

On 4 February 1963 the Secretary-General submitted to the Security Council his report ^{311/} on the implementation of Security Council resolutions S/4387 of 14 July 1960, S/4741 of 21 February 1961 and S/5002 of 24 November 1961.^{312/}

On 17 September 1963 the Secretary-General submitted to the Security Council his report on the question of military disengagement in the Congo.^{313/}

On 29 June 1964 the Secretary-General submitted to the Security Council his report on the withdrawal of the United Nations Force in the Congo and on other aspects of the United Nations Operations there.^{314/}

COMPLAINT BY CUBA (LETTER OF 11 JULY 1960) INITIAL PROCEEDINGS

By letter ^{315/} dated 11 July 1960 addressed to the President of the Security Council, the Minister for Foreign Affairs of Cuba stated that a grave situation existed with manifest danger to international peace and security, as a consequence of the repeated threats, reprisals and aggressive acts carried out against Cuba by the Government of the United States. The situation had taken concrete shape from the moment the Revolutionary Government, exercising its sovereignty, had adopted measures designed to safeguard the national resources and to raise the standard of living, health and education of the Cuban people. In spite of the Cuban Government's repeated expressions of willingness to live in peace and harmony with the United States and to broaden, on a basis of equality, mutual respect and reciprocal benefit, diplomatic and economic relations with the Government and people of the United States, such proposals had been of no avail. Instead, the United States had offered protection to known Cuban war criminals, and provided facilities to counter-revolutionaries to plot conspiracies and to prepare invasion plans. Cuban airspace had been frequently violated with considerable material damage and loss of life by aircraft proceeding from United States territory and piloted, in some instances, by United States pilots. Also, threats of economic strangulation had been levelled against Cuba through such acts as the refusal of oil companies to refine crude oil owned by the Cuban State in violation of the Mineral Fuel Oil Act of 1938, and the extraordinary decision of the President of the United States to reduce the sugar quota. Such actions, concluded the letter, constituted intervention in Cuba's domestic affairs and economic aggression contrary to the terms of relevant treaties

^{311/} S/5240 and Add.1, O.R., 18th year, Suppl. for Jan.-March 1963, pp. 92-106, supplemented by S/5240/Add.2, O.R., 18th year, Suppl. for April-June 1963, pp. 1-13.

^{312/} For the report of the Officer-in-Charge of the United Nations Operation in the Congo to the Secretary-General relating to the implementation of the Security Council resolutions S/4741 of 21 February 1961 and S/5002 of 24 November 1961, see: S/5033 and Add.1-9, O.R., 17th year, Suppl. for Jan.-March 1962, pp. 2-44; S/5053/Add.10, O.R., 17th year, Suppl. for April-June 1962, pp. 1-93; S/5053/Add.11, O.R., 17th year, Suppl. for July-Sept. 1962, pp. 1-40; S/5053/Add.12, Add.12/Add.1 and 2, Add.13 and Add.13/Add.1, O.R., 17th year, Suppl. for Oct.-Dec. 1962, pp. 1-142; S/5053/Add.14-15, O.R., 18th year, Suppl. for Jan.-March 1963, pp. 1-85.

^{313/} S/5428, O.R., 18th year, Suppl. for July-Sept. 1963, pp. 160-178.

^{314/} S/5784.

^{315/} S/4378, O.R., 15th year, Suppl. for July-Sept. 1960, pp. 9-10.

and to the fundamental principles of the United Nations Charter.

The request for a meeting of the Security Council was based on Articles 52 (4), 103, 24, 34, 35 (1) and 36 of the Charter and rule 3 of the provisional rules of procedure of the Security Council.

At the 874th meeting on 18 July 1960, the Council decided^{316/} to include the question in its agenda. It was considered by the Council at its 874th to 876th meetings held between 18 and 19 July 1960. The President (Ecuador) invited, without objection, the representative of Cuba to participate in the discussion.^{317/}

Decision of 19 July 1960 (876th meeting):

- (i) *Deciding to adjourn consideration of the question pending the receipt of a report from the Organization of American States;*
- (ii) *Inviting members of that Organization to lend their assistance toward the achievement of a peaceful solution of the situation;*
- (iii) *Urging all other States to refrain from any action which might increase tensions between Cuba and the United States*

At the 874th meeting on 18 July 1960, the President called attention to a letter^{318/} dated 15 July 1960 from the representative of the United States to the President of the Council, transmitting a memorandum on "Provocative Actions of the Government of Cuba Against the United States Which Have Served to Increase Tensions in the Caribbean Area", which had been previously submitted to the Inter-American Peace Committee of the Organization of American States. The memorandum noted that, for the past several months, the Government of Cuba had conducted an intensive campaign of distortions, half-truths and outright falsehoods against the United States and that, in spite of patience and forbearance on the part of the latter, Cuba continued to intensify its hostility towards that country, thus increasing tensions in the area. With regard to Cuban charges, which were said to lack substantiation either by evidence or facts, the memorandum cited among other "provocative" actions the La Coubre incident, regarding which the Government of Cuba, after charging that the explosion on board the vessel La Coubre was the responsibility of the United States, admitted that it had no conclusive evidence. Attached to the memorandum were several documents to substantiate the United States contention that the Cuban Government's systematic and provocative campaign of slander and hostile propaganda against the United States was a major contribution to increased tensions in the Caribbean and the hemisphere as a whole.

In his initial statement before the Council at the 874th meeting on 18 July 1960, the representative of Cuba upheld his Government's right of appeal to the Council, in spite of the existence of the Organization of American States, and advanced further charges that the United States was planning increased aggression and, ultimately, invasion.^{319/}

^{316/} 874th meeting: preceding para. 1.

^{317/} 874th meeting: para. 2.

^{318/} S/4388; 874th meeting: para. 3.

^{319/} 874th meeting: paras. 6-94.

In reply, the representative of the United States denied the Cutan allegations and assured the Council that his Government harboured no aggressive intentions against Cuba. It was Cuba, he asserted, that was the source of tensions in the Caribbean area.^{320/}

At the same meeting the representatives of Argentina and Ecuador submitted a draft resolution.^{321/} In introducing the joint draft resolution, the representative of Argentina expressed the view that analysis of the legal relationship between the OAS and the United Nations was not indispensable. He believed that the Council could agree on the practical proposition that since the OAS had already taken cognizance of the matter, it would be desirable to await the results of its action.^{322/}

At the 876th meeting on 19 July 1960, the representative of the USSR objected to the view that, since the matter was at the time being considered by the OAS, consideration of it by the Council should be adjourned. He said that Cuba had brought the matter to the Council, not to the OAS, and proposed certain amendments^{323/} to the draft resolution.^{324/}

At the same meeting the amendments of the USSR were rejected^{325/} by 2 votes in favour, 8 against, and 1 abstention, and the resolution jointly submitted by Argentina and Ecuador was adopted^{326/} by 9 votes in favour, none against, and 2 abstentions. The resolution^{327/} read:

"The Security Council,

"Having heard the statements made by the Foreign Minister of Cuba and by members of the Council,

"Taking into account the provisions of Articles 24, 33, 34, 35, 36, 52 and 103 of the Charter of the United Nations,

"Taking into account also articles 20 and 102 of the Charter of the Organization of American States of which both Cuba and the United States of America are members,

"Deeply concerned at the situation existing between Cuba and the United States of America,

"Considering that it is the obligation of all Members of the United Nations to settle their international disputes by negotiation and other peaceful means in such a manner that international peace and security and justice are not endangered,

"Noting that this situation is under consideration by the Organization of American States,

"1. Decides to adjourn the consideration of this question pending the receipt of a report from the Organization of American States;

"2. Invites the members of the Organization of American States to lend their assistance towards the achievement of a peaceful solution of the present situation in accordance with the purposes and principles of the Charter of the United Nations;

"3. Urges in the meantime all other States to refrain from any action which might increase the existing tensions between Cuba and the United States of America."

COMPLAINT BY THE USSR (RB-47 INCIDENT) INITIAL PROCEEDINGS

By telegram^{328/} dated 13 July 1960 to the Secretary-General, the Foreign Minister of the USSR requested an urgent meeting of the Security Council to examine the question of "New aggressive acts by the Air Force of the United States of America against the Soviet Union, creating a threat to universal peace", occurring on 1 July 1960. The need for immediate consideration of the question arose from the fact that United States military aircraft were continuing their "aggressive invasions" of Soviet airspace.

In an explanatory memorandum^{329/} of the same date it was stated that this was the second time within a few months that the question of aggressive acts by the United States Air Force had been submitted to the Council. Despite the Council's resolution of 27 May 1960,^{330/} appealing to all Governments to respect each other's territorial integrity and political independence and to refrain from acts that might increase tensions, the Government of the United States was openly flouting the appeal and continued to follow its provocative practices of dispatching its military aircraft into the airspace of the USSR. Notwithstanding signals given by a Soviet fighter aircraft to follow it down and make a landing, the violating aircraft penetrated further into Soviet airspace and consequently was shot down over Soviet territorial waters to the east of Cape Svyatoy Nos at 6.30 p.m. Moscow time on 1 July. According to evidence given at their interrogation by two crew members of the aircraft, the aircraft belonged to an air unit of the United States strategic military intelligence service, and had been carrying out special military reconnaissance missions. It was armed with 20-millimetre guns with a full supply of ammunition and had a compartment containing special photographic and radio-electronic reconnaissance equipment.

In addition to lodging a strong protest with the United States, the Soviet Government had also sent protests to the Governments of the United Kingdom and Norway because the aforementioned facts had implicated their countries in the United States aggressive designs.

At the 880th meeting on 22 July 1960, the Council decided^{331/} to include the question in its agenda. It was considered at the 880th to 883rd meetings, held between 22 and 26 July 1960.

^{320/} 874th meeting: paras. 95-124.

^{321/} S/4392, same text as S/4395, see below.

^{322/} 874th meeting: paras. 125-143. See chapter X, Cases 2 and 10; see also chapter XII, Case 24.

^{323/} S/4394, 876th meeting: paras. 105-107.

^{324/} 876th meeting: paras. 6-109.

^{325/} 876th meeting: para. 127.

^{326/} 876th meeting: para. 128.

^{327/} S/4395, O.R., 15th year, Suppl. for July-Sept. 1960, pp. 29-30.

^{328/} S/4384, *ibid.*, p. 12.

^{329/} S/4385, *ibid.*, pp. 13-15.

^{330/} S/4323, O.R., 15th year, Suppl. for April-June 1960, pp. 22-23.

^{331/} 880th meeting: preceding para. 1.