

be for a six month period since this would make for "better planning, management and economy in the conduct of the operation". He also observed that if the mandate were extended it would be done in the light of "the expectation" of members that the parties directly concerned would make an intensified effort to achieve a peaceful settlement of the problem.²⁷³

The representative of the Netherlands raised five points concerning the responsibility for progress toward a solution and the question of financing the United Nations operation in Cyprus which his delegation would have wished to see reflected in a draft resolution. Owing to the pressure of time and the fact that the matter was also being deliberated in the First Committee he did not press for a draft resolution incorporating all the points he had raised.²⁷⁴

At the same meeting after the representatives of Cyprus,²⁷⁵ Turkey,²⁷⁶ and Greece,²⁷⁷ had commented on the report of the Secretary-General and offered explanations as to why the situation had not been more greatly improved or a solution found, the representative of Malaysia introduced a draft resolution²⁷⁸ submitted jointly by the six non-permanent members of the Council (Bolivia, Ivory Coast, Jordan, Malaysia, Netherlands and Uruguay). He noted that this draft resolution followed closely the language of earlier resolutions, and that while it kept clear of unnecessary controversies, it faced up to the urgent and immediate task of having to extend the mandate of the United Nations Force in Cyprus. Recalling that the Secretary-General had recommended an extension of the mandate for a period of six months rather than a shorter period, he observed that after consultation it was felt that "in the prevailing context of events in Cyprus as reflected in the Secretary-General's report, an even longer period would probably give rise to more complacency". However, in order to emphasize a sense of urgency that the parties should get together and settle the problem with whatever means might be available to them a period shorter than six months was more desirable.²⁷⁹

The representative of Jordan suggested that in order to avoid any possible misinterpretation, operative paragraph 3 of the draft resolution referring to "a peaceful settlement of the problem of Cyprus" be reformulated to read "a peaceful solution and an agreed settlement" thereby following the language of the resolution of 4 March 1964.²⁸⁰

After a brief suspension of the meeting, the representative of Malaysia stated that during consultation among the co-sponsors of the draft resolution it was decided that operative paragraph 3 should be dropped from the draft resolution.²⁸¹

The revised draft resolution was unanimously adopted.²⁸² It read as follows:²⁸³

"The Security Council,

²⁷³ 1270th meeting: paras. 3-4. For the statement of the Secretary-General see chapter I, Case 30.

²⁷⁴ 1270th meeting: paras. 9-33.

²⁷⁵ 1270th meeting: paras. 35-66.

²⁷⁶ 1270th meeting: paras. 68-77.

²⁷⁷ 1270th meeting: paras. 79-82.

²⁷⁸ S/7024.

²⁷⁹ 1270th meeting: para. 87. For decisions of the Council concerning prolongation of the mandate of the Force, see chapter V, Case 1.

²⁸⁰ 1270th meeting: para. 115.

²⁸¹ 1270th meeting: para. 154.

²⁸² 1270th meeting: para. 162.

²⁸³ S/RES/219 (1965), O.R., 20th yr., Resolutions and Decisions of the Security Council, 1965, pp. 5-6.

"Noting that the report of the Secretary-General dated 10 December 1965 (S/7001) states that the United Nations Peace-keeping Force is needed in Cyprus,

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 26 December 1965,

"1. Reaffirms its resolutions of 4 March (S/5575), 13 March (S/5603), 20 June (S/5778), 9 August (S/5868), 25 September (S/5987), and 18 December 1964 (S/6121), the consensus expressed by the President at the 1143rd meeting, on 11 August 1964, and its resolutions 201 (1965) of 19 March, 206 (1965) of 15 June and 207 (1965) of 10 August 1965;

"2. Extends once again the stationing in Cyprus of the United Nations Peace-keeping Force, established under the Security Council resolution of 4 March 1964, for an additional period of three months, ending 26 March 1966."

COMPLAINT BY YEMEN

INITIAL PROCEEDINGS

By letter²⁸⁴ dated 1 April 1964, the deputy permanent representative of Yemen requested the President of the Security Council to convene an urgent meeting of the Council to consider "the deteriorated situation resulting from the British continuous acts of aggression against the peaceful Yemeni citizens", the culmination of which was the attack on 28 March, which had caused the death of twenty-five Yemeni citizens and several injuries besides material damage. The request was made in accordance with Articles 35 (1) and 34 of the United Nations Charter. It was further stated that the attack and the massing of British troops and heavy equipment between Beihan Protectorate and Harib, together with the many frequent British raids and attacks against Yemeni villages and towns constituted an act of war against the Yemen Arab Republic, endangering the international peace and security and creating a situation the continuation of which would lead to unfavourable consequences. So far, the Yemen Arab Republic had adopted an attitude of self-restraint and patience, but its Government wanted to make it well known that it would not hesitate to use all means and ways to ensure its self-defence and territorial integrity and the protection of its people. The Yemen Arab Republic was placing "this very grave situation" before the Council in the hope that an end would soon be reached.

At the 1106th meeting on 2 April 1964 the Council, after including²⁸⁵ the item in its agenda, invited²⁸⁶ the representatives of Yemen, Iraq and the United Arab Republic to participate in the discussion. At a later stage²⁸⁷ the representative of Syria was also invited to participate, and the question was considered at the 1106th to the 1111th meetings held between 2 and 9 April 1964.

Decision of 9 April 1964 (1111th meeting):

(i) *Condemning reprisals as incompatible with the purposes and principles of the United Nations;*

²⁸⁴ S/5635, O.R., 19th yr., Suppl. for April-June 1964, pp. 1-2.

²⁸⁵ 1106th meeting: preceding para. 1.

²⁸⁶ 1106th meeting: paras. 1-2. For discussion on participation, see chapter III, Case 2.

²⁸⁷ 1107th meeting: para. 2.

- (ii) *Deploring the British military action at Harib on 28 March 1964;*
- (iii) *Deploring all attacks and incidents in the area;*
- (iv) *Calling upon the Yemen Arab Republic and the United Kingdom to exercise the maximum restraint in order to avoid further incidents and to restore peace in the area;*
- (v) *Requesting the Secretary-General to use his good offices to try to settle outstanding issues in agreement with the two parties*

At the 1106th meeting, the representative of Yemen * stated that the unprovoked attack by eight British military aircraft coming from the direction of Aden against the Yemeni town of Harib, which took place on 28 March 1964, was not only an act of aggression but was the beginning of a British plan, the aim of which was to open a "hot-war front" in the southern and south-eastern regions of the Yemen Arab Republic, and to plunge that whole region into a ferment of restlessness, with the hope that such a state of affairs would lead to the overthrow of the Government of the Yemen Arab Republic and solve the British "colonial problem" in occupied southern Yemen. Furthermore, the attack had culminated in a whole series of British acts of hostility against the Yemen Arab Republic, that included the forcible occupation of areas and villages in the region of Harib, as well as continuous violations of the Yemeni territory and air space, intervention in the internal affairs of the Yemen Arab Republic, and actual attacks against Yemeni villages and towns. Thirty-nine of those acts of aggression, summarized in his statement,²⁸⁸ had taken place between 14 April 1963 and 23 January 1964. In view of that situation, it was necessary for the Council, in order to preserve the principles of the United Nations and international law, and to restore the peace and security which the United Kingdom had put in jeopardy, to decide: (1) to condemn the last British act of aggression against the Yemen Arab Republic; (2) to condemn the continuous British interventions in Yemen's internal affairs, violations of Yemen's territory and air space, and acts of provocation and aggression; (3) to ensure the immediate withdrawal of the British troops massing along the lines of Beihan-Harib, as well as the immediate evacuation of British troops from Yemen territory and the immediate removal of the British military base in Aden; (4) to demand the Government of the United Kingdom to refrain from all acts of intervention, provocation or aggression against the Yemen Arab Republic; (5) to ensure just compensation for the Yemeni lives and property losses inflicted by the British aggression; and (6) to recognize that the British presence in Aden and the Protectorates was a permanent threat to the peace and security in the whole region.

At the same meeting, the representative of the United Kingdom stated that if any country had been the victim of aggression it was the Federation of South Arabia, the aggressor having been precisely the Yemen Arab Republic. Some fifty-two shooting incidents across the frontier, all started by the Yemeni forces, had been reported to the Security Council by the Government of the United Kingdom in letter²⁸⁹ of 2 July and 10 September 1963. More recently, a series of

incidents started on 9 March 1964 had been described in three letters²⁹⁰ addressed to the President of the Council on 20, 28 and 31 March 1964. Those incidents had convinced the Government of the South Arabian Federation and the Government of the United Kingdom that a deliberate and increasing attack by Yemen against the Federation was under way. The Government of the United Kingdom was responsible for the defence of the Federation and the protection of its Territory, and it was in the fulfilment of that responsibility that the counter-attack of 28 March had been launched. The attack was directed at Harib Fort, a military and isolated target about one mile outside Harib town itself. Moreover before the attack, leaflets in Arabic were dropped in the area advising all persons to leave immediately. The only weapons used in the attack were rockets and cannon fire, and none went astray. All possible measures had therefore been taken in order to minimize the loss of life and property. The Government of the United Kingdom wished to reiterate its policy of non-involvement in the internal affairs of Yemen, and its belief that the solution of the whole problem depended on the adoption and enforcement by the Yemeni Government of a neighbourly and peaceful policy toward the South Arabian Federation. As a step toward that solution, the Government of the United Kingdom also wished to reiterate the proposal for the demilitarization of a zone in the Beihan area from which both sides would withdraw their forces.

The representatives of Iraq, * Syria * and the United Arab Republic * at the 1106th to the 1109th meetings, held between 2 and 7 April 1964, asserted that the description of the attack at Harib on 28 March, as a "defensive response" was based on the theory of retaliation which the Security Council had rejected on a number of occasions with the concurrence of the United Kingdom representative. For the time being, they felt, the Council should limit itself to the consideration and condemnation of that action and should not be diverted into considering other political problems of the area.²⁹¹

At the 1110th meeting on 8 April 1964, the representative of Morocco introduced a draft resolution²⁹² jointly sponsored with Ivory Coast.

At the 1111th meeting on 9 April 1964, the Council voted upon the joint draft resolution, which was adopted by 9 votes to none with 2 abstentions.²⁹³

The resolution²⁹⁴ read as follows:

"The Security Council,

"Having considered the complaint of the Yemen Arab Republic regarding the British air attack on Yemeni territory on 28 March 1964 (S/5635);

²⁸⁸ S/5618, S/5628 and S/5632, O.R., 19th yr., Suppl. for Jan.-Mar. 1964, pp. 158-159, 164-166 and 170-171.

²⁸⁹ For texts of relevant statements, see:

1106th meeting: Iraq,* paras. 64-68; United Arab Republic,* paras. 108-114; United Kingdom, paras. 33-63; Yemen,* paras. 12-32;

1107th meeting: United Arab Republic,* paras. 47-51;

1108th meeting: Syria,* paras. 3-13;

1109th meeting: Iraq,* paras. 55-59; Syria,* paras. 75-90; United Arab Republic,* paras. 71-73.

For discussion relating to Article 51, see chapter XI, Case 7.

²⁹² S/5649, 1110th meeting: para. 39.

²⁹³ 1111th meeting: para. 24. For question of abstention by Permanent Members in relation to Article 27 paragraph 3, see chapter IV, Case 9.

²⁹⁴ S/RFS/188 (1964). O.R., 19th yr., Resolutions and Decisions of the Security Council, 1964, pp. 9-10.

²⁸⁸ 1106th meeting: para. 27.

²⁸⁹ S/5343 and S/5424, O.R., 18th yr., Suppl. for July-Sept. 1963, pp. 1-3, 161-164.

"Deeply concerned at the serious situation prevailing in the area;

"Recalling Article 2, paragraphs 3 and 4 of the Charter of the United Nations;

"Having heard the statements made in the Security Council on this matter;

"1. Condemns reprisals as incompatible with the purposes and principles of the United Nations;

"2. Deplores the British military action at Harib on 28 March 1964;

"3. Deplores all attacks and incidents which have occurred in the area;

"4. Calls upon the Yemen Arab Republic and the United Kingdom to exercise the maximum restraint in order to avoid further incidents and to restore peace in the area;

"5. Requests the Secretary-General to use his good offices to try to settle outstanding issues, in agreement with the two parties."

The President (Czechoslovakia) stated that the Council had concluded consideration of the item.^{294a}

COMPLAINT BY CAMBODIA

INITIAL PROCEEDINGS

By letter dated 13 May 1964,²⁹⁵ the permanent representative of Cambodia transmitted to the Security Council a complaint of his Government concerning "repeated acts of aggression by United States-South Viet-Nameese forces against the territory and the civilian population of Cambodia". Accordingly, he requested an early meeting of the Security Council, under Article 35 of the Charter and rule 3 of the provisional rules of procedure of the Council, to consider the situation resulting from the alleged acts of aggression.

By letter dated 26 May,²⁹⁶ the special representative of the Government of the Republic of Viet-Nam transmitted to the Security Council a memorandum answering the charges made by Cambodia.

At its 1118th meeting on 19 May 1964, the Council decided, without objection, to include the question in its agenda. It considered the question at the 1118th to 1122nd meetings, held between 19 and 26 May, and at the 1124th to 1126th meetings, held between 28 May and 4 June.

At its 1118th meeting on 19 May 1964, the Council invited the representative of Cambodia to participate in the discussion of the question. At the same meeting it also decided to invite, by 9 votes in favour to 2 against, the representative of the Republic of Viet-Nam to participate in the discussion of the question.²⁹⁷

At the 1118th meeting, the representative of Cambodia * stated that his Government had earlier drawn the attention of the Council to the attacks and acts of aggression committed by the armed forces of the Republic of Viet-Nam on the territory of Cambodia during 1963 and the early part of 1964.²⁹⁸ Acts

of provocation and destruction had become more serious since then. On 7 and 8 May, two months after the attack on Chantrea in which seventeen persons had been killed and fourteen wounded, thirteen armoured vehicles of the regular forces of the Republic of Viet-Nam, reinforced by United States officers, had penetrated into Cambodian territory and machine-gunned the civilian population and units of the Provincial Guard. Six civilians and one commander of the Provincial Guard post had been killed during the attacks. Following that engagement, South Viet-Nameese aircraft had flown over the scene of the attack, thereby violating Cambodian air space. The Government of Cambodia had lodged a protest in connexion with those attacks to both the Government of the Republic of Viet-Nam and the Government of the United States. To deny its responsibility, the Government of the Republic of Viet-Nam had put forward such arguments as errors in map-reading, unintentional acts and the like, but the repeated violations of the Cambodian territory and "the massacre" of helpless population, which were quite deliberate, had rendered those arguments both indefensible and unjustified. Cambodia also held the United States responsible, noting that in the case of the attacks on Taey and Thlork, the evidence had shown that United States officers took part in such attacks. Accusations had been made against Cambodia of conspiracy with rebels fighting against the Government of the Republic of Viet-Nam. However, the presence of those rebels had never been affirmed by impartial observers, including the International Commission for Supervision and Control, and journalists writing on the matter. In order to prove that there had been no infiltration or passage of "the Viet-Cong" through its territory, Cambodia had proposed an international control of its territory in general, and in particular of its frontier with the Republic of Viet-Nam. As that proposal for verification had not been accepted, Cambodia objected to the accusations made against it. In that regard, it still held the view that the dispatch of a United Nations commission of inquiry to Cambodia would make it possible to investigate the case.²⁹⁹ The commission should, however, have only a limited role, for it could not serve as a substitute for the International Commission for Supervision and Control in the supervision of frontiers, the latter being the permanent body for that purpose, as agreed upon at the 1954 Geneva Conference. In the light of the foregoing statement, the representative of Cambodia suggested that the Security Council should: (1) condemn the aggressors and call on them to cease their acts of aggression; (2) call on the responsible parties to pay compensation to the victims of the attacks at Mong, Chantrea and Taey; and (3) ensure the reaching of peaceful settlement by the parties concerned. The neutrality and territorial integrity of Cambodia should, furthermore, be internationally recognized and guaranteed. For that purpose, the Security Council should recommend that the Geneva Conference on Indo-China be reconvened as soon as possible.

At the same meeting, the representative of the United States denied the charges made by Cambodia. United States investigation had shown that no United States personnel had crossed into Cambodian territory. Though an American advisor was accompanying the Viet-Nameese forces engaged in operations in the

²⁹⁹ For discussion of the question, see chapter X, Case 4.

^{294a} 1111th meeting: para. 60.

²⁹⁵ S/5697, O.R., 19th yr., Suppl. for Apr.-June 1964, pp. 130-132.

²⁹⁶ S/5724, O.R., 19th yr., Suppl. for Apr.-June 1964, p. 172. See also S/5709, *ibid.*, pp. 151-152.

²⁹⁷ 1118th meeting: para. 13. For discussion on participation, see chapter III, case 5.

²⁹⁸ S/5666, O.R., 19th yr., Suppl. for Apr.-June 1964, p. 74.