

In the discussion on the adoption of the agenda, the representatives of Brazil and Colombia, with the support of the President, in his capacity as representative of the United States, after referring to the inter-American system in which they participated, contended that since the Organization of American States had already taken the question under consideration, and since the Inter-American Peace Committee of that regional organization was proposing to send a fact-finding committee to the scene of the conflict, the Security Council should not adopt the provisional agenda and should rather wait until it received the report of the fact-finding committee.¹⁴² The representative of the USSR, in opposing these views, referred to the Guatemalan assertion that the decision of the Council calling for a halt to aggression had not been complied with, and stated that the Council was in duty bound to adopt further measures to ensure the fulfilment of that decision. He also stated that since the representative of Guatemala had objected to having the Organization of American States deal with the question, the Council could not, under the provisions of the Charter, impose a procedure for settlement to which one of the parties involved objected.¹⁴³

At the same meeting, the provisional agenda was rejected by a vote of 4 in favour and 5 against, with 2 abstentions.¹⁴⁴

The question remained on the list of matters of which the Security Council is seized.¹⁴⁵

QUESTION OF ALLEGED INCIDENT OF ATTACK ON A UNITED STATES NAVY AIRCRAFT

INITIAL PROCEEDINGS

By letter dated 8 September 1954,¹⁴⁶ the representative of the United States informed the Security Council that on 4 September a United States Navy aircraft, on a peaceful mission over high seas, had been attacked without warning by two MIG-type aircraft with Soviet markings. The plane had been destroyed and not all survivors had been recovered. The United States Government had protested to the Government of the USSR and reserved all rights to claim damages. Believ-

¹⁴² 676th meeting; paras. 11-27, 64-83, 165-181.

¹⁴³ 676th meeting; paras. 138-151, 155-162.

¹⁴⁴ 676th meeting; para. 195. For consideration of the invitation to the representative of Guatemala at the 676th meeting, see chapter III, Case 23.

¹⁴⁵ By letter dated 27 June 1954 (S/3256), the Chairman of the Inter-American Peace Committee transmitted to the Secretary-General copies of various notes and information concerning the Committee's itinerary to Guatemala, Honduras and Nicaragua; by cablegram dated 5 July 1954 (S/3262) the Chairman of the Inter-American Peace Committee notified the Secretary-General that Guatemala, Honduras and Nicaragua had informed the Committee that the dispute between them had ceased to exist; by cablegram dated 9 July 1954 (S/3266), the Minister of External Relations of Guatemala informed the President of the Security Council that peace and order had been restored in his country and the *Junta de Gobierno* of Guatemala saw no reason why the Guatemalan question should remain on the agenda of the Security Council; by letter dated 8 July 1954 (S/3267) the Chairman of the Inter-American Peace Committee transmitted to the Secretary-General a copy of a report of the Committee on the dispute between Guatemala, Honduras and Nicaragua, and copies of all communications exchanged between the Committee and the parties concerned.

¹⁴⁶ S/3287, *O.R.*, 9th year, *Suppl. for July-Sept. 1954*, p. 35.

ing that the incident was of a type which might endanger international peace and security, the United States requested an early meeting of the Council to consider the matter.

After inclusion of the question on the agenda¹⁴⁷ at the 679th meeting on 10 September 1954, the representative of the United States, after recounting the circumstances of this and earlier attacks by Soviet aircraft on United States planes, stated that, while, in the absence of a negotiated settlement, his government believed cases of this kind could be best resolved by the judicial process of the International Court of Justice, the refusal of the Soviet Government to respond to that reasonable proposal had made it essential to lay the problem before the Security Council in order by discussion there to prevent a repetition of such incidents.¹⁴⁸

The representative of the USSR contested the account of these incidents given by the representative of the United States, and asserted that in each case there had been violation by United States aircraft of rules and standards of international law, such as violations of Soviet air space. He attributed the incidents to the policy pursued by the United States military authorities and the State Department, a policy which had nothing in common with the peaceful assurances made by the representative of the United States.¹⁴⁹

At the 680th meeting on 10 September 1954, the President, speaking as the representative of Colombia, stated that he would have favoured, as one of the means of solution, an investigation of the incident in accordance with Article 34 of the Charter.¹⁵⁰

The representative of the USSR remarked that he could not see how Chapter VI of the Charter, and Article 31 in particular, could have any bearing on the incident brought to the attention of the Council. Such an incident could not seriously be considered, in his opinion, as capable of creating a threat to international peace and security. He would, therefore, reject any proposals based on the premise that the incident fell within the jurisdiction of the Security Council.¹⁵¹

At the close of the 680th meeting, the President stated¹⁵² that the list of speakers was exhausted and that the Council would be reconvened if and when any delegation so requested.¹⁵³

QUESTION OF HOSTILITIES IN THE AREA OF CERTAIN ISLANDS OFF THE COAST OF CHINA

INITIAL PROCEEDINGS

By letter dated 28 January 1955,¹⁵⁴ addressed to the President of the Security Council, the representative

¹⁴⁷ 679th meeting; para. 25. On the inclusion of the question in the agenda, see chapter II, Case 10.

¹⁴⁸ 679th meeting; paras. 38-39.

¹⁴⁹ 679th meeting; para. 70.

¹⁵⁰ 680th meeting; para. 63.

¹⁵¹ 680th meeting; paras. 75-78, 87.

¹⁵² 680th meeting; para. 128.

¹⁵³ The Security Council subsequently received the texts of diplomatic notes exchanged between the Governments of the United States and the USSR on various incidents referred to in the Council's discussion (S/3288, 10 September 1954; S/3295, 27 September 1954; S/3304, 12 October 1954; S/3308, 25 October 1954; and S/3391, 13 April 1955).

¹⁵⁴ S/3354, *O.R.*, 10th year, *Suppl. for Jan.-March 1955*, p. 27.