the Charter or having arisen after the promulgation of the Charter. We are faced with a situation of uncertainty which cannot be ignored. The financial crisis which has occurred within the Organization is only the reflection of another crisis the subject of which is the very substance of the Charter. But the fact is that the Court has not to pronounce on this subject, not only because of the character of this advisory opinion (which is an opinion, not a judgment) but also because the question put to us for an opinion is limited entirely to determining whether the expenditures in the Middle East and in the Congo constitute or do not constitute "expenses of the Organization", without reference to the aspect of the legality of those expenditures.

Thus, I repeat what I have said above: in principle, I am of opinion that expenditures validly authorized by the competent organ for the carrying out of an armed action with the purpose of maintaining international peace and security constitute "expenses of the Organization". But in the case of the expenditures authorized for the operations in the Middle East and the Congo, it is for the competent organ of the United Nations to pronounce on the legal objections put forward by certain States against the relevant resolutions. Only after this pronouncement on the legality or the non-legality of these resolutions would, in my opinion, a reply to the request be possible.

In consequence, I conclude that the expenditures referred to in the request for an advisory opinion would constitute expenses of the Organization if, after consideration of the legal objections raised by certain Member States, the competent organ of the United Nations succeeds in determining as *legal* and *valid* the resolutions by virtue of which the expenses in question were incurred.

Since this definition has not been given and having regard to the limitations of the request, the Court—in my view—cannot declare whether the expenditures in question are or are not expenses of the Organization within the meaning of Article 17, paragraph 2, of the Charter. But if the Court must in voting reply categorically "yes" or "no" to the question put in the request, my reply can only be negative for, according to the foregoing, I am not in a position to assume the responsibility for an affirmative characterization of the legality of the expenditures.

(*Signed*) J. L. BUSTAMANTE.

APPENDIX C

WRITTEN STATEMENT SUBMITTED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO THE INTERNATIONAL COURT OF JUSTICE ON THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE UNITED NATIONS

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WRITTEN STATEMENT SUBMITTED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO THE INTERNATIONAL COURT OF JUSTICE ON THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE UNITED NATIONS

The Question

The question presented to the Court is whether assessments made by the General Assembly to meet the costs of the United Nations Emergency Force and United Nations Operations in the Congo are "expenses of the Organization" within the meaning of Article 17(2) of the Charter, and are, therefore, legally binding upon the States Members of the United Nations. It is a question of fundamental importance to the fiscal authority of the United Nations, and thus to the capacity of the Organization to carry out the responsibilities laid upon it by the Charter.

The issue comes before the Court by virtue of the request for an advisory opinion contained in General Assembly Resolution 1731(XVI) of 20 December 1961. The General Assembly, "*Recognizing* its need for authoritative legal guidance as to obligations of Member States under the Charter of the United Nations in the matter of financing United Nations operations in the Congo and in the Middle East," submitted the question in the following terms:

> Do the expenditures authorized in General Assembly resolutions 1583(XV) and 1590(XV) of 20 December 1960, 1595(XV) of 3 April 1961, 1619 (XV) of 21 April 1961 and 1633(XVI) of 30 October 1961 relating to the United Nations operations in the Congo undertaken in pursuance of the Security Council resolutions of 14 July, 22 July and 9 August 1960 and 21 February and 24 November 1961, and General Assembly resolutions 1474(ES–IV) of 20 September 1960 and 1599(XV), 1600(XV) and 1601(XV) of 15 April 1961, and the expenditures authorized in General Assembly resolutions 1122(XI) of 26 November 1956, 1089(XI) of 21 December 1956, 1090(XI) of 27 February 1957, 1151(XII) of 22 November 1957, 1204(XII) of 13 December 1957, 1337(XIII) of 13 December 1958, 1441(XIV) of 5 December 1959 and 1575(XV) of 20 December 1960 relating to the operations of the United Nations Emergency Force undertaken in pursuance of General Assembly resolutions 997(ES–I) of 2 November 1956, 998(ES–I) and 999(ES–I) of 4 November 1956, 1000(ES–I) of 5 November 1956, 1001(ES–I) of 7 November 1956, 1121(XI) of 24 November 1956 and 1263(XIII) of 14 November 1958, constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?

Despite its important ramifications, the question presented is limited and precise. It asks whether the designated resolutions, imposing assessments upon States Members, have the effect of creating financial obligations binding upon those States.

The Jurisdiction of the Court

The jurisdiction of the Court is founded on Article 96(1) of the Charter, which provides that:

> The General Assembly . . . may request the International Court of Justice to give an advisory opinion on any legal question.

Article 65 of the Statute of the Court authorizes the Court to respond to such a request.

The question presented is a "legal question." It concerns the legal consequences of assessment resolutions of the General Assembly in the light of Article 17 of the Charter. The question is whether the expenditures authorized by these resolutions are "expenses of the Organization" within the meaning of the Charter, and therefore give rise to a legal obligation of States Members to pay these expenses "as apportioned by the General Assembly." The question clearly falls within the jurisdictional ambit marked out by this Court in earlier opinions. See *Admission of a State to the United Nations (Charter, Art. 4), Advisory Opinion: I.C.J. Reports 1948*, p. 57; *Competence of Assembly regarding admission to the United Nations, Advisory Opinion: I.C.J. Reports 1950*, p. 4; *Interpretation of Peace Treaties, Advisory Opinion: I.C.J. Reports 1950*, p. 65.

Statement of Facts

A. The United Nations Emergency Force (UNEF)

On 29 October 1956, Israeli armed forces advanced into Egyptian territory, and large-scale hostilities broke out between Israel and Egypt. On 30 October, the Governments of the United Kingdom and France issued an ultimatum to Israel and Egypt to cease military operations and to withdraw their forces to a distance of ten miles from the Suez Canal. The Security Council met urgently in response to these developments. Resolutions were introduced calling for a cease-fire and withdrawal of Israeli forces and calling on all parties to refrain from the use or threat of force in the area. These resolutions were not adopted because of the negative votes cast by two permanent members of the Council, the United Kingdom and France. Meanwhile, the Anglo-French ultimatum was rejected, and British and French forces intervened militarily.

On 31 October, the Security Council adopted a resolution submitted by Yugoslavia, which recited that the lack of unanimity of the permanent members had prevented the Council from exercising its responsibility for the maintenance of international peace, and called an emergency special session of the General Assembly pursuant to General Assembly Resolution 377(V) ("Uniting for Peace").

The General Assembly convened on 1 November. Early the following morning, it adopted a resolution urging that "all States" immediately cease fire, withdraw behind the armistice lines, cease border raids, observe scrupulously the armistice agreement, and halt the movement of military forces into the area. It also called for reopening of the then blocked Suez Canal. U.N. Doc. No. A/RES/997(ES–I) (1956). On 3 November, the Secretary-General reported that Egypt and Israel were prepared to accept a cease-fire. He later reported that the United Kingdom and France appeared willing to stop military action provided that, among other things, the Egyptian and Israeli Governments agreed to accept a United Nations force capable of achieving the objectives of the cease-fire resolution.

On 4 November, the General Assembly reiterated its resolution of 2 November. Then, by a vote of 57 in favor, 0 opposed, with 19 abstentions, the Assembly adopted a Canadian resolution requesting the

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Secretary-General to submit within forty-eight hours "a plan for the setting up, with the consent of the nations concerned, of an emergency international United Nations Force to secure and supervise the cessation of hostilities. . . ." U.N. Doc. No. A/RES/998(ES–I) (1956).

The same day, the Secretary-General submitted his first report on the creation of the United Nations Emergency Force, or, as it came to be known, UNEF. U.N. Gen. Ass. Off. Rec. 1st Emergency Spec. Sess., Annexes, Agenda Item No. 5, at 14 (A/3289) (1956). On 5 November, the Assembly, acting upon the Secretary-General's report, adopted by a vote of 57–0–19 Resolution 1000(ES–I), which, by its own terms, established a United Nations Command for an emergency international force. The resolution appointed a Chief of Command of the Force, and asked the Secretary-General to take the necessary administrative measures for prompt execution of its resolution. By midnight of 6–7 November, a cease-fire was achieved.

On 7 November, the Secretary-General submitted his second report on the plan for UNEF. *Id.* 1st Emergency Spec. Sess., Annexes, Agenda Item No. 5, at 10 (A/3302) (1956). By the terms of his proposal, the deployment and operations of the Force would be subject to the consent of the Governments concerned. Thus, the Force would be designed to induce and facilitate a cease-fire and withdrawal of troops, rather than to impose withdrawal.

UNEF was conceived, from the outset, as a subsidiary organ of the General Assembly within the terms of Article 22 of the Charter. This was expressly confirmed by the Secretary-General in his summary study of the experience derived from the establishment and operation of the Force. *Id.* 13th Sess., Annexes, Agenda Item No. 65, at 24 (A/3943) (1958). It is also reflected in the Regulations of the Force. U.N. Doc. No. ST/SGB/UNEF/1, at 2 (1957). The Agreement between the United Nations and Egypt concerning the status of UNEF in Egypt equally specifies that UNEF is an organ of the General Assembly established in accordance with Article 22. *Id.* 11th Sess., Annexes, Agenda Item 66, at 52–53 (A/3526) (1957). UNEF was to be an international organ, with its responsible officers appointed by the United Nations. It was to be a United Nations instrument fully independent of the policies of any one nation. UNEF was to fulfill a dual role: supervising the cease-fire and withdrawal of foreign armed forces from Egyptian territory, and maintaining peaceful conditions in the area by its deployment along the armistice line and international frontier.

The Assembly approved the guiding principles set out in the Secretary-General's report for the organization and functioning of UNEF on 7 November by a vote of 64–0–12. U.N. Doc. No. A/RES/1001 (ES–I) (1956). By July 1957, UNEF had grown to a complement of some 6,000 officers and men voluntarily contributed by ten Member States. From the outset, it has discharged its duties with conspicuous success. It continues to make an essential contribution to peace in the Middle East.

B. United Nations Operations in the Congo (ONUC)

On 30 June 1960, the Republic of the Congo (Leopoldville) was proclaimed independent. Rioting broke out two days later. Congolese soldiers mutinied on 5 July, and by 8 July serious disorder had

spread, accompanied by violence against the European population. More than 1,300 women and children, principally Belgians, fled to Brazzaville. That day, Belgian paratroopers were flown into Leopoldville to reinforce Belgian bases in the Congo. More Belgian troops followed with the mission of protecting Belgian lives and property.

On 11 July, Premier Lumumba requested technical assistance from the United Nations to aid in organizing and developing the Congolese army. On the same day, the Congolese province of Katanga issued a claim of independence. Both the President and the Premier of the Congo on 12 July 1960 cabled the Secretary-General of the United Nations requesting the "urgent dispatch" of United Nations military assistance in response to "the unsolicited Belgian action." The appeal stated that, "The essential purpose of the requested military aid is to protect the national territory of the Congo against the present external aggression which is a threat to international peace." U.N. Doc. No. S/4382 (1960). United Nations technical assistance of a civil character was also requested. For its part, the Belgian Government made clear that it would welcome United Nations troops to keep order in place of the Belgian forces.

Acting under Article 99 of the Charter, the Secretary-General convoked an immediate meeting of the Security Council in response to the Congolese plea. That meeting culminated in the adoption of a Tunisian-sponsored resolution, based on the Secretary-General's recommendation, which called upon Belgium to withdraw its troops from Congolese territory and authorized the Secretary-General to provide the Congolese Government with the necessary military assistance until its national security forces were able to meet fully their tasks. U.N. Doc. No. S/4387 (1960). That military assistance—the United Nations Operations in the Congo (ONUC)—was organized and dispatched with great speed. It quickly became, in Dag Hammarskjold's words, the "biggest single effort under United Nations colours, organized and directed by the United Nations itself." U.N. Security Council Off. Rec. 15th year, 877th Meeting 4 (S/PV.877) (1960). That effort has since been endorsed, sustained and broadened by the Security Council and General Assembly in a series of resolutions, carried by very large majorities. U.N. Docs. Nos. S/4405 (1960), S/4426 (1960), S/4741 (1961), S/5502 (1961), A/RES/1447(ES–IV) (1960), A/RES/1599(XV) (1961) and A/RES/1600(XV) (1961).

When, in September 1960, the Security Council reached an impasse, the General Assembly was seized of the problem, pursuant to Resolution 377(V), in emergency special session. The Assembly reaffirmed the resolutions of the Security Council and requested the Secretary-General to

> continue to take vigorous action in accordance with the terms of the aforesaid resolutions and to assist the Central Government of the Congo in the restoration and maintenance of law and order throughout the territory of the Republic of the Congo and to safeguard its unity, territorial integrity and political independence in the interests of international peace and security. . . . U.N. Doc. No. A/RES/1474(ES–IV) (1960).

The vote on that resolution was 70 in favor, none opposed, with 11 abstentions.

The Congo situation continues to command the Organization's attention. Large numbers of United Nations troops—some 15,000 on

1 January 1962—and United Nations civilian and technical assistance personnel are being devoted to a bold enterprise, the attitude towards which, in the words of the late Secretary-General, is of "decisive significance . . . not only for the future of this Organization, but also for the future of Africa. And Africa may well, in present circumstances, mean the world." U.N. Security Council Off. Rec. 15th year, 877th meeting 4 (S/PV.877) (1960).

C. Financial consequences

The forces established in response to the Middle East and Congo crises plainly had to be paid for. The scale of the requisite financing, in comparison with traditional United Nations budgeting, was and is large. In fact, the combined annual assessment for UNEF and ONUC has amounted to more than twice the cost of the remainder of the United Nations budget. Payments of UNEF and ONUC assessments by State Members have been variable and irregular. Certain Members have refused to pay their assessments, asserting political or legal justifications for default. Others, without contesting their legal obligations to pay such assessments, have pleaded inability to pay. Still others have made no plea at all.

The result has been a large accrual of arrears. As of the end of 1961, the Acting Secretary-General estimated the Organization's unpaid obligations to total $107.5 million (a figure later actually found to total $113.9 million). He estimated that, by 30 June 1962, "the gap between the debts of the Organization and its available net cash resources will have increased to approximately $170 million. . . ." The Organization's cash position he pronounced to be "critical." The Acting Secretary-General, on 11 December 1961, summarized the outlook in these terms:

> Mr. Chairman, the United Nations will be facing imminent bankruptcy, if, in addition to earliest possible payment of current and, particularly of arrear assessments, effective action is not promptly taken for the purpose of (i) enabling outstanding obligations to be settled; (ii) improving the cash position; and (iii) providing needed financing for approved continuing activities. U.N. Doc. No. A/C.5/907 at 3–4 (1961).

It was in the light of this financial crisis that the General Assembly voted to request the Court's opinion on an issue vital to the Organization's solvency, its credit, its capacity for accomplishing what it has undertaken and what, in the future, its responsibilities for the peace of the world may require it to undertake.

Summary of Argument

I

In adopting the assessment resolutions before the Court, the General Assembly invoked its authority under Article 17 of the Charter to apportion "expenses of the Organization" among the Members. The language of the first ONUC resolution expressly characterizes the Assembly's action in this fashion. Most of the other UNEF and ONUC resolutions repeat the language of Article 17, thus manifesting the intention to act under that article. Special accounts were established for each operation as a matter of accounting convenience rather

than as an expression of intention to modify the binding character of the assessments. These conclusions are borne out by the debates preceding adoption of the resolutions—particularly by the statements of the Secretary-General—and by the budgetary procedures employed in their preparation and consideration.

II

A. The consequence of such General Assembly action is to create binding legal obligations upon the Member States. The language of Article 17 is mandatory: "expenses *shall* be borne." (Emphasis added.) It answers the prescription of the Advisory Committee of Jurists at the San Francisco Conference for a "clear statement of the obligations of Members to meet the expenses of the Organization." The Charter adopts the language of the corresponding article of the Covenant of the League of Nations, which has been authoritatively construed to empower the League Assembly to create a binding legal obligation.

B. This power to create binding obligations by assessment extends to assessments for expenditures relating to operations for the maintenance of international peace and security. Although the Security Council has "primary responsibility" in this field, it has no budgetary or fiscal authority under the Charter. The practice of the League, the budgetary and financial practice of the United Nations and the applicable judicial decisions all bear out the conclusion that the Assembly's fiscal power is exclusive.

C. Finally, the same authorities lead to the conclusion that the Assembly may create binding obligations to finance operational expenditures, even though, as regards contributions of troops, the substantive resolutions are only recommendatory for the Member States.

D. To construe the General Assembly's fiscal power more narrowly than is here suggested would seriously limit the capacity of the Organization for effective action in pursuit of its paramount purpose, the maintenance of international peace and security.

III

The question submitted to the Court, as framed, is not directed to the validity of the underlying resolutions establishing UNEF and ONUC. The question can be answered without addressing those issues. For, at a minimum, the Secretary-General could make commitments to States and third parties in the execution of the directives laid upon him by those resolutions, absent an authoritative determination invalidating them. The General Assembly has power to raise money to discharge the financial obligations arising from such commitments. Indeed, "to this extent [it] has no alternative but to honour these engagements." Moreover, in any event, the underlying resolutions are valid. They were adopted by the General Assembly and Security Council in the exercise of the authority, expressly granted in the Charter, to consider and deal with questions involving the maintenance of international peace and security.

IV

Miscellaneous contrary arguments are not persuasive.

ARGUMENT

I. THE GENERAL ASSEMBLY, IN THE ASSESSMENT RESOLUTIONS BEFORE THE COURT, UNMISTAKABLY MANIFESTED ITS INTENTION TO TREAT EXPENDITURES FOR ONUC AND UNEF AS "EXPENSES OF THE ORGANIZATION" UNDER ARTICLE 17 OF THE CHARTER, TO BE APPORTIONED AMONG THE STATES MEMBERS OF THE UNITED NATIONS

A. Assessment resolutions relating to UNEF

During the first days of the life of UNEF the most pressing questions concerning the Force were questions of action—recruitment, command and staff problems, transportation, and the details of supervising, on the scene in the Middle East, a cease-fire and withdrawal of troops. Financial problems were secondary, and at this stage were treated in a provisional fashion. By 26 November, three weeks later, the Force was operating successfully and the General Assembly was able to turn its attention to definitive arrangements for financing the enterprise.

On 21 December 1956, after an exhaustive debate, the General Assembly adopted, by a vote of 62–8–7, Resolution 1089(XI) levying assessments for the Force in the amount of $10 million. The relevant operative paragraph of that resolution provides:

The General Assembly,

. . . .

1. *Decides* that the expenses of the United Nations Emergency Force, other than for such pay, equipment, supplies and services as may be furnished without charge by Governments of Member States, shall be borne by the United Nations and shall be apportioned among the Member States, to the extent of $10 million in accordance with the scale of assessments adopted by the General Assembly for contributions to the annual budget of the Organization for the financial year 1957.

It will be seen that the resolution adopts the language of Article 17(2) of the Charter, which provides: "The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly." In an unmistakable parallelism, the resolution prescribes that "the expenses of the United Nations Emergency Force" shall be "borne by the United Nations" and shall be "apportioned among the Member States" in accordance with a defined formula. Thus, the language of the resolution at the same time invokes and exercises the authority of Article 17(2).

The intention to act under Article 17 emerges equally clearly from the record of General Assembly consideration which preceded adoption of the resolution. The resolution appeared first in draft form as an annex to the Secretary-General's report of 21 November 1956 on administrative and financial arrangements for the United Nations Emergency Force. U.N. Gen. Ass. Off. Rec. 11th Sess., Annexes, Agenda Item No. 66, at 13 (A/3383) (1956). The resolution was drafted to embody the position set forth by the Secretary-General in

that report. He expressed this position in categorical and unmistakable terms:

> I wish to make it equally clear that while funds received and payments made with respect to the Force are to be considered as coming outside of the regular budget of the Organization, the operation is essentially a United Nations responsibility, and the Special Account to be established must, therefore, be construed as coming within the meaning of Article 17 of the Charter. *Id.* 11th Sess., Plenary 343 (A/PV.596) (1956).

The Controller, as well, speaking in the Fifth Committee on behalf of the Secretary-General, reiterated that "the operation was necessarily and essentially a United Nations responsibility and the Special Account must therefore be regarded as coming under Article 17 of the Charter. . . ." *Id.* 11th Sess., 5th Comm. 32 (A/C.5/SR.538) (1956).

Resolution 1089(XI) established the pattern for the successive resolutions adopted by the General Assembly annually thereafter to provide for the expenses of the Force. U.N. Docs. Nos. A/RES/1151 (XII) (1957), A/RES/1337(XIII) (1958), A/RES/1441(XIV) (1959) and A/RES/1575(XV) (1960). Of these, Resolutions 1151(XII) and 1337(XIII) repeat in almost identical language the formula of the first resolution, 1089(XI), which, as has been shown, uses the very language of the Charter. Like it, they provide that the expenses of the Force are to be borne by the Members as apportioned by the Assembly. The last two annual resolutions, 1441(XIV) and 1575(XV), demonstrate the same intention in different language. Thus, the operative paragraph of Resolution 1441(XIV) reads:

> *The General Assembly,*
>
> . . . .
>
> 2. *Decides* to assess the amount of $20 million against all Members of the United Nations on the basis of the regular scale of assessments. . . .

The Assembly's use of voluntary contributions as a supplementary means of financing UNEF emphasizes that the assessments levied by the foregoing resolutions were intended to be obligatory. In Resolution 1090(XI), adopted 27 February 1957, the General Assembly took note of its earlier authorization of expenditures in the amount of $10 million to be apportioned among Member States, and authorized the Secretary-General "to incur expenses for the United Nations Emergency Force up to a total of $16.5 million" in respect of the period ending 31 December 1957. The additional $6.5 million was not to be assessed at that time. Instead, because of the "grave unanticipated financial burden for many Governments" resulting from the financial obligations created by the previous assessment, the Assembly decided to "Invite[s] Member States to make voluntary contributions to meet the sum of $6.5 million so as to ease the financial burden for 1957 on the membership as a whole. . . ." Thus the General Assembly distinguished sharply, in a single resolution dealing with the financing of UNEF, those expenses that were assessed under Article 17 from the additional sums to be solicited through voluntary contributions.

The distinction between assessed expenses and voluntary contributions was reiterated in Resolution 1441(XIV). By the terms of that resolution, the General Assembly decided "to assess the amount of $20 million against all Members of the United Nations on the basis of the regular scale of assessments. . . ." The scale of apportion-

ment was qualified by a proviso under which voluntary contributions pledged by 31 December 1959 would be applied to reduce by one-half the assessments of as many governments as possible, beginning with those assessed at the minimum percentage of 0.04 percent. Resolution 1575(XV), adopted on 20 December 1960, made similar provision for the application and use of voluntary contributions. These actions of the General Assembly in providing specially for voluntary contributions, and showing their relationship to assessments intended to be obligatory, demonstrate the Assembly's concern with the unusual financial burden being imposed on Member States by the Article 17 assessments. The very vividness of this concern makes unmistakably clear that those assessments were intended and conceived as creating legally binding obligations.

The provisional consideration of the financial problems of UNEF, in the weeks before the adoption of the basic financial resolution, 1089 (XI), discussed above, is consistent with, and indeed tends to confirm, the foregoing analysis. The Secretary-General's report of 6 November 1956 made his first reference to financing the Force. He said.

> The question of how the Force should be financed likewise requires further study. A basic rule which, at least, could be applied provisionally, would be that a nation providing a unit would be responsible for all costs for equipment and salaries, while all other costs should be financed outside the normal budget of the United Nations. It is obviously impossible to make any estimate of the costs without a knowledge of the size of the corps and the length of its assignment. The only practical course, therefore, would be for the General Assembly to vote a general authorization for the cost of the Force on the basis of general principles such as those here suggested. U.N. Gen. Ass. Off. Rec. 1st Emergency Spec. Sess., Annexes, Agenda Item No. 5, at 21 (A/3302) (1956).

In Resolution 1001(ES–I), the General Assembly approved provisionally "the basic rule concerning the financing of the Force laid down in . . . the Secretary-General's Report." Three weeks later, the Assembly implemented those principles by authorizing the Secretary-General "to establish a United Nations Emergency Force Special Account to which funds received by the United Nations, outside of the regular budget, for the purpose of meeting the expenses of the Force shall be credited. . . ." U.N. Doc. No. A/RES/1122(XI) (1956).

As the Secretary-General later pointed out, the proposal for a special account was made not in order to qualify the obligation of Members to support the Force, but as an accounting convenience. A special account was desirable to avoid the delay that might have occurred had the Force been financed from accounts within the regular budget. Moreover, it was uncertain how long the Force would be needed. There was disagreement among Members over whether the normal scale of apportionment should apply. And there were special bookkeeping problems involved in the management of such a large force. These considerations are set forth in the Secretary-General's summary of the experience derived from the establishment and operation of the Force. U.N. Gen. Ass. Off. Rec. 13th Sess., Annexes, Agenda Item No. 65, at 21 (A/3943) (1958).

In addition to setting up a special account, Resolution 1122(XI) authorized the Secretary-General to draw on the Working Capital Fund in order to meet expenses chargeable to the Special Account,

pending the receipt of funds for that account. The Working Capital Fund of the United Nations is a fund of $25 million to be used for meeting unforeseen and extraordinary expenses. Assessments to replenish the Working Capital Fund are levied on Members of the United Nations in the same manner and at the same time as other parts of the budget. Thus, the General Assembly authorization to the Secretary-General to draw on the Working Capital Fund gives a further indication of the Assembly's view that the costs of UNEF were expenses of the Organization to be apportioned among the Members in accordance with Article 17.

Finally, it is to be noted that the budgetary processes followed by the General Assembly in dealing with the expenditures of UNEF have been the same as those employed for approving the regular budget in accordance with Article 17(1). The financial regulations prepared by the Secretary-General for UNEF are analogous to the Organization's Financial Regulations and Rules for the regular budget. U.N. Doc. No. ST/SGB/Financial Rules/1 (1950). In each case, estimates of expenditures are prepared by the Controller on behalf of the Secretary-General. These estimates are examined by the Advisory Committee on Administrative and Budgetary Questions. Subsequently, they are considered in the Fifth Committee, and finally in Plenary Session of the General Assembly.

In summary, the resolutions of the General Assembly, the parliamentary history leading to their adoption, and the consistent practice of the Assembly demonstrate that the assessed expenditures for UNEF were intended by the Assembly to be "expenses of the Organization" within the meaning of Article 17.

B. Assessment resolutions relating to ONUC

The first of the Congo financial resolutions recognizes expressly that "the expenses involved in the United Nations operations in the Congo for 1960 constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the United Nations Charter. . . ." It stipulates that "the assessment thereof against Member States creates binding legal obligations on such States to pay their assessed shares." U.N. Doc. No. A/RES/1583(XV) (1960). Thus the Assembly articulated its conclusion that its characterization of expenditures as "expenses of the Organization" has the legal consequence that assessments to meet those expenditures create binding obligations on the Member States.

The Assembly's decision was made as a matter of deliberate choice among available alternatives. Discussions in the Fifth Committee preceding Assembly consideration of that basic financial resolution disclosed that Member States had varying views about the method by which the expenses of the Congo Force should be met. The rapporteur of the Fifth Committee summarized these views as follows:

> During the discussion many delegations made statements of policy in relation to United Nations operations in the Congo. In addition, delegations proposed various methods of financing the operation, as follows:
>
> (a) The expenses should be included in the regular budget and apportioned among the Member States in accordance with the 1960 scale of assessments for Members' contributions;
>
> (b) The expenses should be entered in a special account and apportioned among the Member States in accordance with the 1960 scale of assessments for

Members' contributions to the regular budget; voluntary contributions should be applied, at the request of the Member State concerned, to reduce the assessments of Members with the least capacity to pay;

(c) The expenses should be met under special agreements concluded in accordance with Article 43 of the Charter between the Security Council and the countries providing troops;

(d) The expenses should be borne in larger part by the permament members of the Security Council, as having a major responsibility for the maintenance of peace and security;

(e) The expenses should be borne in larger part by the former administering Power;

(f) The expenses should be financed entirely out of voluntary contributions. U.N. Gen. Ass. Off. Rec. 15th Sess., Annexes, Agenda Items Nos 49/50, at 11 (A/4676) (1960).

Thus the Assembly had before it a variety of views for the financing of ONUC. Drawing on the experience with UNEF, it chose, in Resolution 1583(XV), to establish a special account for the Congo Force, in this case designated an *ad hoc* account. This action, in the context of a resolution specifying that the expenses to be charged to the special account are "expenses of the Organization," confirms the position taken above that the establishment of a special account is a matter of accounting convenience rather than a choice qualifying the character of the obligation to pay.

The Congo resolution, like those financing UNEF, provides for voluntary contributions in addition to assessments. It specifies that such contributions shall be applied to relieve the burden of compulsory assessments on States less able to pay. Again, the intention of the Assembly to create a binding obligation is manifested in its concern about the burdens which such obligations create for some Members.

Furthermore, the General Assembly established, in September 1960, a voluntary United Nations Fund for the Congo, designed to provide for economic and administrative development. In establishing this Fund, the General Assembly adopted a resolution saying it: "*Appeals* to all Member Governments for urgent voluntary contributions. . . ." U.N. Doc. No. A/RES/1474(ES–IV) (1960). Thus, again, the General Assembly distinguished a Fund to be based on voluntary contributions from expenses intended to be assessed against the United Nations membership pursuant to Article 17.

The financial burden imposed by ONUC led to an exhaustive and lengthy debate at the resumed session of the Fifteenth General Assembly. The essential issue debated was the apportionment of the Congo expenses, not whether those expenses should be assessed under Article 17. At the 839th meeting of the Fifth Committee on 17 April 1961, the Secretary-General stated that:

He himself . . . had come to the conclusion that Article 17 of the Charter, the wording of which was perfectly clear, must apply to the expenses in question; the records of the San Francisco Conference left the matter in no doubt.

Several representatives had emphasized the exceptional magnitude of the expenditure in question and its "extraordinary" character; but those factors could not lead to the conclusion that the expenses were not expenses of the Organization or that the provisions of the Charter must be disregarded. U.N. Gen. Ass. Off. Rec. 15th Sess., 5th Comm. 59 (A/C.5/SR.839) (1961).

In the same statement, the Secretary-General pointed out that this conclusion:

would in no way restrict the right of the Fifth Committee and the General Assembly to apportion ONUC expenditure among the Member States as it con-

sidered equitable, within the framework of Article 17, and without departing from the provisions of the Charter. *Ibid.*

The resolution adopted at the end of the debate was designed to give effect to both conclusions which the Secretary-General had reached. Like the UNEF resolutions, the operative paragraph of Resolution 1619(XV) employs the very words of Article 17:

The General Assembly,

. . . .

Decides further to apportion as expenses of the Organization the amount of $100 million among the Member States in accordance with the scale of assessment for the regular budget subject to the provisions of paragraph 8 below. . . .

Paragraph 8 altered the scale of assessment to reduce sharply the compulsory assessment on States less able to bear the financial burden. But the modifications in the apportionment of expenses leave untouched the proposition that the costs of ONUC were intended to be "expenses of the Organization" within the meaning of Article 17.

II. THE LEGAL CONSEQUENCE OF THE GENERAL ASSEMBLY ASSESSMENT RESOLUTIONS, INVOKING AND EXERCISING THE ASSEMBLY'S AUTHORITY UNDER ARTICLE 17, WAS TO CREATE BINDING LEGAL OBLIGATIONS ON MEMBER STATES

A. The General Assembly is empowered to create legally binding financial obligations on Member States by levying assessments for "expenses of the Organization" under Article 17 of the Charter

The previous section has shown that the General Assembly unequivocally manifested its intent to make payment of UNEF and ONUC assessments a matter of binding legal obligation. It will now be demonstrated that the legal effect of such an expression is to create a binding obligation.

1. *The language of the Charter.*—This conclusion flows from the grant of power to the General Assembly in the single governing text, Article 17 of the Charter of the United Nations. The meaning and effect of the language of the Article are confirmed by the *travaux préparatoires.*

Article 17(2) provides: "The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly." The language of the provision is mandatory: expenses "*shall* be borne." (Emphasis added.) Accordingly, the General Assembly's adoption and apportionment of the Organization's expenses create a binding international legal obligation on the part of States Members to pay their assessed shares.

The history of the drafting of Article 17(2) demonstrates that it was the design of the authors of the Organization's constitution that the membership be legally bound to pay apportioned expenses. The draft that emerged from the Dumbarton Oaks Conference provided, in Chapter V, Section B, paragraph 5: "The General Assembly should apportion the expenses among the members of the Organization and should be empowered to approve the budgets of the Organization." Doc. No. 1, G/1, 3 U.N. Conf. Int'l Org. Docs. 5 (1945).

It will be noted that the Dumbarton Oaks text did not explicitly state that the expenses "shall be borne" by the membership. Commit-

tee II/1 of Commission II at the San Francisco Conference corrected this deficiency by approving a revised text of the Dumbarton Oaks proposal which ultimately was embodied in Article 17(2): "The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly." The summary report of the 15th meeting of that Committee declares: "In taking this action, the Committee considered the view of the Advisory Committee of Jurists that a clear statement of the obligation of members to meet the expenses of the Organization should be found in the Charter." Doc. No. 1094, II/1/40, 8 U.N. Conf. Int'l. Org. Docs. 487 (1945). When, during the debate on the Committee text, the Chairman of the Committee suggested that "allocated" would be a better term than "borne", his suggestion was rejected in express reliance on the opinion of the Jurists. Doc. No. WD 427, CO/191, 17 U.N. Conf. Int'l Org. Docs. 198 (1945). See also Doc. No. WD 431, CO/195, *id.* at 236, and Doc. No. WD 268, CO/110, *id.* at 406. Article 17(2) of the Charter is the "clear statement of the obligation of members to meet the expenses of the Organization" called for by the Advisory Committee of Jurists.

The mandatory character of the English text of Article 17(2) is confirmed by a study of the Charter in its other authentic texts. The provision in the French that "Les dépenses de l'Organisation sont supportées par les Membres," in the Spanish that "Los Miembros sufragarán los gastos de la Organización," and in the Russian that

"Члены Организации несут ее расходы,"

carry the precise obligatory character so forcefully stated in the English rendering. Equally the Chinese text,

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conveys mandatory force, imparting the meaning of obligation on the part of Members.

2. *Previous usage.*—In using these words, the framers of the Charter chose language illuminated by a history of construction and practice. The very same words were used in the Covenant of the League of Nations. Originally the Covenant provided: "The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union." League of Nations Covenant art. 6, para. 5. Article 6 was later amended to read: "The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly." In both texts, there appears the injunction that expenses "shall be borne by the Members."

While the provision was in its earlier form, the Government of El Salvador disputed its obligation to pay certain assessments. In response to this contention, the First Committee of the Assembly of the League appointed a distinguished Sub-Committee of jurists, on which Sir Cecil Hurst, M. Henri Rolin, M. G. Noblemaire and M. A. H. Struycken sat. The Sub-Committee held, contrary to the contention

of El Salvador, that Article 6 imposed a binding obligation to pay the assessments. In construing the Article, the Sub-Committee relied on

> the general principle, a principle applicable to all associations, that legally incurred expenses of an association must be borne by all its members in common. *Contribution of the State of Salvador to the Expenses of the League*, Report Presented to the Assembly by the First Committee, League of Nations, 3rd Ass., Plenary, vol. II, at 193 (A. 128. 1922. V.) (1922).

The Sub-Committee pointed out that the practice of the League Assembly, as expressed in its Rules of Procedure, confirmed this interpretation of the financial provisions of the Covenant.

B. The power of the General Assembly to create legally binding financial obligations is not limited by the fact that the UNEF and ONUC assessments were levied to finance activities of the organization for the maintenance of international peace and security

It can hardly be contended that the United Nations, as an organization, lacks power to finance activities in pursuit of its paramount purpose, the maintenance of international peace and security. The most that is suggested is that this power is not vested in the General Assembly. Rather, it has been maintained that, since the Security Council has primary responsibility for the maintenance of peace and security, the General Assembly lacks power to provide funds to meet expenses in this sphere.

The proposition is an obvious *non sequitur*. Moreover, it contradicts the terms of the Charter, the practice of the Organization, and available judicial precedents.

1. *The language of the Charter.*—The fiscal power of the General Assembly is exclusive. Article 17(1) of the Charter provides: "The General Assembly shall consider and approve the budget of the Organization." It is the General Assembly alone which is referred to in paragraphs 2 and 3 of Article 17. No article of the Charter allots fiscal powers to any other organ. While the powers of other organs are set forth in the Charter in some detail—particularly those of the Security Council—there is no mention of any power over finance, except in Articles 17, 18 and 19. All of these articles are found in Chapter IV of the Charter, titled: "The General Assembly."

Article 18, by requiring a voting majority of two-thirds in the General Assembly on budgetary questions, further emphasizes that it is the General Assembly which is concerned with the Organization's fiscal affairs. There is no comparable provision in the article of the Charter which is concerned with the voting of the Security Council, article 27, nor indeed in the voting provisions for any other organ established by the Charter. See Article 67 (Economic and Social Council); Article 89 (Trusteeship Council). The several official elaborations of the Security Council's voting provisions make no mention of fiscal authority. There is no mention of finance in the Statement of the Four Sponsoring Governments on Voting Procedure in the Security Council, made at the San Francisco Conference. The Provisional Rules of Procedure of the Security Council do not advert to budgetary questions. The Report of the Interim Committee of the General Assembly on the Problem of Voting in the Security Council

(U.N. Gen. Ass. Off. Rec. 3d Sess., Supp. No. 10, at 1 (A/578) (1948).), and the resolution of the General Assembly adopted in response to that Report, Resolution 267(III), make no reference to budgetary questions.

2. *The practice of the League of Nations.*—The exclusive power of the General Assembly in regard to budgetary matters builds on the experience of the League of Nations in fiscal affairs. In the Covenant of the League as originally adopted, Article 6(5), providing for approval of the budget and apportionment of expenses, did not expressly assign this function either to the League Assembly or to the Council. At first the League Council asserted fiscal authority. The Rules of Procedure of both the Council and the Assembly reflected an arrangement under which each organ had a financial role. *Rules of Procedure of the Council*, arts. 11, 12, League of Nations Off. J., Council, 6th Sess. 274 (1920); *Rules of Procedure of the Assembly*, rule 4(2)(f), League of Nations Doc. No. 20/48/143, at 3 (1921). Budget estimates were prepared by the Secretariat and submitted first to the Council; ultimate decision was taken by the Assembly.

Divided authority did not long survive in practice, and in 1926 Article 6(5) of the Covenant was amended to read: "The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly." The change confirmed that it was the Assembly which had exclusive power to determine the budget of the League and the manner in which its expenses would be apportioned among the Members. The United Nations Charter was written against the background of this history.

3. *The practice of the United Nations.*—As this Court and its predecessor have held, the practice of the parties in interpreting a constitutive instrument is a guide to that instrument's true meaning. *International status of South-West Africa, Advisory Opinion: I.C.J. Reports 1950*, p. 128; *cf.* Corfu Channel case, *Judgment of April 9th, 1949: I.C.J. Reports* 1949, p. 4; *Brazilian Loans Case*, P.C.I.J., ser. A, Nos. 20/21, at 119 (1929); see also *Contribution of the State of Salvador to the Expenses of the League*, Report Presented to the Assembly by the First Committee, League of Nations, 3d Ass., Plenary, vol. II, at 191 (A. 128. 1922 v.) (1922). The practice of the United Nations fully bears out the exclusive character of the fiscal authority of the General Assembly.

The first official interpretation of Article 17 of the Charter was by the Executive Committee of the Preparatory Commission of the United Nations. That Committee's draft of the provisional agenda for the first part of the first session of the General Assembly included an item entitled: "The provisional budget, financial organisation and methods of assessing and collecting contributions from Members." U.N. Doc. No. PC/EX/113/Rev. 1, at 18 (1945). The provisional agenda which it proposed for the first meetings of the Security Council contained no such item. The portion of the Report of the Executive Committee dealing with budgetary and financial arrangements provides: "[T]he Secretary-General, as chief administrative officer, [shall] formulate and present to the General Assembly the Budget of the United Nations. . . ." *Id.* at 96. The Report of the Preparatory Commission itself contains identical provisions with respect to agenda

and presentation of the budget. U.N. Doc. No. PC/20, at 8, 24, 104 (1945).

The General Assembly, acting pursuant to the recommendations of the Preparatory Commission, subquently adopted its Rules of Procedure, U.N. Doc. No. A/520 (1948) (subsequently revised), and the Financial Regulations of the United Nations. U.N. Doc. No. ST/SGB/Financial Rule/1 (1950). Rule 13 of the Rules of Procedure stipulates that the provisional agenda of a regular session shall include: "All items pertaining to the budget for the next financial year and the report on the accounts for the last financial year." U.N. Doc. No. A/4700, at 3 (1960). Rule 153 provides: "The General Assembly shall establish regulations for the financial administration of the United Nations." *Id.* at 27.

Pursuant to this latter provision, the General Assembly adopted the Organization's Financial Regulations by a unanimous vote. U.N. Gen. Ass. Off. Rec. 5th Sess., Plenary 384 (A/PV.305) (1950). In accordance with those Regulations, the Secretary-General has promulgated Financial Rules. Regulation 1.1 provides that: "These Regulations shall govern the financial administration of the United Nations. . . ." U.N. Doc. No. ST/SGB/Financial Rules/1, at 5 (1950). Regulation 3.4 provides that the budget estimates shall be submitted by the Secretary-General to the General Assembly. *Id.* at 6. Regulation 3.7 provides: "The budget for the following financial year shall be adopted by the General Assembly after consideration and report on the estimates by the Administrative and Budgetary Committee of the Assembly." *Id.* at 7. A rule annotating that regulation provides that, apart from the annual budget estimates, revised estimates may be submitted to the General Assembly when, *inter alia*, "approval is required as a matter of urgency in the interests of peace and security. . . ." *Ibid.* That same rule provides for the submission to the General Assembly of such estimates "in respect of decisions of the Security Council, the Economic and Social Council or the Trusteeship Council. . . ." *Ibid.* Finally, Regulations 13.1 and 13.2 restate the exclusive fiscal power of the General Assembly in these terms:

> *Regulation 13.1:* 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.
>
> *Regulation 13.2:* Where, in the opinion of the Secretary-General, the proposed expenditure cannot be made from the existing appropriations, it shall not be incurred until the General Assembly has made the necessary appropriations, unless the Secretary-General certifies that provision can be made under the conditions of the resolution of the General Assembly relating to unforeseen and extraordinary expenses. *Id.* at 33.

As the *Repertory of Practice of United Nations Organs* put it, "any resolution involving expenditures" considered by the Security Council, the Economic and Social Council, the Trusteeship Council, and committees of the General Assembly "is subject to the budgetary control set out in the Financial Regulations." 1 Repertory of Practice of United Nations Organs 522 (1955).

The foregoing practice embraces expenditures "in the interests of peace and security" as much as other expenditures. Peace and security operations have always loomed large in the Organization's activities. They include operations in Palestine, U.N. Doc. No. S/1376

(1949), Kashmir, U.N. Doc. No. S/1469 (1950), and Lebanon, U.N. Doc. No. S/4023 (1958), to name the most notable. Some were authorized by the Security Council, some by the General Assembly, and some by both Council and Assembly action. Nevertheless, in each case the expenses were included in the regular budget, processed according to the Financial Regulations, approved by the General Assembly, and assessed as a matter of obligation against the Member States. E.g., U.N. Doc. No. A/RES/1338(XIII) (1958), U.N. Gen. Ass. Off. Rec. 13th Sess., Supp. No. 5B, at 4 (A/4709) (1959).

The General Assembly is, and always has been the organ of the United Nations which approved and assessed all such expenditures as "expenses of the Organization." One searches the records of the Security Council in vain to find a single resolution which has ever purported to assess States Members for the expenses of action authorized by the Council or of other organs of the Organization. In fact, of all the resolutions adopted by the Security Council, research has disclosed only three which in any way relate to financial expenditure, and these say nothing of assessment. Indeed, they imply that financing of the activities in question is to be sought elsewhere. On 15 July 1948, the Council adopted a resolution ordering the parties to the Palestine dispute to cease fire, in which the Council: "*Requests* that the Secretary-General make appropriate arrangements to provide necessary funds to meet the obligations arising from this resolution." U.N. Doc. No. S/902 (1948). On 18 September 1948, the Council, recording its shock at the death of Count Bernadotte, resolved: "to authorize the Secretary-General to meet from the Working Capital Fund all expenses connected with the death and burial of the United Nations Mediator." U.N. Doc. No. S/1006 (1948). On 28 January 1949, in dealing with the Indonesian question, the Council adopted a resolution concerning the United Nations Commission for Indonesia which: "*Requests* the Secretary-General to make available for the Commission such staff, funds and other facilities as are required by the Commission for the discharge of its functions." U.N. Doc. No. S/1234 (1949).

It will thus be seen that, in two cases, the Council confined its reference to funds to a request to the Secretary-General to provide such funds. These evidently were to be secured in the customary fashion: either by a charge against sums already allotted to pertinent items of the budget which the General Assembly had adopted, or by a draft on the Working Capital Fund. In the third case, that concerning the death of Count Bernadotte, the Council expressly referred to the Working Capital Fund which is authorized and assessed by the General Assembly "to meet unforeseen and extraordinary expenses."

It may be added that the Military Staff Committee, established to advise and assist the Security Council, did not deal with financial expenditures in its recommendations on the basic principles to govern the organization of armed forces under Article 43. U.N. Security Council Off. Rec. 2d year, Spec. Supp. No. 1 (S/336) (1947).

In short, the practice of the Security Council, as well as of the General Assembly, demonstrates that the power to approve and apportion the budget of the United Nations is recognized to be the province of the General Assembly alone.

4. *Judicial precedent.*—This Court has confirmed that, without the action of the General Assembly, "there can be no budget." In *Effect*

of awards of compensation made by the U.N. Administrative Tribunal, Advisory Opinon of July 13th, 1954: I.C.J. Reports 1954, p. 47, 59, it said:

> The Court notes that Article 17 of the Charter appears in a section of Chapter IV relating to the General Assembly, which is entitled "Functions and Powers." This Article deals with a function of the General Assembly and provides for the consideration and approval by it of the budget of the Organization. Consideration of the budget is thus an act which must be performed and the same is true of its approval, for without such approval there can be no budget.

Judge Hackworth's dissenting opinion is wholly consonant on this point with the opinion of the Court. He elaborated the fiscal prerogative of the General Assembly as follows:

> The functions of the General Assembly as they were stated in the Dumbarton Oaks proposals were revised and elaborated at the San Francisco Conference. But throughout the discussions from Dumbarton Oaks to the signing of the Charter at San Francisco, the General Assembly was recognized as the Organ of the United Nations to which should be entrusted the overall control of the fiscal affairs of the Organization. It was given authority to "consider and approve" the budget, and to apportion among the Member States the "expenses of the Organization" (Article 17). It is both the taxing authority and the spending authority. In its relationship to the Organization it occupies a status of a *quasi* fiduciary character.
>
> In the performance of these dual functions of raising and disbursing revenue, the General Assembly acts for and on behalf of the Organization. . . .
>
> . . . .
>
> Various methods of supervising fiscal affairs of national and lesser organizations with their checks and counter-checks have been devised. In the case of the United Nations, control over both the raising of revenue and of its expenditure is vested in the General Assembly. . . . *Id.* at 83–84.

C. The power of the General Assembly to create legally binding financial obligations is not limited by the fact that the UNEF and ONUC assessments were for the purpose of financing expenditures under resolutions which, with respect to contributions of forces, are recommendatory rather than obligatory for Member States

It has been demonstrated that the General Assembly has the power to create binding legal obligations by assessment and that this power is not shared with any other organ of the Organization. It is equally clear that this power extends to operational expenses, regardless of whether Member States are legally bound to contribute forces or equipment to the operation. Indeed, it is irrelevant that, as is the case with UNEF, the basic resolution imposes no binding obligations on Member States whatsoever. Historically, the bulk of expenditures for United Nations operations has related to operations which depend for their execution on the cooperation, rather than the obligation, of Member States.

The expenditures to maintain UNEF and ONUC fall within this class. It is inexact to characterize the resolutions establishing these Forces as purely recommendatory. It is true that these resolutions impose no binding obligation on Members to contribute forces. But it does not follow from this fact that the Assembly is powerless to impose binding financial obligations to defray expenses incurred in carrying out the resolutions. For those resolutions did include directives to the Secretary-General as authorized in Article 98. And they did include decisions to establish subsidiary organs as authorized in Articles 22

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and 29. As such, they engage the responsibility of the Organization as a whole. Hence financial expenditures incurred in carrying out such directives and in maintaining such organs, even though execution depends on the cooperation of Member States, become obligations of the Organization. The General Assembly's power to levy assessments to defray "expenses of the Organization" extends to such operational obligations and is not confined to administrative expenditures of the Organization.

Article 17(1) refers to "the budget of the Organization." This means the whole budget without any limitation, as is seen by comparison with Article 17(3), which limits the Assembly's fiscal power over specialized agencies to examination of "the administrative budgets of such specialized agencies." The practice of the United Nations is equally relevant to this issue. The financial procedures, the Regulations and the rules implementing them make no distinction between administrative and operational items. Similarly, the practice, prior to the UNEF operation, of including the expenses of peace-keeping operations within the regular budget is instructive.

Again, the report of the Sub-Committee of jurists of the First Committee of the Assembly of the League in the Salvador case is illuminating. It will be recalled that, at the relevant period, Article 6(5) of the League Covenant provided: "The expenses of the *Secretariat* shall be borne by Members of the League. . . ." (Emphasis added.) El Salvador, as has been said, disputed that it was obligated to pay assessments for items which were not expenses of the Secretariat. Despite the apparent limitation in the governing language of Article 6, the Sub-Committee decided against El Salvador. It dismissed the issue, saying:

> It is difficult to understand why the Covenant mentions only the expenses of the Secretariat when dealing with the distribution of expenses. At the same time, the restricted expression employed in the Covenant cannot be an obstacle to the application of the general principle . . . that legally incurred expenses of an association must be borne by all its members in common. *Contribution of the State of Salvador to the Expenses of the League*, Report Presented to the Assembly by the First Committee, League of Nations, 3d Ass., Plenary, vol. II, at 193 (A. 128. 1922. v.) (1922).

If the assessing power of the League Assembly extended to all expenses of the Organization, despite the restrictive language of Article 6(5), the power of the United Nations General Assembly surely has a similar scope under governing language which is in terms comprehensive.

D. Summary

The discussion in Part II of this statement has been directed to establishing the following propositions:

A. The General Assembly is empowered to create legally binding financial obligations on Member States by levying assessments for "expenses of the Organization" under Article 17 of the Charter.

B. The power of the General Assembly to create legally binding financial obligations is not limited by the fact that the UNEF and ONUC assessments were levied to finance activities of the Organization for the maintenance of international peace and security.

C. The power of the General Assembly to create legally binding financial obligations is not limited by the fact that the UNEF

and ONUC assessments were for the purpose of financing expenditures under resolutions which, with respect to contributions of forces, are recommendatory rather than obligatory for Member States.

These conclusions are based on the language of the Charter, on the history of its drafting, on the practice of the United Nations under the Charter, on the experience of the League of Nations, and on the relevant judicial opinions. And these conclusions are required if the General Assembly is to have a fiscal power capable of providing financial support for the entire range of operations of the world Organization under its Charter.

The alternatives to recognizing that the General Assembly has such power are two: First, it might be contended that the Organization must finance what is its paramount function by solicitation rather than assessment. The most important means by which the Organization has thus far contributed to the maintenance of international peace and security has not been through mandatory decisions of the Security Council, but through recommendations of the Council and of the Assembly. If the implementation of such recommendations, and the functioning of the necessary subsidiary organs, were to be made dependent on voluntary contributions, the possibilities for effective action of this kind would be drastically curtailed.

Second, it might be contended that the Security Council is the organ which must authorize and levy assessments for peace-keeping activities, either alone or acting jointly with the General Assembly. As has been shown, this contention has no foundation in the provisions of the Charter, or in history, or in practice. Moreover, to adopt that contention would extend the veto and give the permanent members of the Security Council not only the intended opportunity to exert their will at the stage of substantive decision in the Council but recurrent opportunities to hobble and undercut enterprises already authorized and undertaken by the Organization.

In the view of the Government of the United States, such a result cannot be attributed to the dispositions made in the Charter for a living and growing world Organization, the United Nations. It is a cardinal rule of interpretation that an instrument should be given the meaning necessary to make it effective.

International jurisprudence—and particularly that of the Permanent Court of International Justice and its successor—has constantly acted upon the principle of effectiveness as the governing canon of interpretation. Lauterpacht, *Restrictive Interpretation and the Principle of Effectiveness in the Interpretation of Treaties*, 26 Brit. Yb. Int'l L. 48, 68 (1949).

This is especially so when the instrument being construed is a constitutional document like the Charter of the United Nations. When the Court was called upon to determine whether the United Nations has capacity to maintain an international claim, it declared:

It must be acknowledged that its Members, by entrusting certain functions to it, with the attendant duties and responsibilities, have clothed it with the competence required to enable those functions to be effectively discharged. *Reparation for injuries suffered in the service of the United Nations, Advisory Opinion: I.C.J. Reports 1949*, p. 174, 179.

Equally, in this case, the Court should hold that the Members have clothed the Organization with the fiscal competence required to enable its functions to be effectively discharged.

III. THE VALIDITY OF THE RESOLUTIONS ESTABLISHING UNEF AND ONUC IS NOT IN ISSUE, AND IN ANY CASE, IS CLEARLY ESTABLISHED

The question which the General Assembly has addressed to the Court does not put in issue the validity of the resolutions establishing UNEF and ONUC. An analysis of the structure of the question makes this clear. The Court is asked: "Do the expenditures authorized" in certain General Assembly resolutions "constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations?" Thus phrased, the question is directed to the effect of the assessing resolutions.

This construction of the question is borne out by the record of the consideration leading to the adoption of Resolution 1731 (XVI), which requested the advisory opinion. France proposed an amendment to the resolution which would have revised the question submitted to the Court as follows:

> *Were* the expenditures authorized in General Assembly resolutions 1583 (XV) . . . [etc.,] and 1263 (XIII) of 14 November 1950 *decided on in conformity with the Charter and, if so, do they* constitute "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter of the United Nations? U.N. Doc. No. A/L.378 (1961). (Amendatory language in italics.)

The delegate of France declared that adoption of the amendment would "make it possible for the Court to determine whether the resolutions of the Assembly, relating to the financial consequences of the operations of the United Nations in the Congo and the Middle East, are or are not in conformity with the Charter."

In opposing the amendment, the delegate of the United Kingdom said it

> would complicate the clear and exact question . . . framed in the draft resolution for submission to the Court. In addition, my delegation does not believe that at this juncture in the affairs of the United Nations this Assembly will wish to frame its question to the International Court in such a way as to compel the Court to consider the validity of a large number of resolutions adopted by the General Assembly itself at successive sessions and over a period of the past several years. *Id.* at 62–65.

The French amendment was rejected by a vote of 47 opposed, 5 in favor, and 38 abstentions.

In responding to the question put by the Assembly the Court need not address itself to the issue of the validity of the resolutions establishing UNEF and ONUC. The Security Council and the General Assembly, acting upon a considered judgment of their power under the Charter, authorized the Secretary-General to incur financial commitments to governments and contractors for the requirements of UNEF and ONUC. In the absence of a determination invalidating those actions, the Secretary-General was bound to execute them and third parties were justified in dealing with the Organization in reliance upon them. These dealings gave rise to lawful debts, and the Assembly must have power to assess Members to discharge those debts. Indeed, "to this extent the General Assembly has no alternative but to honour these engagements." *Effect of awards of compensation made by the U.N. Administrative Tribunal, Advisory Opinion of July 13th, 1954; I.C.J. Reports 1954*, p. 47, 59. To hold otherwise

would be to impose the risk of loss upon innocent third parties dealing with the United Nations, or upon States which have advanced goods and services in reliance upon reimbursement.

Even if the Court should believe that issues going to the validity of the underlying resolutions are germane to the question posed by the Assembly, these issues need to be approached in the light of the history of consideration and action upon the resolutions by the General Assembly and the Security Council, the political organs of the United Nations. The history is a long one. In the case of UNEF it begins in 1956; and ONUC has been in the field for almost two years. During these periods, the respective Forces have been the subject of intensive and sometimes almost continuous debate in the halls of the United Nations. The gravity of the issues and the intensity of the Organization's preoccupation with them is a measure of the seriousness of these deliberations.

UNEF was established pursuant to resolutions of the General Assembly, ONUC by action of the Security Council. In each case, the constitutive resolution was adopted by a heavy majority and without a single negative vote. At the time, neither the General Assembly nor the Security Council considered that any issue concerning their power to act should be put to this Court. By adopting the resolutions in these circumstances, the Council and the Assembly construed the Charter as granting the power thus exercised. As the Commission on Judicial Organization at the San Francisco Conference stated:

> In the course of the operatons from day to day of the various organs of the Organization, it is inevitable that each organ will interpret such parts of the Charter as are applicable to its particular functions. This process is inherent in the functioning of any body which operates under an instrument defining its functions and powers. It will be manifested in the functioning of such a body as the General Assembly, the Security Council, or the International Court of Justice. Doc. No. 333, IV/2/42, 13 U.N. Conf. Int'l Org. Docs. 709 (1945).

The interpretation that such a body gives to its own powers in practice is entitled to the greatest weight in any subsequent judicial review.

Even apart from these applicable canons of construction, the validity of resolutions establishing UNEF and ONUC is so clear as not to warrant extended analysis. The resolutions were adopted in the exercise of powers expressly granted by the Charter. The establishment of UNEF and ONUC as subsidiary organs is authorized by Articles 22 and 29 of the Charter. In the case of ONUC, which was established by Security Council resolution, substantive authority is found in the Council's "primary responsibility for the maintenance of international peace and security, ..." U.N. Charter art. 24, para. 1. In the case of UNEF, which was established by resolution of the General Assembly, the Charter is equally explicit. Article 11(2) provides:

> The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations . . . and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

Indeed, Article 10 is even broader, providing:

> The General Assembly may discuss *any* questions or *any* matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter. . . . (Emphasis added.)

The same article authorizes the Assembly to "make recommendations to the Members . . . on any such questions or matters."

The sole limitation on this power is specified in Article 12 which precludes the Assembly from making recommendations with regard to any dispute, "While the Security Council is exercising . . . the functions assigned to it in the present Charter" with respect to that dispute. It is not contended and could not be contended that the exception is applicable in this instance.

Nor does the last sentence of Article 11(2) operate to limit the Assembly's power in this situation. That sentence specifies that any question relating to the maintenance of international peace and security "on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion." Paragraph 4 of Article 11 states expressly that that Article is complementary to rather than a limitation upon Article 10. Accordingly, the sentence in question can only be read as requiring reference to the Security Council where, in the judgment of the General Assembly, the dispute cannot be dealt with by a resolution of the Assembly but would require action of a mandatory character, and therefore a decision of the Security Council. Both as to UNEF and ONUC, the constitutive resolutions, insofar as they are directed to Member States, are essentially recommendatory in character. The contributions of troops and supporting equipment are voluntary. The presence of those forces in the field is with the consent of the host countries. U.N. Gen. Ass. Off. Rec. 13th Sess., Annexes, Agenda Item No. 65 at 8, (A/3943) (1958), U.N. Security Council Off. Rec. 15th year, 873d meeting 5 (S/PV.873) (.960).

IV. CONTRARY CONTENTIONS ADVANCED IN DISCUSSIONS OF THE GENERAL ASSEMBLY AND ITS SUBORDINATE ORGANS ARE UNPERSUASIVE

In the course of United Nations debates, a minority of Members have advanced miscellaneous arguments against the legally binding character of the assessments which have been levied to finance UNEF and ONUC. Some of these arguments have been dealt with above. It may be useful at this juncture, however, to summarize and dispose of these contentions.

(1) It has been said that UNEF and ONUC assessments are distinct from the "regular" United Nations budget and that, accordingly, they fall outside the mandatory scope of Article 17(2).

To recapitulate what has been said above, first, UNEF and ONUC assessments, while not part of the so-called "regular" budget, are part of the budget of the Organization. They are simply distinct accounts of that budget established for accounting convenience. They are as much "expenses of the Organization" as is the Working Capital Fund which is also assessed by special resolution, apart from the "regular" budget. Second, the resolutions appropriating funds for UNEF and ONUC prescribe, in the case of UNEF, that its expenses

"shall be borne by the United Nations," and, in the case of ONUC, explicitly recognize that its expenses are "expenses of the Organization" within the meaning of Article 17.

(2) A second argument against the binding character of the assessments in question is this: The Assembly, it is said, is not authorized to adopt binding decisions. It may only adopt recommendations. Recommendations lack legally binding force. Accordingly, it is contended, the Assembly cannot adopt binding assessment resolutions to finance recommendations that are not binding.

In reply, it should first be noted that the General Assembly is authorized to adopt binding resolutions in some spheres. A resolution of the General Assembly admitting, suspending, or expelling a Member is binding. A resolution of the General Assembly electing a member of the Security Council or other Councils is binding. A resolution of the General Assembly appointing the Secretary-General is binding. A resolution of the General Assembly giving directions to the Secretary-General is binding. Most pertinently, budgetary resolutions of the General Assembly are binding, as the mandatory language of Article 17(2) demonstrates. As one commentator has put it:

> Perhaps the most important group of resolutions [that have binding force] falling within this first category of specifically enumerated powers are those authorized under Article 17 of the Charter which establishes the General Assembly as the financial authority of the United Nations with the power to consider and approve the budget of the Organization and apportion expenses among the Member states. Resolutions adopted within the purview of this Article not only create obligations binding upon Member states, but are sanctioned by the denial of the right to vote in the General Assembly to a Member which is in arrears in the payment of its financial contributions. Authority over the budget, in addition, offers to the General Assembly the possibility of effective control over the activities of the Organization. Sloan, *The Binding Force of a "Recommendation" of the General Assembly of the United Nations*, 25 Brit. Yb. Int'l L. 1, 4–5, (1948). (Footnote omitted.)

Second, the budgetary provisions of the Charter make no distinction between expenses occasioned by recommendatory resolutions and other expenses. In pursuance of Article 17, the Assembly has regularly approved items in its budget to finance recommendatory resolutions. If the United Nations lacked that authority, it is difficult to see how most of its customary activity under the Charter could be supported.

(3) A third argument has been put in the form of the following syllogism which purports to demonstrate that expenses arising from UNEF and ONUC are not "expenses of the Organization" within the meaning of Article 17(2):

(a) All "expenses of the Organization" within the meaning of Article 17(2) are subject to the sanction provided for in Article 19.

(b) Expenditures such as those arising from UNEF and ONUC were excluded by the San Francisco Conference from the sanction provided by Article 19.

(c) Accordingly, these expenditures are not "expenses of the Organization" within the meaning of Article 17(2).

The syllogism fails because its minor premise is wholly erroneous. The sole support for this premise is an amendment introduced by Australia in Committee II/1 at the San Francisco Conference, which read:

> A member shall have no vote if it has not carried out its obligations as set forth in Chapter VIII, Section B, paragraph 5 [of the Dumbarton Oaks proposals]. Doc. No. 808, II/1/34, 8 U.N. Conf. Int'l Org. Docs. 470 (1945).

Chapter VIII, Section B, paragraph 5 corresponds to Article 43 of the Charter. Committee II/1 postponed discussion of the Australian amendment and the amendment was later withdrawn. The syllogism presupposes that it was the function of Chapter VIII, Section B, paragraph 5 (now Article 43 of the Charter) to provide for the financing of such operations as UNEF and ONUC. In fact, Article 43 serves no such function. That article calls on Members of the United Nations

to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

The Australian amendment was, in reality, an attempt to extend the sanction which Article 19 provided for the failure of a State to meet its financial obligations to a wholly different area, namely, the failure of a State to meet the obligations imposed on it by an agreement under Article 43.

Moreover, the syllogism depends, for its efficacy, on the assumption that the failure to act on the Australian amendment, and its subsequent withdrawal, was tantamount to a rejection of the amendment. But the assumption is unsound. The unexplained withdrawal of an amendment, without action having been taken on it, does not give rise to any inference as to the meaning of the text adopted.

Lastly, it should be noted that the Government of Australia has officially affirmed that its position at San Francisco was that all United Nations expenses arising out of decisions of United Nations organs were to be borne by the Members, and created binding obligations upon them. U.N. Gen. Ass. Off. Rec. 15th Sess., Fifth Comm. 60 (A/C.5/839) (1961).

(4) Still another argument that has been advanced in opposition to the binding character of UNEF and ONUC expenses is that, in the case of UNEF, its costs should be met by the so-called "aggressors," and, in the case of ONUC, by parties having a particular interest in the Congo.

The reply to this argument is plain. The Charter provides that the expenses of the Organization "shall be borne by the Members as apportioned by the General Assembly." The language contemplates a policy judgment by the Assembly. Arguments as to the considerations bearing on that judgment, therefore, should be addressed to the Assembly and not to this Court.

(5) One last argument may be recapitulated and rebutted. It is that UNEF and ONUC represent "action" for the maintenance of international peace and security which is exclusively within the competence of the Security Council under Articles 11, 43, and 48; that the General Assembly lacks competence in the sphere of peace and security; that the financial procedures of the United Nations must conform to this alleged distribution of substantive powers; and that, consequently, the authority of the General Assembly under Article 17(2) does not extend to the financing of such operations.

To this contention there are three answers. First, the Security Council does not have exclusive competence in the field of maintaining peace and security. Article 11(2) expressly gives the General As-

sembly power to discuss questions and make recommendations in this field. The reference in the last sentence of Article 11(2) is to "action" having mandatory force, if and when such action is needed, as determined by the General Assembly. No such "action" is involved in these cases. Second, as has also been shown above, the establishment of UNEF by the General Assembly and the directions given to ONUC by the Assembly are within the Assembly's powers. Accordingly, their financing is within the Assembly's power. Third, while the right of the Security Council to make decisions under Articles 43 and 48 is unquestioned, once the Council has taken a valid decision under these or any other articles which gives rise to financial obligations, these costs are "expenses of the Organization" within the meaning of Article 17(2). Accordingly, they must be approved and apportioned by the General Assembly.

Conclusion

For the reasons advanced in this statement, the Government of the United States of America respectfully submits that the expenditures authorized in the resolutions of the General Assembly enumerated in the question submitted to the Court "constitute 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter of the United Nations."

APPENDIX D

ORAL STATEMENT BY ABRAM CHAYES, LEGAL ADVISER, DEPARTMENT OF STATE, UNITED STATES OF AMERICA,[1] TO THE INTERNATIONAL COURT OF JUSTICE ON THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE UNITED NATIONS

May it please the Court: The issue before the Court is whether the United Nations has legal authority to raise funds for the accomplishment of its paramount purpose, the maintenance of international peace and security.

It has been rightly said here that the question upon which the General Assembly has asked your advice[2] is a precise and limited one. Nevertheless, its answer requires a consideration of fundamental questions of the distribution of powers within the United Nations. It has profound implications for the capacity of the Organization to survive and to realize its aims. In the view of the Government of the United States, no more important question has ever been before the International Court.

The importance of the case is witnessed by the number of Governments that have taken advantage of the opportunity under the Statute of the Court to submit views in writing and orally on the questions at issue. The Court has had the benefit of written statements on both sides of the question from 18 Governments and has, in the last 10 days, heard oral arguments, also, I am glad to say, on both sides of the question, from 8 Governments.

At this stage, there is little to be added by way of detailed exegesis to what distinguished counsel have already said. Certain remarks have been made in the course of the argument before you calling into question the conduct and the good faith of Governments represented here (including my own) and of some that are not. I reject those remarks, but I do not propose to respond to them. This is not a place where political recriminations, unfortunately common in other forums, should properly be rehashed. And such remarks are, of course, wholly irrelevant to the issues in this case. What may be useful now is to restate the essential structure of the case for an affirmative answer to the Assembly's question, and to respond to the major thrusts that have been made against that case.

The argument for an affirmative answer is straightforward. There is only one Article in the Charter dealing with financial obligations of Members, Article 17, paragraph 2. It provides: "The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly". It vests in the Organization the power, by resolu-

[1] Made before the International Court of Justice at The Hague on May 21.
[2] U.N. doc. A/RES/1731 (XVI).

tion of the General Assembly apportioning and assessing expenses, to require Member States to pay charges lawfully incurred. This is the meaning, and the whole meaning, of Article 17. It is the plain meaning of the text; it coincides with the intention of the framers of the Charter evidenced in the preparatory work; it is reinforced by the unbroken practice of the Organization under the Charter. It reflects, as a Committee of Jurists said in construing the parallel Article of the League of Nations Covenant, "the general principle, a principle applicable to all associations, that legally incurred expenses of an association must be borne by all its Members in common". (*Contribution of the State of Salvador to the Expenses of the League*, A. 128.1922. V., p. 193.)

The contention has been advanced that the term "expenses", despite its generality, must be read to mean *some* expenses rather than *all* expenses, "administrative" expenses as opposed to "operational" expenses, "normal" expenses in contrast with "extraordinary" expenses. These distinctions cannot be sustained. They are without support in the text of the Charter, in the San Francisco discussions, or in the experience of the United Nations. They cannot be applied coherently in practice. If adopted, they would lead to doubt and confusion about the financial obligations of Members, a field in which, more than most, clarity and certainty are needed for the effective functioning of the Organization. These points have been developed persuasively and in detail by others. May I simply add to the references already before the Court the Note of the Controller in the dossier prepared by the Secretary-General. This Note shows, among other things, that the Working Capital Fund of the United Nations, though not a part of the "regular" budget and though used to meet "extraordinary" expenditures, notably those for peacekeeping "operations", has been consistently provided for by assessment against the Members under Article 17. (*Note by the Controller on Budgetary and Financial Practice of the United Nations*, pp. 9–10, 25.)

The meaning of Article 17, paragraph 2, then, is this: The United Nations has the power, by resolution of the General Assembly apportioning and assessing expenses, to require the Member States to pay for expenditures lawfully made. I think there can be no doubt that that power was exercised in the resolutions levying assessments to cover the expenditures for the Middle East and Congo Forces. It is true that, on occasion, these expenditures were characterized as "extraordinary", that assessments to cover them were not made in the regular budget, that they were charged against an *ad hoc* or special account. On the basis of these factors, it has been suggested to the Court that the General Assembly was not acting to impose the obligation of payment upon Member States for the assessments made in the resolutions.

Direct expressions to the contrary are many and weighty and have been cited to the Court. But put these aside. Read the financing resolutions together, one after the other. Read especially the operative portions rather than the preambular material. Consider the form in which they are stated, the sharpness of the distinction they make between the voluntary contributions they solicit and the assessments they exact. See the concern they show for the burden upon poorer Members caused by the financial obligations imposed. All this

is utterly at odds with the notion that the Assembly did not intend to exercise its power to impose binding assessments. On the other hand, all of the circumstances adduced in support of that notion can be, and have been, explained in terms that are fully consistent with the intention of the Assembly to exercise its power to bind.

If the Assembly has power under Article 17 to impose binding financial obligations for all expenditures lawfully incurred, and if it is granted that the Assembly intended to exercise that power, then the only argument that remains against the binding character of the assessments is that they were not levied to cover expenditures *lawfully* incurred.

A review of the written and oral arguments for a negative answer to the question before the Court reveals that the main thrust of these submissions is indeed directed at the legality of the expenditures themselves; the legality, that is, of the activities giving rise to them.

To what extent, if any, is this question of lawfulness open, assuming, as I think everyone does, that there is no doubt about the formal regularity of the assessing resolutions?

A number of my colleagues have taken the position that the Court need not and should not inquire into the validity of the underlying resolutions establishing and regulating the Congo and Middle East Forces, except, perhaps, to assure itself that these resolutions are not "manifestly invalid". They point to the language of the resolution putting the question to the Court, and to the debates preceding its adoption, as showing an intention that the Court's inquiry should confine itself to the legal effect of the assessing resolutions alone.

The United States is in full agreement with this position. Certainly, the Assembly had no desire to cast doubt on the validity of its own actions over a five year period. The Court can, in my view, decide this case without an investigation into the power of the Assembly and the Security Council, under the Charter, to adopt the resolutions establishing and governing the Congo and Middle East Forces. If it can do so, it is bound to do so, both by the terms of the resolution putting the question and on general principles of constitutional adjudication which prescribe that issues of constitutional power should be passed upon only when that is essential to the decision of the case.

The first way by which to avoid considering the validity of the underlying resolutions is simply to assume that they are valid. The Assembly has the right to define its questions as it chooses, so long as the limitation does not stultify the Court's processes. If it does not wish its actions called in question, it may ask the Court to consider the effect of the assessing resolutions on the assumption that the underlying resolutions are valid. The Court should accept that assumption, at least where it does not do violence to common sense or to the Court's own sense of the requirements of adjudication. In this case, the assumption of validity is far from being absurd or farfetched or patently untenable. Quite the reverse. It is the argument against validity which is fine-spun, and relies on subtle and attenuated argumentation, elaborating limitations, supposedly implied or inherent, upon powers expressly granted. In these circumstances, the Court need not review the Assembly's own considered judgment that its actions were lawful, a judgment expressed initially when the forces were constituted, a judgment reiterated as questions of

their mission or financial support came before the Assembly, and a judgment stated finally by the precision with which the Assembly formulated its question to the Court.

Secondly, in a sense, the question of validity is logically irrelevant to the decision the Court must make. Suppose, for the sake of argument, that this Court, or some other authoritative organ, were now to determine that the resolutions establishing UNEF [United Nations Emergency Forces] and ONUC [Organisation des Nations Unies au Congo] were "unconstitutional". The decision could not erase the fact that UNEF and ONUC had existed. They existed by virtue of resolutions adopted without dissenting votes. These resolutions are themselves interpretations of the Charter holding that the actions taken are within the powers granted to the organ adopting the resolution. Until they are authoritatively set aside, persons or States dealing with the Organization in respect of matters covered by the resolutions were entitled to regard them as valid and effective, at least in the absence of an important irregularity in the procedure by which they were adopted or a substantive invalidity so patent as to amount to a manifest usurpation. If, acting pursuant to such resolutions, the Secretary-General entered into obligations committing the United Nations to pay for goods or services furnished by Member States or private persons, those obligations are binding in law upon the United Nations as an organization. It was legally obliged to repay them. And this Court has said, as to expenditures arising out of "obligations already incurred by the Organization":

> . . . the General Assembly has no alternative but to honour these engagements.

I refer to the case *The Effect of Awards of Compensation Made by the United Nations Administrative Tribunal*, I.C.J. *Reports* 1954, pp. 47, 59.

On this line of reasoning, I believe the Court may give an affirmative answer to the question put to it by the General Assembly without examining the substantive validity of the resolutions by which the Congo and Middle East Forces were created, at least insofar as those assessments are required to cover existing contractual obligations of the Organization to pay money for goods and services furnished. Since the United Nations deficit is estimated at $170 million as of 30 June 1962, while the arrearages on assessments levied under the resolutions before the Court are at most only $150 million, this analysis would lead to an affirmative answer as to all past assessing resolutions.

As I understand them, the submissions of the Governments of the Netherlands, the United Kingdom and Ireland upon this point do not differ substantially from the arguments I have just made.

Let me repeat. In the words of the Attorney-General of Ireland,

> . . . the Court is not compelled to concern itself with the question of validity and can answer the question on which advice is sought without investigating this issue.

I submit that it should do so.

But if the Court itself should conclude that it must examine the validity of the underlying resolutions in order to arrive at an answer to the question put by the Assembly, then, in my view, the resolution putting the question does not preclude such an inquiry. The written

statement of the Government of France seems to say otherwise: I quote from page 74 of the booklet of printed statements—

> . . . the question put to the Court does not enable the latter to give a clear-cut opinion on the judicial basis for the financial obligations of Member States or on the United Nations constitutional problems underlying them.

And the statement concludes, at pages 78–79:

> To sum up, the Government of the French Republic considers that the circumstances in which the Court has been consulted are not such as to make it possible to obtain the legal opinion which is considered necessary.

This, in my submission, cannot be so. The Assembly wanted advice on its question. It did not mean to put to the Court a question which it could not answer, or to place conditions upon the Court which would prevent it from answering. This was expressly stated in the debates before the adoption of the resolution. The representative of the United States said in the Fifth Committee consideration of the resolution—and I quote now from the *Official Records*, General Assembly, 16th Session, Fifth Committee, 879th Meeting, pp. 292–293:

> It was the sponsors' intention that the Court should consider the question exhaustively and in all its aspects.

The representative of the United Kingdom added in Plenary Session of the Assembly—again I quote from the 16th Session of the General Assembly, *Provisional Verbatim Record*, 1086 Plenary Meeting, A/PV 1086, at page 62:

> . . . the International Court, in considering the question which was formulated in the draft resolution recommended by the Fifth Committee, will undoubtedly be able to take into consideration all relative provisions of the Charter. Furthermore, it will of course be open, under the Statute of the Court, to any Member State that wishes to do so to submit to the Court its views on the conformity with the Charter of the decisions taken in regard to the expenditures referred to in the draft resolution. . . .

On this basis, the Assembly accepted the resolution as reported from the Fifth Committee and rejected a French amendment that would have broadened the statement of the question.

From this it follows that, if the Court should differ with the views, advanced by the Governments of the United States, the United Kingdom, Australia, Ireland and others, that the issues can properly be limited so as to avoid passing upon the validity of the underlying resolutions, then it is free to inquire into these broader questions.

Now may I digress here for a moment to deal with another challenge to the Court's competence. The South African Government contends that, and I quote from page 216 of the printed volume:

> . . . the whole question submitted for an advisory opinion could only be answered if the Court is fully informed as to the *causa* of the expenditures authorized by the relative General Assembly resolutions.

The short answer to this is that the question put to the Court deals only with "expenditures *authorized* in the General Assembly resolutions . . .". Those resolutions cannot be taken to have *authorized* expenditures for activities outside the terms of the basic resolutions establishing and governing the forces.

Since there may be circumstances in which the validity of the underlying resolutions might be considered by this Court, and since certain governments have argued the matter at length, let me address myself to their principal contentions.

These are two. According to the first, the United Nations is debarred from organizing any international force, except by the means provided in Article 43 of the Charter—that is, special agreements negotiated "on the initiative of the Security Council" to be "concluded between the Security Council and Members . . . or groups of Members". And the United Nations may not deploy any international force except as provided in Articles 44 through 48 of the Charter; that is, at the direction of the Security Council and with the assistance of the Military Staff Committee.

The second argument is that, even if the United Nations can raise an international force apart from Article 43 by voluntary contribution of troops and equipment, it must limit itself to voluntary financial contributions to support such a force.

Let me take up each of these arguments in turn.

The statement of the Government of the Czechoslovak Socialist Republic says:

> The pertinent provisions of the Charter, in particular Articles 43 and 48, provide the basis for assistance to be made available by Member States in all operations taken in the name of the Organization. . . .
>
> Any other way of undertaking actions by the Organization with the use of armed forces goes beyond the principles of international co-operation in the efforts for the preservation of peace and security, enunciated by the United Nations Charter, and can in no way establish legal obligation binding the Member States under Article 2, paragraphs 2 and 5, of the Charter.

(That is at p. 123 of the printed booklet.)

In the statement of the Government of the Union of Soviet Socialist Republics the same point is made:

> . . . Chapter VII of the Charter envisaged that it was the Security Council alone and not the General Assembly that may set up international armed forces and take such action as might be necessary to maintain or restore international peace and security, including the use of such armed forces.

(That is at p. 4 of the Soviet statement.)

Thus, according to the Soviet Union, the Middle East Force, authorized by the General Assembly, was unlawful *ab initio*. The United Nations operations in the Congo, although authorized by the Security Council, are also invalid, it says, because the procedural provisions of Articles 43 and 48 were not complied with.

The text of Article 43 demonstrates that these assertions are unsound. On its face, the Article merely establishes a procedure by which Members are, and I quote:

> . . . to make available to the Security Council, *on its call* . . . armed forces, assistance, and facilities . . . necessary for the purpose of maintaining international peace and security.

With the implementation of that procedure, the Security Council would not have to depend on volunteers, but could have required that military force be furnished to it. There is no suggestion in the text of the Article that it provides the exclusive method for raising armed forces. On the contrary, it addresses itself to a very special case, the use of armed forces without the contemporaneous consent of the Member State furnishing them.

This conclusion is reinforced by the context in which Article 43 is placed in the Charter. The subject-matter of Chapter VII is "Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts

of Aggression". Article 39 opens the Chapter by providing that the Security Council shall determine the existence of such events and shall make recommendations or take decisions to deal with them. Article 40 describes provisional measures; Article 41 provides for sanctions short of the use of force. Only when lesser measures are considered inadequate may the Security Council take action by military force "as may be necessary to maintain or restore international peace and security". What action is contemplated? I quote the Article:

> . . . demonstrations, blockade, and other operations by air, sea, or land forces. . . .

—that is, the commitment of U.N. military forces to battle.

It was to provide forces that could be requisitioned for this purpose, for military hostilities, that agreements under Article 43 were contemplated. Because such forces were subject to being committed to action by mandatory decision of the Security Council, an advance agreement ratified according to the constitutional processes of the Member States was required.

All this is underscored by the subsequent provisions of the Chapter. According to Article 44, when the Security Council "has decided to use force" it must invite participation in its deliberations by a Member before summoning its armed forces under an Article 43 agreement. Article 45 deals with "urgent military measures"; Article 46 with "plans for the application of armed force"; Article 47 provides for a Military Staff Committee, responsible for "strategic direction of any armed forces placed at the disposal of the Security Council", under Article 43; and, finally, Article 48 provides that the Security Council shall designate the Member States to take "action" required to carry out its "decisions".

Thus it is seen that the purpose of Chapter VII is to provide for the most far-reaching of the responsibilities entrusted to the United Nations—that of taking decisions binding on the Members to bring international force to bear, through active military hostilities if need be, against the will of the aggressor—indeed, to break his will.

The occasions for the exercise of such powers will be rare—they will be moments of supreme crisis. Given the magnitude of the powers envisioned, it was appropriate that they be surrounded with the elaborate procedural safeguards of Chapter VII: Security Council veto, the necessity of prior special agreements ratified by Member States, provisions for qualified membership in the Security Council, and a requirement for the exhaustion of lesser remedies. All these restrictions and safeguards are unnecessary for the more usual range of peace-keeping activities authorized by Articles 11 and 24, even when the instrumentality employed may be men of the armed forces of Member nations.

Activities outside the purview of Chapter VII involve no "action" to carry out "decisions" binding on Member States. I use those terms "action" and "decision" in the special sense they have in Chapter VII. The States concerned, when action is taken outside Chapter VII, would have to consent to those activities in each particular case, either by supplying forces or by admitting them to their territory. This safeguard of contemporaneous consent is adequate to the case.

The special and unique possibility provided in Chapter VII for taking binding decisions for action, including military action, against an aggressor was thought to be the salient advantage correcting the salient weakness that had doomed the League of Nations to ineffectiveness. Speaking in Plenary Session at San Francisco, the Rapporteur of the Committee on Enforcement Measures, M. Paul-Boncour, made this clear (and I quote at some length from his statement, which is to be found in Vol. I of UNCIO [United Nations Conference on International Organization, *Documents*] at p. 688. The emphasis in the quotation is the Rapporteur's) :

> When everything possible has been done to maintain peace, if the aggressor persists in his purpose, there is only one way to oppose him, and that is by *force*. But the Covenant of the League merely provided for the recommendation of military sanctions involving air, sea, or land forces, and consequently left the nations the option of backing out.
>
> Today this flaw has been eliminated. In the Charter sanctioned by this plenary assembly . . . the *obligation* for all Member States to help in suppressing aggression is plainly established. An international force is to be formed and placed at the disposal of the Security Council in order to insure respect for its decisions. This force will consist of national contingents arranged for in advance by special agreements negotiated on the initiative of the Security Council. These special agreements will determine the composition of this force, its strength, degree of preparedness, and location. If called upon to do so by the Security Council, the entire force will march against a State convicted of aggression, in accordance with the provisions for enforcement as laid down by the Security Council.

In the event, of course, it has not turned out that way. The Security Council has never taken a binding decision to use force under Article 42 and has never negotiated an agreement under Article 43. But the Charter meant to *add to* and *reinforce* the peace-keeping powers of the League, not to subtract from them. There was no desire to withdraw the power of recommendation of military sanctions involving land, sea or air forces. There was no purpose to shackle these other peace-keeping enterprises with limitations and restrictions designed solely for the terrible eventuality of a war against aggression. It was San Francisco's intention to eliminate the "option of backing out" that M. Paul-Boncour described in the League Covenant, not the option of coming in.

Now, I should like to recall to the Court that voluntary peace-keeping operations not unlike those here under consideration were undertaken by the League of Nations from its earliest days.

In 1920, a dispute involving considerable fighting broke out between Poland and Lithuania over possession of the city of Vilna. The League Council proposed, and Lithuania and Poland agreed, that the inhabitants of Vilna and its province should themselves decide whether to belong to Poland or to Lithuania. The vote was to be organized by the League. Polish troops, which had occupied Vilna, were to be replaced by an international force acting under the orders of the League Council. A number of Members of the League were invited to contribute a company each to the proposed international force and nine countries agreed. The international force, consisting of some 1,500 men, did not actually enter upon the disputed territory, but preparations for its organization and dispatch were far advanced and considerable expenses were incurred on the strength of the Council's resolutions. I should say that the reason the force did not enter upon the disputed territory was the objection of a neighboring nation—a factor not present in the Middle East and Congo operations.

How were the expenses incurred in the preparation of the force borne? The budget submitted to the League Assembly indicates that the expenses of the force in the amount of 422,260 gold francs, were borne not by the States contributing the troops, but by the League. (Chapter 3 of the Budget for 1924, League of Nations Document A.4(2).1923.X., at page 6; Item: "Reimbursement of expenses incurred by Denmark, Norway and Sweden in 1920 for the establishment of an international force for the conducting of the proposed plebiscite in Vilna".)

The history of the League of Nations also provides an example of a voluntary international force that was not only proposed and incurred expenses, but actually discharged its duties in full. You will recall that in 1935 a plebiscite was held to determine whether or not the Saar should rejoin Germany. The League Council decided that an international force was needed to ensure order during the plebiscite period. Accordingly, at the end of 1934, an International Force of 3,300 men was established. Its entry into the Saar was with the agreement of the Governments of Germany and France. Contingents were voluntarily contributed by Britain, Italy, Sweden and the Netherlands. These facts appear from the resolution of the League Council of 8 December 1934. (*Official Journal*, 1934, p. 1730.) Like the Council resolution establishing the Vilna force, this resolution made no reference to the sole article of the Covenant, Article 16, that provided for recommendations on the use of armed force. The resolutions in both cases were of course approved unanimously by the Council Members. The expenses of the Saar force, over and above the normal costs of the troops already provided for in the national budgets of the Governments contributing them, were not met by those Governments, but were charged to the fund for expenditure in connection with the plebiscite. (*Ibid.*, pp. 1762–63, 1841–42.) The international force for the Saar performed its duties with conspicuous success.

The possibility of voluntary contribution of military force was not only sanctioned by the practice of the League, it was recognized in discussions of the United Nations almost from the beginning. You will recall the construction of the Charter put forward by the Secretary-General in the Trieste case in 1947, already read to the Court by M. Cadieux. (Security Council, *Official Records*, 2nd year, 91st Meeting, pp. 44–45.) There the Secretary-General maintained that, in the light of its broad responsibilities under Article 24, the Security Council was not restricted to powers specifically enumerated in the Charter. The Council, acting on this construction, accepted the Trieste instruments there in question by a vote of 10–0 with one abstention, on the understanding, as expressed by the Secretary-General, that the powers enumerated in the Charter, and I quote:

> . . . do *not* vest the Council with sufficient authority to undertake the responsibilities imposed by the instruments in question.

Thus the Council must have acted on the view of its implied powers set forth by the Secretary-General.

A year later, when the Palestine partition plan was under discussion, the Secretary-General explicitly applied this view of the Security Council's powers to the question of raising armed forces. I refer to a working paper prepared by the Secretariat for the United Nations

Palestine Commission covering, among other things, the question of providing an international force to implement the partition plan. In it, the Secretary-General addressed this issue.

> Under what conditions the Security Council may employ an international armed force.

The paper recognizes that:

> The Security Council might employ an international force in the Palestine case . . . in virtue of Article 42 of the Charter. . . .

To do so, it says, the Council should find as a precondition "the existence in Palestine of a threat to the peace, a breach of the peace or an act of aggression." But it could *also* raise an international force *apart* from Chapter VII. The General Assembly "had *requested* the Security Council, *inter alia*, to take necessary measures as provided for in the plan for its implementation." And this aspect of the Assembly's resolution, taken in conjunction with Article 24 of the Charter, would authorize the recruitment of an armed force. The Secretary-General concluded, and referred expressly to the interpretation in the Trieste case, that this course would be followed by the Security Council only "after previously having reached the conclusion that no threat to the peace, breach of the peace or act of aggression had occurred"—that is to say, when the necessary precondition for action under Chapter VII was absent. "An international armed force set up on this basis", said the Secretary-General, "would not be one in the sense of Chapter VII of the Charter. It would have the character of an international police force for the maintenance of law and order in a territory for which the international society is still responsible." (The document is A.AC.21/13, 9 February 1948, pp. 8–11.)

Again, in 1948, after the assassination of Count Bernadotte, the Secretary-General proposed the establishment of a United Nations Guard. The Guard was to be directly recruited and equipped by the Secretary-General, was to serve under his instructions, and was to be financed out of the regular United Nations budget. Although the United Nations Guard itself did not materialize, the United Nations Field Service, so recruited, so directed, and so financed, was derived from this conception. It is in action today with UNEF and ONUC, as well as on other U.N. missions.

Finally, the Uniting for Peace Resolution,[3] adopted in 1950 by a vote of 52–5, with 2 abstentions, foresaw the establishment of international forces on a voluntary basis and outside the scope of Article 43. Indeed agreement on a procedure for establishing such forces was one of the prime purposes motivating that resolution.

In all this, I have the feeling I have been belabouring the obvious. For certainly a sovereign state may volunteer its armed forces for any purpose whatever, so long as it does not trench upon the right of any other sovereign and so long as it obtains the consent of those through or upon whose territory the forces operate. A State, or group of States, would be free, if the necessary consents were obtained, to use its forces to maintain the peace, as the Middle East and Congo Forces are now being used. The United Nations Charter does not limit that right. And surely what States might band together to do outside the United Nations, it is not forbidden that they do through the mech-

[3] For text, see Department of State Bulletin of Nov. 20, 1950, p. 823.

anism of that Organization whose primary purpose is the maintenance of international peace and security.

I shall not devote much time to the question whether, once we are satisfied that the procedures of Article 43 are not themselves exclusive, the Security Council *nevertheless* has the sole right to maintain armed forces for peace-keeping operations to the exclusion of the General Assembly. The Charter provisions are plain. The Security Council's responsibility for the maintenance of peace and security is "primary", not exclusive. The General Assembly, under Articles 10 and 11, has full authority to make recommendations on questions relating to the maintenance of international peace and security. There are only two exceptions. It may not consider such questions while the Security Council is itself so engaged and it must refer to the Council those questions on which "action" is required—that is to say, action pursuant to decisions binding the Members, which the Security Council alone can take. Neither of these exceptions applies to recommendations for the contribution of forces and for their use with the consent of the States concerned, where, as with UNEF, the Security Council is not seized of the matter at the time the resolution is adopted.

For the establishment of an armed force at the call of the Security Council, in accordance with its binding decisions, Article 43 provides the only procedure, true. But the Court will search the Charter in vain to find any prohibition against *voluntary* use of armed force upon the recommendation of either the Council or the Assembly, and with the consent or at the request of nations whose security is threatened. And the Court will be slow to rule that, in adding to the arsenal of powers available to the United Nations the supreme power to order mandatory application of military force, the framers of the Charter withdrew or restricted well-known powers of a lesser character based on the consent of all interested parties.

This leads us to the second argument against the validity of the underlying resolutions of the General Assembly and the Security Council establishing the forces in question—an argument, on the surface, less sweeping than the one we have just considered. The argument grants that the United Nations could, either through the Security Council or the General Assembly, recommend that Member States contribute forces for the use of the Organization. But how, it asks, can the Organization compel a Member to pay for the expenses of forces that it could not compel that Member to contribute? Voluntary forces, it concludes, must be financed by voluntary contributions.

This is basically the argument put forth in the letter to the Court from the Government of the French Republic. Quoting its representative in the General Assembly debate on the Advisory Opinion Resolution, the letter says:

> Firstly, the General Assembly has not the right, merely by voting on a budget, to extend the competence of the United Nations; . . . .
>
> Secondly, in the case of any United Nations organ, the power to make recommendations to Member States is not sufficient to impose upon them any form of obligation.
>
> Thirdly, the legal power to make recommendations to Member States does not include permission to create, by the circuitous method of a direction addressed to the Secretary General . . . any obligations for the States. (p. 75)

But the argument proves too much. Carried to its logical conclusion, it would mean that the Organization could not compel its Mem-

bers to pay for anything, except expenditures flowing from binding decisions of the Security Council. With the exception of such decisions, *all* actions of the Organization are either recommendations to the Member States or directions to the Secretary-General or other subsidiary organs; and, in the French view, these cannot give rise to binding financial obligations. The French submission recognizes that such a conclusion is untenable. Thus, it is led to assert the distinction between administrative and operational expenses which, as appears elsewhere, is unwarranted in the language or history of the Charter and would be unworkable in practice.

More fundamentally, in my view, the French argument puts the case the wrong way. The United Nations can pay for what it is empowered to do. If it can accept volunteers, it can defray the financial obligations generated by the activities of those volunteers.

In the case before the Court, the fact that the United Nations could not compel Members to contribute contingents to an international force is beside the point. It was not obliged to appeal to States for such contingents. This was a convenient way to proceed, but not the only way. The Assembly might have chosen to raise the force by direct recruitment. To do so, it might have needed the consent of individual States to pursue recruiting activities on their soil, or with respect to their nationals; and it would have needed the consent of the States on whose soil the recruits were to be housed, trained or used. But if those consents were obtained, it is hard to see what would prohibit the Organization from raising such a force and, if it did so, from paying for it by assessment. Indeed, just this process was contemplated for the establishment of the proposed United Nations Guard to which I have referred.

Member States do not find their protection against such action—if protection is needed—in legal strictures of the Charter, but in the political requirement of a two-thirds majority in the General Assembly both to initiate the action and to make the necessary financial arrangements. If these majorities can be mustered; if the activities engaged in are immediately related to the express purposes of the United Nations; if they are approved in due course according to the regular procedures of one of its organs having competence over the subject matter; if they do not contravene any prohibition of the Charter nor invade the sovereign powers of individual States—if conditions such as these are satisfied, I can perceive no reason why the United Nations should be prohibited from levying assessments to pay for goods and services needed for those activities. The goods and services may be furnished by States Members. Often they will be furnished by private agencies or individuals. In neither case could the United Nations *require* that they be made available. But I do not see why, in either case, this should militate against the Organization's power to raise money by assessment to pay for them.

Thus, in my view, the French argument falls to the ground. It may have a certain plausibility to say that, if the Organization cannot compel a State to contribute forces, it cannot compel it to pay for forces contributed by others. But it would be equally plausible and equally erroneous to say that, since a national Government cannot compel one of its citizens to work on a dam, it cannot tax him to pay for the work of others.

If any inquiry at all is to be permitted into the validity of the underlying resolutions establishing UNEF and ONUC, it must be directed to the substantive question: what can the United Nations do? What it can do, it can finance under the provisions of Article 17.

Mr. President, Members of the Court: The framers of the Charter and the people of the nations adopting it resolved together "to save succeeding generations from the scourge of war". They named the first object of their efforts: to maintain international peace and security. This Court in deciding this case will also decide, in large measure, whether they succeeded.

Mr. Justice Oliver Wendell Holmes said in a great case on the treaty power under the United States Constitution:

> . . . when we are dealing with words that also are a constituent act, like the Constitution of the United States, we must realize that they have called into life a being the development of which could not have been foreseen completely by the most gifted of its begetters. It was enough for them to realize or to hope that they had created an organism; . . . . The case before us must be considered in the light of our whole experience and not merely in that of what was said a hundred years ago. . . . (*Missouri* v. *Holland*, 252 U.S. 430, 433 (1920).

The question before the Court must be addressed in the light of the whole experience of the United Nations Organization. What is that experience?

The innovation of the Charter, the power of the Organization acting through the Security Council to compel the contribution of military forces for military action against aggressors, this innovation was stillborn. If it had been the only method available to the Organization for using armed forces to meet threats to the peace, it may be said with some confidence that the worst of such threats would have remained unmet, and the Organization might now be in the same state as was the League of Nations fifteen years after its establishment.

Instead, however, a power that *was* available to the League, the power to take voluntary collective measures using troops of Member States as instruments in appropriate cases, that power took on a new vitality in dealing with the kind of threats to the peace we have had in the post-war world. By discriminating but imaginative use of this power, through 15 years and under 3 Secretaries-General, the Organization has been able to carry out its first purpose, to keep the peace. In Palestine and Kashmir, on the Gaza strip, in Lebanon, and now in the Congo, armed contingents contributed voluntarily by their own Governments and acting with the consent of all States concerned have operated successfully under the flag and the command of the United Nations to safeguard international peace and security. In Korea, a United Nations force of national contingents, furnished without the compulsion of a Security Council decision, fought successfully to restore the situation as it existed before hostilities began.

The Court is asked to ignore this history, to strike down the one method by which experience has shown the United Nations can effectively summon military forces to deal with threats of aggression and breaches of the peace. The Soviet argument would reject this method out of hand. It would confine the Organization exclusively to the Chapter VII procedures which experience so far has shown to be sterile and useless. The French submission would accomplish the same result, not by prohibiting entirely the establishment and opera-

tion of United Nations forces outside the purview of Chapter VII, but by cutting off the possibility of financing such forces through assessments under Article 17. I said a moment ago that what the United Nations can do, it can pay for. The converse is also true—what it cannot pay for, it cannot do. The French position, equally with the Soviet, would bring to an end the use of United Nations forces for peace-keeping missions.

Mr. President, Members of the Court, if I may be permitted to refer again to the court I know best, the Supreme Court of my own country, it is, like this one, a custodian of a great charter granting and allocating political power to be exercised in pursuit of large purposes.

One of the early historic cases to come before that Court was *McCulloch* v. *Maryland*. That case too concerned the fiscal power granted by the Constitution to the entity which it had created. The question was whether the Federal Government had power to incorporate a central bank—to establish a subsidiary organ—when neither the power to incorporate nor the power to engage in banking were expressly granted in the words of the Constitution.

Chief Justice Marshall, the first great Chief Justice, wrote the decision in that case. He said:

> A constitution, to contain an accurate detail of all the subdivisions of which its great powers will admit, and of all the means by which they may be carried into execution, would partake of the prolixity of a legal code, and could scarcely be embraced by the human mind. It would, probably, never be understood by the public. Its nature, therefore, requires, that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects, be deduced from the nature of the objects themselves. . . . In considering this question, then, we must never forget, that it is a *constitution* we are expounding. (3 *Wheaton* 406 (1819).)

This injunction—we must never forget it is a constitution we are expounding—is classic in American jurisprudence. It is, indeed, as the Attorney-General of Ireland remarked the other day, a general principle of law recognized by civilized nations. The principle found expression in the jurisprudence of this Court when it said:

> Under international law, the Organization must be deemed to have those powers which, though not expressly provided in the Charter, are conferred upon it by necessary implication as being essential to the performance of its duties. (*Reparations for Injuries Suffered in the Service of the United Nations*, I.C.J. *Reports* 1949, pp. 174, 182).

The Court needs no reminder that it is dealing with a constitutive instrument, regulating, within its scope, important relations among men and nations, meant to endure for many years, designed to promote great ends and intended to grant powers adequate to serve the purposes for which it was established. The constitution we are expounding here must contain within it the authority to mount and support the actions by which, in the years since its adoption, the United Nations has successfully defended a precarious peace.

It remains only to thank you, Mr. President, and Members of the Court, for myself and, if I may, on behalf of my colleagues, for the patience and courtesy with which you have heard us.

APPENDIX E

(The following statements have been submitted for inclusion in the record:)

NEW YORK, N.Y., *June 6, 1962.*

Dr. THOMAS E. MORGAN,
Chairman, House Foreign Affairs Committee,
Capitol Building, Washington, D.C.

DEAR CONGRESSMAN MORGAN: As chairman of the meeting which took place at town hall, New York City, May 24, 1962, I have been instructed to forward to you the following resolution which we request to be read into the minutes of the hearings on United Nations bond issue legislation.

"We believe that we speak for the vast majority of not only New Yorkers but Americans throughout the country when we say that the issue is clear: The basic principles of the United Nations must be supported as the rule of law is the only guide in a civilized society. The alternative results would be chaos with a disastrous increase in world tension. We not only speak for ourselves but for our organizations, each of which has either in full membership meetings or at executive sessions voted unanimously to support the administration request for passage of the United Nations bond issue legislation for the full amount of $100 million.

"Signed by: Charles Cogen, President, American Federation of Teachers Local 2, AFL–CIO; Frank E. G. Weil, Regional Vice Chairman, American Veterans' Committee; Morton Bahr, Area Director, Communication Workers of America; Charles Kinsolding, District Leader, Murray Hill Citizens First A. D. North Regular Democratic Club; Woody Kingman, President, the Ninth A. D. Republican Club; Anthony Mazzocchi, Oil, Chemical and Atomic Workers International Union, Local 8149; David Livingston, President, Retail Wholesale Department Store Union, District 65; Jerry Wurf, Executive Director, District Council 37, State, County, and Municipal Employees; Jack Casey, Jr., Commander, the Willard Straight Post No. 842, American Legion; Arthur I. Blaustein, Executive Director, United World Federalists, New York."

ARTHUR I. BLAUSTEIN,
Executive Director, United World Federalists,
New York Metropolitan Area.

AMERICAN FEDERATION OF LABOR AND
CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., July 3, 1962.

HON. THOMAS E. MORGAN,
Chairman, House Foreign Affairs Committee,
House Office Building, Washington, D.C.

DEAR CHAIRMAN MORGAN: The fundamental rights so eloquently expressed at the founding of the United Nations in 1945 are of the deepest concern to trade unionists who cherish freedom and democracy. The maintenance of a strong and effective U.N. is imperative if these rights are to be preserved and extended to all the peoples of the world.

Recent Soviet Union attempts to sap the power and paralyze the effectiveness of the U.N. illustrate the urgent need for renewed vigor in U.S. support.

The AFL–CIO enthusiastically endorses S. 2768 which provides the authorization for purchase of U.N. bonds. Not only does this bill indicate continuing support for the U.N. principles, but also for the preservation and promotion of the U.N. as an effective working body.

We strongly urge your committee to report out this bill and to lead the House in passing S. 2768 with an overwhelming majority.

A copy of a resolution adopted by the AFL–CIO executive council on this question is enclosed. We would appreciate its enclosure in the hearings of S. 2768.

Sincerely yours,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

STATEMENT ADOPTED BY THE AFL–CIO EXECUTIVE COUNCIL ON FEBRUARY 20, 1962

As trade unionists who cherish freedom and democracy, we are deeply disturbed by the serious damage the U.S.S.R. has inflicted on the efforts of the United Nations to insure protection of fundamental human rights so vigorously proclaimed as its goal when it was founded in 1945.

In view of the repeated Soviet attempts either to control or paralyze the United Nations, and of the deteriorating international situation, it is most urgent for all democratic countries to make the U.N. increasingly effective in advancing the aims specified in its charter.

In the light of this situation, the AFL–CIO enthusiastically supports the present proposal before the Congress that the United States should purchase up to $100 million of the needed U.N. bonds to finance its activities.

STATEMENT BY MRS. ERMINIE KING WRIGHT, REPRESENTING GUARDIANS OF OUR AMERICAN HERITAGE OPPOSING U.N. LOAN LEGISLATION

Opposition to additional financing of United Nations operations by the United States is increasing and much of the opposition is coming from those who actually support the United Nations or some of its projects.

There are many reasons for opposing U.N. loan legislation, some of which we list as follows:

I

The United Nations was established as an agency to bring peace to the world. As such it has failed miserably, for fighting continues to break out all over the globe.

II

It has failed as an agency for the conduct of diplomacy among nations as shown by the fact that representatives of our Government are constantly traveling all over the world for conferences with representatives or heads of other governments.

III

The so-called peacemaking operations of the United Nations have been through military might on a one-sided basis.

Because of pressure from the United Nations, the Belgians left the Congo and granted independence to tribes not yet ready for self-government.

When the Russians moved in the United Nations did nothing.

However, when Katanga—the rich, advanced, anti-Communist province—wanted to remain independent the United Nations turned its troops on Katanga to force this province back into the pro-Communist general government of the Congo.

Although called an agency of peace, the United Nations forces in the Congo killed and maimed men, women, and children which our missionaries were trying to convert from barbarism.

IV

Whereas Katanga was denied its independence, other African tribes, incapable of self-government and lacking the wealth for the operation of a government, have been recognized by the United Nations as independent "nations," enjoying full rights of membership on an equal basis with the United States.

V

The United Nations is supposed to prevent aggression and to support self-determination, yet communism has spread at a rapid pace.

The United Nations failed to come to the aid of the Hungarian Freedom Fighters, standing by as Russia moved in with military might and subdued the unarmed fighters.

Where was the right of self-determination in the instances of Hungary and Katanga?

VI

Of the 104 members now in the United Nations, 79 are in arrears. Until more of these members have shown their good faith and their trust in the United Nations by paying their assessments, the United States, which has been by far the heaviest contributor, should not be asked to contribute further to the operations of the United Nations.

VII

Notwithstanding all the aid supplied by the United States to other nations, both direct and through the United Nations, the respect once enjoyed by our country has declined alarmingly.

In the event we provide additional funds, and in the event the "peacekeeping" operations of the United Nations continue as operations of force, such as in the Congo, will not the United States be subjected to even more criticism and resentment by other nations as well as by many of our own people?

If we continue as the main support of the United Nations, will not this agency be viewed in the eyes of the world as an agency of the United States for world conquest, conquest which we traditionally deplore?

VIII

The method by which we are being urged to supply additional aid for United Nations operations is termed "Purchase of U.N. bonds."

Bonds imply a loan secured by a mortgage on property; in the case of a government, a loan backed by the wealth of the nation.

The United Nations has no such wealth and no way of guaranteeing payment of any so-called bonds except from the contributions made by member nations.

These pieces of paper cannot rightfully be called bonds and should not be so designated.

IX

The United States is operating on a deficit budget. Its national debt is far greater than that of any other nation, perhaps already beyond hope of ever being paid off.

In view of this, it is preposterous that the United States be asked to borrow money at 4 percent in order to lend it to the United Nations at 2 percent, with no assurance that the loan will ever be repaid.

X

The International Court of Justice has been asked for an opinion as to whether or not assessments against members are binding. In other words, can the 79 members in arrears be forced to pay their assessments?

Would it not be wise to hear the decision on this matter before approving the purchase of unsecured bonds?

XI

Whereas the United States does not have the money to lend to the United Nations, and would be forced to borrow it at 4 percent in order to lend it at 2 percent, the World Bank does have funds which it wants to lend.

Why should not the World Bank instead of the United States purchase the $100 million, or even the entire $200 million worth of "bonds" of the United Nations?

XII

There is a matter of establishing a precedent and this cannot be turned lightly aside by merely stating that the plan is not to be considered as a precedent.

If this loan is made to make up funds overexpended by one agency of the United Nations there is no assurance that other agencies, such as UNICEF, UNESCO, etc., will not spend in excess of their budgets and expect similar loans.

XIII

The United States is being inveigled into supplying additional funds for an agency to which its sovereignty is being gradually surrendered through various treaty agreements called "conferences," "conventions," etc.

If the plan of our State Department, which is promoting this bond purchase, goes through and the United States agrees to disarm in order to set an example which other nations are supposed to follow, we will become a completely helpless state, at the mercy of the United Nations which will control all military might, leaving only such local police forces as are necessary to preserve local order, as at present.

XIV

United Nations forces are trained to put down insurrection.

In the event the United States should agree to disarm under such vague and misleading proposals as "Freedom from war," the "Blueprint for the peace race," or other such schemes, and in the event the rule of the United Nations should become intolerable and the United States or some individual state should decide to rebel, these very "peacekeeping" forces which we are now being asked to supply additional funds for will be used against us.

There is certainly no guarantee that this will not happen!

For the reasons stated above we feverently hope that the Congress of the United States will not vote additional funds for the United Nations operations in the past, present, or future.

PHOENIX, ARIZ., *July 11, 1962.*

Dr. THOMAS E. MORGAN,
Chairman, House Foreign Affairs Committee,
Washington, D.C.

DEAR DR. MORGAN: I hope that it will be possible for your committee, and the Congress, to take favorable action on the United Nations bond issue as soon as possible.

At the present time, the United Nations is the only hope for a mechanism in the world for peaceful settlement of problems. Military power has become so great that it is no longer acceptable as a means of deciding major disputes. If we cannot use that military power, though we must have it, we must find other means of avoiding the necessity, and the United Nations has proved to be very valuable for advancing this purpose. I firmly believe that, in most instances, our efforts will be directed toward making the world a better place, as well as taking care of our own interests, so that the majority of the nations in the United Nations will see fit to join us in our endeavors. Even if the majority is not always with us, the United Nations is still a valuable instrument to advance our cause.

The delay in approving the purchase of the bonds by the United States has already injured the United Nations and, therefore, our own interests and position in the world. A refusal to purchase the bonds, even though a restricted measure authorizing some other method of lending money to the United Nations were passed, could be almost as destructive of the United Nations as our refusal to join the League of Nations was to that organization. I feel strongly that favorable action on the purchase of the bonds will be to the best interests of the United States.

Sincerely,

J. H. ROTHSCHILD.

NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION,
Washington, D.C., July 18, 1962.

In re House Foreign Affairs Committee hearings on S. 2768.

Hon. THOMAS E. MORGAN,
Chairman, House Foreign Affairs Committee,
House Office Building, Washington, D.C.

DEAR MR. MORGAN: May I respectfully request that this statement be made a part of the hearing now being held before the House Foreign Affairs Committee regarding S. 2768, which authorizes the President to loan up to $100 million to the United Nations and, in effect, permits the President to use the loan authorization to purchase United Nations bonds.

The National Society, Daughters of the American Revolution, is on record as opposing loans to the United Nations or purchase of its bonds. This is in line with a previous resolution which expressed a growing fear of and disen-

chantment with the United Nations. In 1958 more than 2,600 delegates to the Continental Congress of the National Society, representing some 186,400 women from all parts of the United States, adopted the following resolution:

"Whereas the anti-Christian philosophy motivating the United Nations, as an organization which excludes divine leadership, is hostile to the Christian fundamentals of the United States of America; and

"Whereas in the light of events in Korea, Hungary, and the Middle East, the United Nations has proved that it is a declining factor in the maintenance of 'international peace and security'; and

"Whereas many instances of the abuse of diplomatic immunity, particularly the Bang-Jensen incident, have proved it to be a center of international espionage, a refuge for disloyal American citizens, a sounding board for attacks against the United States of America and the capitalistic system, for which it stands; and

"Whereas the organization has developed in such a way that a bloc of small nations can outvote the United States of America in the General Assembly, though we furnish one-third of the financial support; and

"Whereas through the power of social, industrial, and trade conventions, the United Nations had developed a means of shaping domestic law in the United States of America, by treaty law, which threatens the very fundamental freedoms upon which this country was built; and

"Whereas through the technical assistance program and its financial arms—the World Bank and International Monetary Fund—a socialized one-world state is being developed with American funds, financed by American industry and trade, but hostile to the free enterprise system;

"*Resolved*, That the National Society, Daughters of the American Revolution urgently request the Congress of the United States of America to withdraw from the United Nations, and to demand the withdrawal of the United Nations from the soil of the United States of America."

The United States has slavishly supported the United Nations despite its record of impotence and the fact that United Nations interests do not necessarily coincide with those of the United States. Your attention is called to the October 10, 1959, issue of Paris-Match, whose distinguished editor, Raymond Cartier, wrote as follows:

"* * * The United Nations, powerless in all the positive tasks of peace, is no longer and can no longer be anything but a machine of war against the United States itself. All clear-sighted men know it and have known for a long time that it is urgent to dismantle this caricature of the world."

The preservation of the sovereignty and Constitution of these United States is now and always has been a matter of continuous concern to the National Society, Daughters of the American Revolution. We note with interest Mr. U. Thant's own statement about making the United Nations into something of a "superstate" and call to your attention the fact that there are many Americans today who fear that continuing support of this body may indeed convert it into a world government from which there would be no escape, with consequent loss of the freedoms secured by the Constitution.

For these and other reasons the Continental Congress of the National Society, Daughters of the American Revolution, adopted in 1962 the following resolution:

"Whereas the Congress of the United States is asked to authorize the purchase of $100,000,000 worth of United Nations bonds because many members have failed to pay their share of the cost of military operations undertaken by United Nations majority vote; and

"Whereas the Congress of the United States has raised the U.S. debt limit to $300 billion to meet what was described as a national financial emergency which is more than the combined debt of all other nations; and

"Whereas such purchase of United Nations bonds would be—

"(1) Financially unsound because the United Nations is bankrupt and has no tangible assets;

"(2) Participation in an international ruse to coerce United Nations member nations to pay for projects they do not approve;

"(3) Used to pay United Nations Armed Forces, which forces were used against freedom in anti-Communist Katanga, and similar United Nations military action could cause further destruction of human life and property; and

"(4) The entering wedge for many millions of similar bonds: Therefore be it

"*Resolved*, That the National Society, Daughters of the American Revolution, oppose all legislation authorizing further loans to the United Nations or purchase of its bonds."

Sincerely yours,

Mrs. Henry S. Jones.

Statement of the Unitarian Fellowship in Favor of S. 2768, for the Purchase of $100 Million of United Nations Bonds

The Unitarian Fellowship for Social Justice, an organization expressing the concerns of Unitarians and Universalists for world order and peace, would like to record its support for S. 2768 for the purchase of $100 million of United Nations bonds.

The Unitarian Universalist Association, at its annual general assembly in May of this year, unanimously passed a resolution reading:

"Whereas the United Nations has continually commanded our support as the world's best hope for peaceful cooperation among its peoples and is now faced with a critical moral and financial struggle: Therefore be it

"*Resolved*, That the Unitarian Universalist Association affirm its support of the United Nations and urge our churches and fellowships to promote the study of and lend all possible support for its success."

The United Nations today is in serious financial trouble as a result of the failure of some nations to support the U.N. emergency operations in either the Gaza strip or the Congo. It is unfortunate that certain countries do not contribute toward these expenses. It is even more unfortunate that these same countries strive to reduce the United Nations from a body capable of taking action toward the preservation of peace, to one which can serve only as a forum for the exchange of pious resolutions and propaganda statements.

This does not excuse the rest of us, however, from continuing our support and, indeed, augmenting our past support of the U.N. For those of us who have been discouraged by recent problems of the Organization, it is well to reflect on how far the principle of collective security and world law has advanced since the days of the old, ineffectual League of Nations. There have been several splendid instances of the U.N. preventing serious international war. The reduction of tension along the Arab-Israel borders and the removal of the Congo from the East-West cold war embroilment for which it was initially headed, are but the two latest examples of U.N. success.

We must maintain and strengthen the peace-keeping, emergency functions of the U.N. or else allow the Organization to become a mere debating society. The U.S. contribution to the U.N. loan is little enough to pay for maintenance of the peace of the world.

Merely maintaining the present peace-keeping functions of the U.N. in the Congo and the Gaza strip is, of course, not going to be enough to prevent a general war. We think the lessons learned in Africa and the Middle East could well be applied to other troubled spots of the cold war, including South Vietnam, so that we might, in the words of the Senate majority leader, Mr. Mansfield, explore the possibility of "minimizing the unilateral activity of the United States in southeast Asia and emphasizing the need for collective allied and friendly activity * * *."

The choice for us lies between paying a little now or, eventually, making payment with a more precious commodity—American blood—if the United Nations fails. For the members of the Unitarian Fellowship for Social Justice the choice is clear. We urge that the Congress authorize the President of the United States to purchase $100 million of United Nations bonds.

Robert E. Jones,
Executive Director.

Silver Spring, Md., *April 1962.*

Representative Thomas E. Morgan,
House Foreign Affairs Committee,
House Office Building, Washington, D.C.

Dear Mr. Morgan: The Washington, D.C., Chapter of Women Strike for Peace requests that the following statement be published in the printed record of the House hearings on bill, S. 2768:

"Women Strike for Peace wishes to go on record in favor of S. 2768, the U.N. bond issue. Our group began in September 1961 out of the concern of a few

housewives in Washington, D.C., about the fate of mankind in a nuclear age. We are not a formal organization. There is no national committee, no membership, no dues, no board, no elected officials. There are individual groups in approximately 100 cities, and it is estimated there are about 100,000 women involved in the United States. There are also groups in 25 foreign countries. Our peaceful demonstrations last fall and winter urging the President to refrain from nuclear testing in the atmosphere and to take the first steps toward world disarmament under international inspection, brought many thousands of women to walk in front of the White House. Throughout the country we have been discussing these issues with our elected officials and representatives.

The Women Strike for Peace program includes support and strengthening of the United Nations as the only long-range hope for control of nations in flux and aggressive nations with atomic weapons. Because of our strong convictions, we feel that it is essential that S. 2768 receive the fullest support in the House. The overwhelming majority of those intimately connected with U.N. operations feel the bond issue to be the best way of solving the U.N.'s financial difficulty. In addition they find it to be the most economical solution for the United States. Because the bond issue will be payed back through the regular budget of the U.N., the other nations will have to accept more of the burden of repayment or face loss of their votes in the General Assembly. The U.S. share would be reduced to 32 percent, which is its normal assessment.

The U.N. has approved the bond issue and voted down the short-term-loan plan by an overwhelming majority. They know that the poor nations will never be able to repay the loan in a few years and that the United States will be called upon to bail out the U.N. again at a later date. An outright grant would not have the advantages of involving other nations in repayment and would be more expensive to the United States than the other plans.

The present situations in the Congo and the Gaza strip, which created the emergent financial needs, are more or less under control—but not under the control of any foreign national. Without the U.N.'s action, either place could have become the start of world war III with the major power blocs directly confronting each other. The refusals of uncooperative nations to accept their responsibilities should not be our cue to weaken the world organization.

We do not contend that the U.N.'s actions, budgetary and military, should not be fully investigated by the U.S. Congress with constructive criticism offered. We do ask, however, that the U.N. be aided in this emergent time, with the investigations and study to come afterward on a continuing basis.

Let the United States be a leading supporter of the U.N. and the free world rather than to emulate the Russian bloc by obstructing and refusing support.

Respectfully yours,

Mrs. JOAN BOTWINICK,
Member, Legislative Committee, Women Strike for Peace, Washington, D.C.

CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE,
Washington, D.C., July 26, 1962.

Dr. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs,
U.S. House of Representatives.

DEAR DR. MORGAN: As president of the Catholic Association for International Peace, I am submitting herewith a statement supporting the legislation on the U.N. bond issue presently before the House of Representatives. I would appreciate your including this statement in your committee's record of the hearings on the bill.

Sincerely yours,

WILLIAM V. O'BRIEN.

STATEMENT SUBMITTED TO THE FOREIGN AFFAIRS COMMITTEE, UNITED STATES HOUSE OF REPRESENTATIVES, BY DR. WILLIAM V. O'BRIEN, PRESIDENT, CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE, JULY 26, 1962

Last March, following a White House meeting of heads of national organizations supporting the United Nations, I urged members of the Catholic Association for International Peace and all American Catholics to support President

Kennedy on the U.N. bond issue. It was clear then that the future of the U.N. depended on its success in raising $200 million for the maintenance of the special peacekeeping forces in the Middle East and Congo. It was equally clear that the fate of the U.N. bond issue rested squarely on the acceptance of President Kennedy's legislation authorizing him to purchase up to $100 million of the U.N. bonds.

At that time proposals were made to substitute markedly different methods of financing the United Nations operations. As the President pointed out then, such proposals represented a greater threat to efforts to finance the special operations than did outright opposition to any U.S. assistance. The U.N. had committed itself to the bond approach, many states were already purchasing bonds, and the insistence by the United States on an entirely new approach would have thrown the entire effort to maintain the emergency police forces into disarray. Indeed, those who for various reasons oppose these operations would have an unparalleled opportunity to destroy them. It would be difficult to exaggerate the repercussions of such a state of affairs on the tense situations in the Middle East and Africa, on the continued viability of the U.N., on the cold war, and on the position of the United States as the leader of the forces of world law and order.

In April the Senate passed a compromise bill, acceptable to the President, requiring that all but the first $25 million of the $100 million to be purchased by the United States be expended on a matching basis with loans made or agreed to by other U.N. members. The bill is now before the House of Representatives. All of the reasons arguing for its passage last spring remain valid. Indeed, with the number of purchasing states exceeding 40, it is clear that it is too late to change to some other system of financing. Moreover, the July 20 decision of the International Court of Justice ruling that all U.N. members must support the Middle East and Congo operations or risk loss of voting rights makes speedy U.S. action in support of the U.N. bond issue all the more imperative.

The International Court of Justice opinions will certainly have the effect of forcing a showdown on the future of the U.N. As the President has said, the national interest as well as the international common good is bound up in that future. This is the time for the United States to show its faith in the U.N. Affirmative action by the House of Representatives would provide a dramatic and extremely timely evidence of that faith. In keeping with the traditional Catholic Association for International Peace policy of supporting the United Nations, I strongly urge the House to pass the U.N. bond legislation.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 27, 1962.

Hon. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I would like to add my endorsement to S. 2768, to urge that your committee give it favorable consideration, and to pledge that I will support its enactment by the House of Representatives.

I support this measure, first, because I support and believe in the future of the United Nations and the broadening, strengthening system of international security and development represented by the United Nations and its specialized agencies. In the international sphere, I believe that "the felt necessities of the times," as the immortal Justice Holmes put it, point every day toward the growing utility and indeed the indispensability of the United Nations.

Moreover, I recognize the profound impact that the recent advisory opinion of the International Court of Justice will undoubtedly have on many nations that have not fully met their financial responsibilities to the United Nations. To put it bluntly, when faced with the necessity of paying up or losing its vote in the General Assembly, even the most recalcitrant member will bring its dues payments up to date, in my judgment.

Finally, I support S. 2768 because in my opinion it is favored by a large majority of the people I have the honor to represent. I am convinced that the preponderant majority of the residents and voters in my congressional district see our support for the United Nations, our neighbor in Manhattan, as the world's

"last best hope for mankind." As evidence of this sentiment, I append to this letter the following editorial that was published in the July 23, 1962, edition of the highly respected Long Island Star-Journal, which circulates widely throughout my congressional district.

With kind regards, I am,

Sincerely yours,

BENJAMIN S. ROSENTHAL.

[From the Long Island Star-Journal, July 23, 1962]

U.N. BOND ISSUE BETTER THAN EVER

In a display of admirable bipartisanship, the U.S. Senate last April approved legislation permitting the President to lend the United Nations up to $100 million. It needs the money to meet emergency needs of its peacekeeping operations in the Congo and Middle East. The vote was 70 to 22.

House approval has been considered doubtful, and still may be. There is optimism in Washington, however, that last week's World Court advisory decision that all U.N. members are legally bound to share the peacekeeping costs will convince the House to act favorably. We hope so.

If the Court's opinion is obeyed, and there is reason to believe the General Assembly will endorse it, there should be less need for similar bond issues in the future. Delinquents would have to pay up or lose their votes.

The Senate's action came, in part, because of President Kennedy's pledge to seek tighter U.N. financial administration. The World Court has immeasurably strengthened his point.

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