

at Key West, ninety miles from Cuba. He then expressed the view that only the climax of the plan was lacking, since the action had already been prepared and could be carried out at any time.<sup>367/</sup>

At the 922nd meeting on 4 January 1961, the representative of the United States admitted his Government's aid to refugees forced to leave Cuba without money or property, but denied that it had supported military incursions by these groups. With regard to the break in diplomatic relations with Cuba, he cited several instances of hostile and provocative actions which destroyed the confidence and mutual respect necessary for effective diplomatic relations and made the maintenance of the United States Embassy in Havana impossible. Further, he noted that in accusing the United States of invasion plans, Cuba seemed unmindful that it had considered itself destined to "... act as a springboard for all the popular forces of Latin America following a destiny identical to that of Cuba".<sup>368/</sup>

At the same meeting, the representative of Ecuador introduced a draft resolution<sup>369/</sup> jointly submitted with Chile. Under the draft resolution the Council would remind the parties of their Charter obligation to settle disputes by peaceful means, and recommend that every effort should be made to fulfil such an obligation.<sup>370/</sup>

At the 923rd meeting on 5 January 1961, the representative of France questioned the allegation of imminent "military aggression" and noted that four days had since elapsed with no such occurrence.<sup>371/</sup>

At the same meeting, the representative of the United Kingdom referred to another letter<sup>372/</sup> from the Minister for External Relations of Cuba dated 3 January 1961 and addressed to the President of the Council which, like the previous letter, reported that direct military aggression was about to be committed against Cuba, but noted that a charge of impending aggression, or the intention to commit aggression was in any event more difficult to sustain than a charge of aggression actually committed. So far, however, no evidence had been produced which convincingly supported the accusation. He observed also that both the United States and Cuba had expressed themselves negatively on resolutions of the kind submitted by Chile and Ecuador, and maintained that further action by the Council would be unnecessary and of no positive value.<sup>373/</sup>

At the same meeting, the representative of Chile expressed regret that the joint draft resolution submitted by Chile and Ecuador had not been supported, since it had been prompted by a desire for constructive co-operation, and with a view to the re-establishment of normal relations. However, in the light of the negative attitudes apparent in the discussion, he

would not press for a vote on the draft resolution.<sup>374/</sup> The representative of Ecuador concurred in this.<sup>375/</sup>

At the conclusion of the meeting, the President (United Arab Republic) made a statement expressing confidence that the debate would help "in reducing the tension between the Republic of Cuba and the United States, whose relations should be governed by the Charter of the United Nations", and that, therefore, nothing would be done to aggravate the existing tensions.<sup>376/</sup>

## SITUATION IN ANGOLA

### INITIAL PROCEEDINGS

By letter<sup>377/</sup> dated 20 February 1961, the representative of Liberia requested the President of the Security Council to convene an early meeting of the Council "to deal with the crisis in Angola". After expressing his Government's concern regarding recent developments in Angola, he stated that immediate action should be taken by the Security Council to prevent further deterioration and abuse of human rights and privileges in Angola.<sup>378/</sup>

By letter<sup>379/</sup> dated 7 March 1961, the representative of Portugal protested against the request of Liberia for inscription in the Council's agenda of a matter which Portugal considered to be within its exclusive jurisdiction.

The letter from the representative of Liberia was placed on the provisional agenda of the 943rd meeting of the Council on 10 March 1961 and the agenda was adopted at the 944th meeting.<sup>380/</sup> The Council considered the question at its 943rd to 946th meetings between 10 and 15 March 1961. After the adoption of the agenda, the representative of Portugal was invited to the Council table.<sup>381/</sup> At the 945th meeting on 14 March 1961, the representatives of Ghana and the Congo (Brazzaville) were invited to the Council table.<sup>382/</sup>

At the 943rd meeting of the Council on 10 March, the representative of Liberia, explaining his reasons for the submission of the question to the Security Council, stated that consideration had become necessary because of serious loss of life in Angola and the existence of conditions which had become a complete violation of human rights. In invoking Article 34 of the Charter, the Liberian Government

<sup>374/</sup> 923rd meeting: paras. 44-63.

<sup>375/</sup> 923rd meeting: paras. 95-111.

<sup>376/</sup> 923rd meeting: para. 178.

<sup>377/</sup> S/4738, O.R., 16th year, Suppl. for Jan.-March 1961, p. 145.

<sup>378/</sup> At the 934th meeting on 15 February 1961, in connexion with the adoption of the provisional agenda dealing with the situation in the Congo, the representative of Liberia had proposed that a new item dealing with the disturbances in Angola be added to the provisional agenda. He requested the inscription of the item on the agenda under Article 34, because fundamental rights were being violated in Angola, and the situation was likely to endanger the maintenance of international peace and security. However, the President ruled that under rules 6 and 7 of the provisional rules of procedure, it would be impossible to add an item to the agenda in the manner suggested by the representative of Liberia (934th meeting: paras. 4-11). For consideration of the inclusion of the question in the agenda, see chapter II, Case 4.

<sup>379/</sup> S/4760, O.R., 16th year, Suppl. for Jan.-March 1961, pp. 227-228.

<sup>380/</sup> 944th meeting: para. 8.

<sup>381/</sup> 944th meeting: para. 31.

<sup>382/</sup> 945th meeting: para. 2.

<sup>367/</sup> 921st meeting: paras. 56-60, 63-125.

<sup>368/</sup> 922nd meeting: paras. 2-40.

<sup>369/</sup> S/4612, O.R., 16th year, Suppl. for Jan.-March 1961, p. 16; 922nd meeting: paras. 42-55.

<sup>370/</sup> See chapter X, Case 4.

<sup>371/</sup> 923rd meeting: paras. 9-23.

<sup>372/</sup> S/4611, O.R., 16th year, Suppl. for Jan.-March 1961, pp. 15-16.

<sup>373/</sup> 983rd meeting: paras. 27-43.

wished to draw attention to a dangerous situation which not only threatened the peace in Angola, but was also a threat to world peace.<sup>383/</sup>

After the adoption of the agenda at the 944th meeting, the representative of Portugal\* stated that his delegation considered the inscription of the item on the agenda of the Council as illegal. Under the terms of Article 24 (2), the Security Council had its competence specifically limited to matters referred to in Chapters VI, VII, VIII and XII of the Charter, none of which could conceivably apply to the case before the Council.<sup>384/</sup> The Liberian complaint had made no mention of any dispute between Portugal and any other State; therefore, none of the cases foreseen in Articles 33 and 34 was under consideration.<sup>385/</sup> Liberia had based its complaint on a vague reference to violation of human rights, and this was not within the competence of the Council. Moreover, under the terms of Article 2 (7) of the Charter, the United Nations could not intervene in matters essentially within the domestic jurisdiction<sup>386/</sup> of any State.<sup>387/</sup>

*Decision of 15 March 1961 (946th meeting): Rejection of the draft resolution submitted by Ceylon, Liberia and the United Arab Republic*

At the 945th meeting on 14 March 1961, the representative of Liberia introduced a draft resolution<sup>388/</sup> jointly sponsored with Ceylon and the United Arab Republic. Referring in the preamble to a situation likely to endanger international peace and security, and recalling General Assembly resolutions 1514 (XV) of 14 December 1960, and 1541 (XV) and 1542 (XV) of 15 December 1960, in its operative part this draft resolution would have the Security Council: (1) call upon the Government of Portugal to consider urgently the introduction of measures and reforms in Angola for the purpose of the implementation of General Assembly resolution 1514 (XV) of 14 December 1960, with due respect for human rights and fundamental freedoms and in accordance with the Charter; and (2) decide to appoint a sub-committee and instruct this sub-committee to examine the statements made before the Security Council concerning Angola, to receive further statements and documents and to conduct such inquiries as it deemed necessary and to report to the Security Council as soon as possible.

At the 946th meeting on 15 March 1961, the joint draft resolution submitted by Ceylon, Liberia and

<sup>383/</sup> 943rd meeting: paras. 9-22. The request of Liberia to consider the situation in Angola was supported in a letter dated 10 March 1961 (S/4762, O.R., 16th year, Suppl. for Jan.-March 1961, pp. 246-247) by the representatives of Afghanistan, Burma, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, Upper Volta and Yemen. These delegations considered that this was a situation with grave potentialities for international friction which endangered the maintenance of international peace and security.

<sup>384/</sup> For discussion in relation to Article 24 (2), see chapter XII, part III.

<sup>385/</sup> For discussion relating to Articles 33 and 34, see chapter X, Case 11.

<sup>386/</sup> For discussion relating to Article 2 (7), see chapter XII, Case 16.

<sup>387/</sup> 944th meeting: paras. 33-54.

<sup>388/</sup> S/4769, 945th meeting: para. 107.

the United Arab Republic was put to the vote and rejected by 5 votes in favour, none against, and 6 abstentions.<sup>389/</sup>

By letter <sup>390/</sup> dated 26 May 1961 addressed to the President of the Security Council, the representatives of Afghanistan, Burma, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Nigeria, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Republic, Upper Volta, Yemen and Yugoslavia requested that a meeting of the Security Council be called, as a matter of urgency, to consider the situation in Angola. They charged that the massacres in Angola were continuing and human rights were being continually suppressed. These acts, together with the armed suppression of the Angolan people and the denial of the right to self-determination, were in contravention of the United Nations Charter and of the General Assembly resolution on Angola and constituted a serious threat to international peace and security. On 2 June, Togo, and on 9 June, Pakistan associated themselves with this request.

At its 950th meeting on 6 June 1961, the Council included the request of the forty-four Member States in its agenda.<sup>391/</sup>

The Council considered the question at its 950th to 956th meetings, between 6 and 9 June 1961.

In accordance with the decision taken at the 950th and subsequent meetings, the representatives of Portugal, India, Ghana, Congo (Leopoldville), Congo (Brazzaville), Nigeria, Mali, Ethiopia and Morocco were invited, at their request, to take seats at the Council table.<sup>392/</sup>

*Decision of 9 June 1961 (956th meeting): Requesting the Sub-Committee on the Situation in Angola to implement its mandate without delay*

Opening the debate at the 950th meeting on 6 June 1961, the representative of Liberia stated that the situation in Angola had deteriorated further since its consideration by the Security Council and the General Assembly in March and April 1961 respectively.<sup>393/</sup> In its resolution 1603 (XV) of 20 April 1961, the General Assembly, recognizing that the situation in Angola was likely to endanger the maintenance of international peace and security, had called upon Portugal to consider urgently the intro-

<sup>389/</sup> 946th meeting: para. 165.

<sup>390/</sup> S/4816. By S/4816/Add.1 and 2, Togo and Pakistan were added to the list of signatories. O.R., 16th year, Suppl. for April-June 1961, pp. 57-59.

<sup>391/</sup> 950th meeting: para. 8.

<sup>392/</sup> 950th meeting: paras. 9, 10; 952nd meeting: para. 1; 953rd meeting: para. 1.

<sup>393/</sup> Following the failure of adoption of a resolution on Angola in the Security Council (946th meeting), the Liberian delegation with other African-Asian delegations had brought the matter before the General Assembly, where it was considered on 20 April 1961 (990th to 992nd plenary meetings). After a full discussion, the Assembly adopted resolution 1603 (XV) entitled "The situation in Angola" by 73 votes to 2, with 9 abstentions.

duction of measures and reforms in Angola. It had also established a sub-committee to investigate the situation in Angola and to report to the General Assembly. But the Government of Portugal, instead of implementing the resolution, had stepped up its military repression of the Angolan people. The acute and urgent nature of such a situation required prompt and effective action by the Security Council. To this end, the representative of Liberia introduced a draft resolution jointly sponsored with Ceylon and the United Arab Republic,<sup>394/</sup> whereby the Council, convinced that the situation in Angola was a threat to international peace and security, would call upon the Portuguese authorities to desist forthwith from repressive measures, and act in accordance with the terms of General Assembly resolution 1603 (XV); further, it would request the Sub-Committee appointed in terms of General Assembly resolution 1603 (XV) to implement its mandate without delay, and report to the Security Council and the General Assembly as soon as possible.<sup>395/</sup>

At the same meeting, the representative of Portugal\* protested against the inclusion in the Council's agenda of a matter pertaining exclusively to the internal jurisdiction and security of Portugal, and thus in violation of Article 2 (7).<sup>396/</sup> Articles 34 and 35 had been wrongly invoked in a previous debate, as Portugal had not created an international dispute with any of the States requesting or supporting the inscription of the item. Allegations of the violation of human rights had been made, but the discussion of human rights was excluded from the functions of the Council by Article 24 of the Charter. This Article granted specific powers to the Security Council for the discharge of those duties laid down in Chapters VI, VII, VIII and XII. It did not include Chapter IX, where Articles 55 and 56 dealing with human rights appeared.<sup>397/</sup>

At the 955th meeting on 9 June 1961, the representative of Chile submitted amendments<sup>398/</sup> to the joint draft resolution to: (1) in the fourth preambular paragraph, replace the words "threat to" by "is likely to endanger the maintenance of"; and (2) between operative paragraphs 3 and 4 insert the following additional paragraph: "Expresses the hope that a peaceful solution will be found to the problem of Angola in accordance with the Charter of the United Nations".

At the 956th meeting on the same day, the representative of the USSR submitted the following amendment<sup>399/</sup> to operative paragraph 3 of the draft resolution: insert the following at the beginning of operative paragraph 3: "Condemning the colonial war against the Angolan people", and continue as in the draft resolution.

<sup>394/</sup> S/4825, 950th meeting; para. 35.

<sup>395/</sup> 950th meeting; paras. 11-41.

<sup>396/</sup> In a letter dated 3 June 1961 (S/4821, O.R., 16th year, Suppl. for April-June 1961, pp. 60-61), the representative of Portugal had protested against the request of the forty-four Member States for inscription on the Council's agenda of a matter which his Government considered to be within its exclusive jurisdiction.

<sup>397/</sup> 950th meeting; paras. 80-108.

<sup>398/</sup> S/4833/Rev.1, 955th meeting; paras. 66 and 68.

<sup>399/</sup> S/4834, 956th meeting; para. 12c.

At the same meeting, the Council voted upon the draft resolution and the amendments before it.

The Chilean amendments were adopted by 9 votes in favour to none against, with 2 abstentions.<sup>400/</sup>

The USSR amendment received 4 votes in favour, 3 against, with 4 abstentions, and was not adopted.<sup>401/</sup>

The draft resolution, as amended, was adopted by 9 votes in favour to none against, with 2 abstentions.<sup>402/</sup> It read as follows:<sup>403/</sup>

"The Security Council,

"Having considered the situation in Angola,

"Deeply deploring the large-scale killings and the severely repressive measures in Angola,

"Taking note of the grave concern and strong reactions to such occurrences throughout the continent of Africa and in other parts of the world,

"Convinced that the continuance of the situation in Angola is an actual and potential cause of international friction and is likely to endanger the maintenance of international peace and security,

"Recalling General Assembly resolution 1512 (XV) of 15 December 1960 declaring Angola among others a Non-Self-Governing Territory within the meaning of Chapter XI of the Charter as well as General Assembly resolution 1514 (XV) of 14 December 1960, by which the General Assembly declared without dissent that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation and asked for immediate steps to be taken to transfer all powers to the peoples of these Territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom,

"1. Reaffirms General Assembly resolution 1603 (XV) of 20 April 1961 and calls upon Portugal to act in accordance with the terms of that resolution;

"2. Requests the Sub-Committee on the Situation in Angola, appointed under the terms of the aforesaid General Assembly resolution, to implement its mandate without delay;

"3. Calls upon the Portuguese authorities to desist forthwith from repressive measures and further to extend every facility to the Sub-Committee to enable it to perform its task expeditiously;

"4. Expresses the hope that a peaceful solution will be found to the problem of Angola in accordance with the Charter of the United Nations;

"5. Requests the Sub-Committee to report to the Security Council and the General Assembly as soon as possible."

<sup>400/</sup> 950th meeting; para. 157.

<sup>401/</sup> 956th meeting; para. 158.

<sup>402/</sup> 956th meeting; para. 159.

<sup>403/</sup> S/4835, O.R., 16th year, Suppl. for April-June 1961, p. 67.