

those adopted in the past would not ease the explosive situation in the area. In the view of the Government of Jordan, the Council, in order to prevent any further aggression in the future, should condemn Israel for the wanton attack of 13 November 1966; it should express its grave concern at the failure of Israel to comply with its obligations; it should decide that Israel action was a flagrant violation of the Charter of the United Nations and of the General Armistice Agreement between Jordan and Israel; it should further decide that this armed attack constituted aggression under the provisions of Article 39 of the Charter and it should call upon Members of the United Nations to adopt the necessary measures for applying economic sanctions against Israel.²⁰⁷

At the 1327th meeting on 24 November 1966, the representative of Nigeria submitted²⁰⁸ a draft resolution,²⁰⁹ sponsored jointly by Mali.

At the 1328th meeting on 25 November 1966, the joint draft resolution was adopted²¹⁰ by 14 votes in favour, to none against, with 1 abstention, as resolution 228 (1966).

The resolution read:

"The Security Council,

"Having heard the statements of the representatives of Jordan and Israel concerning the grave Israel military action which took place in the southern Hebron area on 13 November 1966,

"Having noted the information provided by the Secretary-General concerning this military action in his statement of 16 November and also in his report of 18 November 1966,

"Observing that this incident constituted a large-scale and carefully planned military action on the territory of Jordan by the armed forces of Israel,

"Reaffirming the previous resolutions of the Security Council condemning past incidents of reprisal in breach of the General Armistice Agreement between Israel and Jordan and of the United Nations Charter,

"Recalling the repeated resolutions of the Security Council asking for the cessation of violent incidents across the demarcation line, and not overlooking past incidents of this nature,

"Reaffirming the necessity for strict adherence to the General Armistice Agreement,

"1. Deplores the loss of life and heavy damage to property resulting from the action of the Government of Israel on 13 November 1966;

"2. Censures Israel for this large-scale military action in violation of the United Nations Charter and of the General Armistice Agreement between Israel and Jordan;

"3. Emphasizes to Israel that actions of military reprisal cannot be tolerated and that, if they are repeated, the Security Council will have to consider further and more effective steps as envisaged in the Charter to ensure against the repetition of such acts;

"4. Requests the Secretary-General to keep the situation under review and to report to the Security Council as appropriate."

²⁰⁷ 1324th meeting, paras. 17, 31.

²⁰⁸ 1327th meeting, para. 39.

²⁰⁹ S/7598; same text as resolution 228 (1966).

²¹⁰ 1328th meeting, para. 35.

COMPLAINT BY THE UNITED KINGDOM

INITIAL PROCEEDINGS

By letter²¹¹ dated 2 August 1966, the deputy representative of the United Kingdom requested the President of the Security Council to convene an immediate meeting of the Security Council to consider the situation arising from an "unprovoked and indefensible attack" on 30 July 1966 on the town of Nugub in the Amirat of Baihan in the Federation of South Arabia, for whose protection and for the conduct of whose external affairs the United Kingdom was responsible. It was further stated in the letter that according to the evidence, the aircraft responsible for the attack were those of the United Arab Republic operating from an airfield in Yemen.

At the 1296th meeting on 4 August 1966, the Council included²¹² the question in its agenda. The representatives of the United Arab Republic and Yemen were invited to participate in the discussion.²¹³ The Council considered the question at its 1296th to 1300th meetings.

Decision of 16 August 1966 (1300th meeting):

Statement by the President expressing the consensus of the Council that:

- (i) *the parties concerned each on its part be asked to contribute in lessening the tension;*
- (ii) *the Secretary-General be invited to continue his good offices in an endeavour to settle the outstanding question in agreement with the parties concerned*

At the 1296th meeting, the representative of the United Kingdom stated that the air attack on the town of Nugub was deliberate and not the first against the territory of the Federation of South Arabia. The United Kingdom Government was determined to carry out its declared policy of bringing South Arabia to independence not later than 1968, but in order that this task might be satisfactorily accomplished, it was necessary that the area should enjoy peace and security. Attacks originating from Yemeni territory could only make achievement of United Kingdom aims, and those of the United Nations, more difficult. The Council should deplore the attack on the town of Nugub and call upon the United Arab Republic and Yemeni authorities to ensure that further attacks of this nature did not occur. He suggested that some form of United Nations observation might assist the maintenance of peace and security and this possibility might be explored through the good offices of the Secretary-General.²¹⁴

At the same meeting, the representative of the United Arab Republic denied that planes belonging to the United Arab Republic Air Force had undertaken any kind of operations in Beihan. Neither had there been any planes of the Arab-Yemeni Joint Command airborne on 30 July 1966. He further maintained that the only aircraft flying the skies of Aden and the Aden Protectorates were British. The allegations against the United Arab Republic were attempts to cover up the British oppression of the peoples of Aden and the Aden Protectorates. Mindful of its obligations under the Charter and of the

²¹¹ S/7442, O.R., 21st yr., Suppl. for July-September 1966, p. 64.

²¹² 1296th meeting preceding para. 1.

²¹³ 1296th meeting, para. 1.

²¹⁴ 1296th meeting, paras. 5, 15-16, 23-26, 28-29.

principles of self-determination and freedom, the United Arab Republic was helping the peoples of Aden and the Aden Protectorates in their struggle against colonialism.²¹⁵

At the 1297th meeting of the Council, the representative of Yemen similarly denied the United Kingdom's allegations. He stated furthermore that there were innumerable British incursions against his country, and particularly British violations of the Yemen Arab Republic's air space which occurred almost daily. The Yemen Arab Republic was mostly interested in peace, stability and progress and wished to have no part in any disturbance in the area.²¹⁶

At the 1298th meeting of the Council, the representative of New Zealand submitted a draft resolution²¹⁷ in which the Security Council would request the Secretary-General to arrange for an immediate investigation, to be carried out by experienced United Nations personnel, in order to establish the facts relating to the incident referred to in the letter dated 2 August 1966 from the deputy representative of the United Kingdom and to report to the Security Council as soon as possible.

At the 1300th meeting of the Council, the President (Uganda) read an agreed statement which had the support of all the parties concerned: "The President, having noted that the debate which took place has its origin in a complaint presented by the representative of the United Kingdom (S/7742) and that the elements on which the complaint is founded are contested by the United Arab Republic and Yemen and that the statements made by the Members of the Council have not been able to produce at this stage a constructive solution, believes that he is authorized to ask parties concerned each on its part to contribute in lessening the tension and to invite the Secretary-General to continue his good offices in an endeavour to settle the outstanding question in agreement with the parties concerned."²¹⁸

At the same meeting, the representative of New Zealand stated that he acquiesced in the consensus statement by the President and waived his right to call for a vote on his draft resolution.²¹⁹

COMPLAINT BY THE DEMOCRATIC REPUBLIC OF THE CONGO

INITIAL PROCEEDINGS

By letter²²⁰ dated 21 September 1966, the acting permanent representative of the Democratic Republic of the Congo requested the President of the Security Council to convene an early meeting of the Security Council to consider "the provocations of Portugal". It was further stated in the letter that Portugal was using its African Territories as a base of operations for mercenaries who were recruited in Europe and who were in the hire of the opposition headed by Mr. Tshombé. Their mission

was to overthrow the legitimate authorities in the Congo. The situation constituted a serious threat to world peace, because the Democratic Republic of the Congo would consider itself to be at war with Portugal as soon as there was an attack by the mercenaries on it. The Council should call upon Portugal to end "what might rightly be called aggression" against the Democratic Republic of the Congo.

At the 1302nd meeting on 30 September 1966, the Council included²²¹ the item in its agenda and invited²²² the representatives of the Democratic Republic of the Congo, Portugal, Burundi, Central African Republic and Tanzania to participate in the discussion. At a later stage,²²³ the representative of the Congo (Brazzaville) was also invited to participate. The question was considered at the 1302nd to the 1306th meetings held between 30 September and 14 October 1966.

Decision of 14 October 1966 (1306th meeting):

Urging the Government of Portugal, in view of its own statement, not to allow foreign mercenaries to use Angola as a base of operation for interfering in the domestic affairs of the Democratic Republic of the Congo

At the 1302nd meeting, the representative of the Democratic Republic of the Congo* stated that the former Prime Minister of the Congo, Mr. Tshombé, was organizing a new assault against his country with assistance from foreign mercenaries. A base was needed for these mercenaries and it was ready at hand in Angola which had a long common frontier with the Congo and in particular with the province of Katanga. The evidence of Portugal's complicity in Mr. Tshombé's attempt at subversion was, in his view, irrefutable. Referring to assistance given by the Congo to Angolan patriots, he maintained that his Government was only complying with the resolution of the United Nations,²²⁴ which appealed to all States to render to the people of the Territories under Portuguese administration the moral and material support for the restoration of their rights.²²⁵

At the same meeting, the representative of Portugal* denied the presence in Angola of any mercenaries, camps or war material meant to disturb the peace in the Democratic Republic of the Congo.²²⁶ Subsequently, at the 1303rd meeting, the representative of Portugal asserted that it was the Congolese Government which had provided a base for raids on Angola and disputed that any resort to violence could be based on United Nations resolutions. He went on to say that the representative of the Congo had admitted that his Government was assisting anti-Portuguese elements and had not denied that one of the forms of that assistance was the providing of bases in the Congo for violent activities against Portugal. The Security Council should take due note of the existence of such bases in the Congo and call upon the Congo to put an end to them. Maintaining further that the allegations of the Democratic Republic of the Congo were devoid of all foundation, he suggested that the Congolese charges should be enquired into by an impartial fact-finding body of experts or a committee of three members of the Council

²¹⁵ 1296th meeting, paras. 40, 43, 45, 46.

²¹⁶ 1297th meeting, paras. 4, 12, 23.

²¹⁷ S/7456, 1298th meeting, para. 103.

²¹⁸ For retention of the item on the Secretary-General's summary statement on matters of which the Security Council is seized, see chapter II, p. 52, item No. 143.

²¹⁹ 1299th meeting, para. 10. For discussion on the proposal for investigation, see chapter X, Cases 1 and 4.

²²⁰ S/7503, *OR*, 21st yr., *Suppl. for July-Sept. 1966*, pp. 132, 133.

²²¹ 1302nd meeting, preceding para. 5.

²²² 1302nd meeting, paras. 6-8.

²²³ 1302nd meeting, para. 69.

²²⁴ Resolution 2107 (XX).

²²⁵ 1302nd meeting, paras. 17, 20-26.

²²⁶ 1302nd meeting, para. 53.