

At the 855th meeting on 1 April 1960, the representative of the Union of South Africa,* who had taken again his place at the Council table as from the 854th meeting, reiterated the protest of his Government over the disregard to Article 2 (7) by the Council. He also stated that the Union Government would regard in a serious light any resolution adopted by the Council in connexion with the local disturbances that had taken place in South Africa. Should any further bloodshed in South Africa result from a decision of the Council, the latter would have to accept its full share of responsibility.^{55/}

At the 856th meeting on 1 April 1960, the Security Council adopted^{59/} the Ecuadorean draft resolution by 9 votes in favour, none against, with 2 abstentions. The resolution^{60/} read as follows:

"The Security Council,

"Having considered the complaint of twenty-nine Member States contained in document S/4279 and Add.1 concerning 'the situation arising out of the large-scale killings of unarmed and peaceful demonstrators against racial discrimination and segregation in the Union of South Africa',

"Recognizing that such a situation has been brought about by the racial policies of the Government of the Union of South Africa and the continued disregard by that Government of the resolutions of the General Assembly calling upon it to revise its policies and bring them into conformity with its obligations and responsibilities under the Charter of the United Nations,

"Taking into account the strong feelings and grave concern aroused among Governments and peoples of the world by the happenings in the Union of South Africa,

"1. Recognizes that the situation in the Union of South Africa is one that has led to international friction and, if continued, might endanger international peace and security;

"2. Deplores that the recent disturbances in the Union of South Africa should have led to the loss of life of so many Africans and extends to the families of the victims its deepest sympathies;

"3. Deplores the policies and actions of the Government of the Union of South Africa which have given rise to the present situation;

"4. Calls upon the Government of the Union of South Africa to initiate measures aimed at bringing about racial harmony based on equality in order to ensure that the present situation does not continue or recur, and to abandon its policies of apartheid and racial discrimination;

"5. Requests the Secretary-General, in consultation with the Government of the Union of South Africa, to make such arrangements as would adequately help in upholding the purposes and principles of the Charter and to report to the Security Council whenever necessary and appropriate."

^{55/} 855th meeting: paras. 15, 23, 26.

^{59/} 856th meeting: para. 56.

^{60/} S/4310, O.R., 15th year, Suppl. for April-June 1960, pp. 1-2.

COMPLAINT BY THE USSR (U-2 INCIDENT)

INITIAL PROCEEDINGS

By cable^{61/} dated 18 May 1960, the Minister for Foreign Affairs of the USSR requested an urgent meeting of the Security Council to consider the question of aggressive acts by the United States Air Force against the Soviet Union, which created a threat to universal peace. The need for immediate examination of this question arose from the fact that United States military aircraft had repeatedly encroached upon the airspace of the USSR and the United States Government had declared these actions to be its policy. Under the United Nations Charter the Security Council bore the main responsibility for the maintenance of international peace and security; consequently, the USSR Government expected that it would take the necessary measures to halt the provocative actions which threatened the peace.

In an explanatory memorandum^{62/} dated 19 May 1960, the USSR Government gave the dates of the alleged incursions, the kinds of aircraft used, the distance they penetrated into the USSR and the bases from which they had flown. Such premeditated acts, it was stated, constituted a grave threat to universal peace. The USSR Government had hoped that at the meeting of the Heads of State in Paris, the United States would condemn the aggressive acts of its Air Force, punish the perpetrators, renounce that policy, and give assurances against recurrence. However, the United States refused to take such measures. Instead, it tried to evade responsibility and even sought to justify its policy in the name of its own security. Thus the threat of incursions by United States aircraft had not been removed, nor had the danger that such acts might lead to military clashes and the unleashing of a nuclear-rocket war. It was, therefore, the duty of the United Nations to condemn these acts. Failure to do so would only injure the prestige of the Organization and create a threat to the peace.

At the 857th meeting on 23 May 1960, the Council included the question in its agenda.^{63/} It was considered at the 857th to 860th meetings held between 23 and 26 May 1960.

Decision of 26 May 1960 (860th meeting): Rejection of the USSR draft resolution

At the 857th meeting on 23 May 1960, the representative of the USSR submitted a draft resolution^{64/} under which the Security Council would have condemned the incursions by the United States aircraft into the territory of other States as aggressive acts and requested that the United States Government adopt immediate measures to halt such acts and prevent their recurrence. In introducing his proposal, the representative of the USSR reviewed the incident and recalled previous protests and warnings about them. Until the current crisis, the USSR Government had conceded the possibility that these provocative acts represented irresponsible behaviour by military cir-

^{61/} S/4314, *ibid.*, p. 7.

^{62/} S/4315, *ibid.*, pp. 7-10.

^{63/} 857th meeting: para. 9.

^{64/} S/4321, 857th meeting: para. 99.

cles in the United States and that the United States Government, particularly its President, was not directly involved. However, the policy pursued by the United States Government and its President was finally exposed on 1 May, when they were caught in the act of executing a carefully-planned incursion into the USSR for aggressive purposes. Instead of publicly announcing its intention to halt this policy, as the USSR Government had expected, the United States declared such incursions into territories of other States to be its official policy, personally approved by its President in the name of the "open skies" plan. The USSR Government was submitting the question to the Council out of a belief that one of the most dangerous concomitants of these acts was that they flouted the principle of State sovereignty and territorial inviolability. Because of the international situation and the existence of weapons of unprecedented destructive power, there was also the danger that the Soviet Union would have every reason to draw the conclusion from the invasion of USSR territory by United States aircraft that an act of aggression was occurring and to deal the aggressor a retaliatory blow.^{65/}

At the same meeting, the representative of the United States denied that the United States had committed aggressive acts against the Soviet Union or any other country and asserted that the activities protested by the Soviet Union had no aggressive intent but rather were to assure the safety of the United States and "the free world" against surprise attack by a Power which boasted of its ability to devastate the United States and other countries by missiles armed with atomic warheads. He asserted further that the overflights "were suspended after the recent incident and are not to be resumed", rejected Soviet assertions that this suspension was "merely a 'tactical step' with the 'object of deluding world opinion'" and proposed that the two countries negotiate an "open skies" treaty to obviate the need for resort to such measures. Soviet use of force on several occasions in violation of Article 2 (4) of the Charter, together with its insistence on secrecy, justified resort to measures of collecting information against further assault. Finally, he reaffirmed his country's commitment to the solution of problems by negotiation rather than force.^{66/}

At the 860th meeting on 26 May 1960, the USSR draft resolution was rejected by 2 in favour, 7 against, with 2 abstentions.^{67/}

LETTER OF 23 MAY 1960 FROM THE REPRESENTATIVES OF ARGENTINA, CEYLON, ECUADOR AND TUNISIA

INITIAL PROCEEDINGS

By letter^{68/} dated 23 May 1960, the representatives of Argentina, Ceylon, Ecuador and Tunisia submitted

^{65/} 857th meeting: paras. 15-100.

^{66/} 857th meeting: paras. 101-118.

^{67/} 860th meeting: para. 87. By a letter dated 23 May 1960, the representatives of Argentina, Ceylon, Ecuador and Tunisia requested that at the conclusion of its current debate the Council consider a draft resolution to urge the Governments of the four Great Powers to resume discussions as soon as possible. See following item.

^{68/} S/4323, O.R., 15th year, Suppl. for April-June 1960, pp. 13-14.

a draft resolution for the consideration of the Council with the request that it be included as an item in the Council's provisional agenda at the conclusion of the debate on the item referred to in document S/4314. The draft resolution, after calling attention to the Council's responsibility for the maintenance of international peace and security and noting the disappointment caused by the failure of the Summit Conference, (1) recommended that the Governments concerned seek a solution of existing international problems by negotiation or other peaceful means,^{69/} (2) appealed to all Member Governments to refrain from any action which might increase tension; (3) requested that the Governments concerned continue their efforts to achieve a constructive solution of the question of general and complete disarmament, and (4) urged the Governments of the Four Great Powers to resume discussions as soon as possible and to avail themselves of the assistance of the Security Council and other organs of the United Nations.

At the 861st meeting on 26 May 1960, the Council decided^{70/} without vote to include in its agenda the item:

"Letter dated 23 May 1960 from the representatives of Argentina, Ceylon, Ecuador and Tunisia addressed to the President of the Security Council (S/4323)"

The Council considered the question at its 861st to 863rd meetings held on 26 and 27 May 1960.

Decision of 27 May 1960 (863rd meeting):

- (i) *Recommending that Governments concerned seek solutions of existing international problems by negotiation or other peaceful means; and requesting that they continue their efforts towards disarmament and the prohibition of nuclear weapons tests;*
- (ii) *Appealing to all Member Governments to refrain from the use or threat of force in their international relations; to respect each other's sovereignty, territorial integrity and political independence; and to refrain from any action which might increase tensions;*
- (iii) *Urging the Governments of France, the United Kingdom, the United States of America and the USSR to resume discussions as soon as possible and to avail themselves of any assistance that the Security Council and other appropriate organs of the United Nations might be able to render*

At the 861st meeting on 26 May 1960, the representative of Tunisia referred to the hopes and expectations with which the Summit Conference had been awaited and the disappointment caused by its failure. The sponsors of the draft resolution did not seek to assess responsibility for the breakdown, a matter discussed in another debate, but instead to encourage the parties to resume their talks and endeavour to settle their differences through negotiation and by other peaceful means provided in the Charter.^{71/}

^{69/} See chapter X, Case 1.

^{70/} 861st meeting: preceding para. 1.

^{71/} 861st meeting: paras. 1-13.