

of the Government of South Africa to comply with the provisions of General Assembly resolution 2324 (XXII) of 16 December 1967 and further called upon the Government of South Africa to discontinue forthwith the illegal trial and to release and repatriate the South West Africans concerned,

"*Taking into account* General Assembly resolution 2145 (XXI) of 27 October 1966 by which the General Assembly of the United Nations terminated the Mandate of South Africa over South West Africa and assumed direct responsibility for the Territory until its independence,

"*Reaffirming* the inalienable right of the people and Territory of South West Africa to freedom and independence in accordance with the Charter of the United Nations and with the provisions of General Assembly resolution 1514 (XV) of 14 December 1960,

"*Mindful* that Member States shall fulfil all their obligations as set forth in the Charter,

"*Distressed* by the fact that the Government of South Africa has failed to comply with Security Council resolution 245 (1968),

"*Taking into account* the memorandum of the United Nations Council for South West Africa of 25 January 1968 on the illegal detention and trial of the South West Africans concerned and the letter of 10 February 1968 from the President of the United Nations Council for South West Africa,

"*Reaffirming* that the continued detention and trial and subsequent sentencing of the South West Africans constitute an illegal act and a flagrant violation of the rights of the South West Africans concerned, the Universal Declaration of Human Rights and the international status of the Territory now under direct United Nations responsibility,

"*Cognizant* of its special responsibility towards the people and the Territory of South West Africa,

"1. *Censures* the Government of South Africa for its flagrant defiance of Security Council resolution 245 (1968) as well as of the authority of the United Nations of which South Africa is a Member;

"2. *Demands* that the Government of South Africa forthwith release and repatriate the South West Africans concerned;

"3. *Calls upon* States Members of the United Nations to co-operate with the Security Council, in pursuance of their obligations under the Charter, in order to obtain compliance by the Government of South Africa with provisions of the present resolution;

"4. *Urges* Member States who are in a position to contribute to the implementation of the present resolution to assist the Security Council in order to obtain compliance by the Government of South Africa with the provisions of the present resolution;

"5. *Decides* that in the event of failure on the part of the Government of South Africa to comply with the provisions of the present resolution, the Security Council will meet immediately to determine upon effective steps or measures in conformity with the relevant provisions of the Charter of the United Nations;

"6. *Requests* the Secretary-General to follow closely the implementation of the present resolution and to

report thereon to the Security Council not later than 31 March 1968;

"7. *Decides* to remain actively seized of the matter."

COMPLAINT BY THE UNITED STATES

(*Pueblo incident*)

INITIAL PROCEEDINGS

By letter ⁶¹⁵ dated 25 January 1968 addressed to the President of the Security Council, the representative of the United States requested that a Council meeting be urgently convened to consider "the grave threat to peace which has been brought about by a series of increasingly dangerous and aggressive military actions by North Korean authorities in violation of the Armistice Agreement, of international law and of the Charter of the United Nations". In the letter, it was further stated that, on 23 January, North Korea had "wilfully committed an act of wanton lawlessness" against a naval vessel of the United States. The *USS Pueblo*, while operating in international waters, had been illegally seized by armed North Korean vessels, and the ship and crew were still under forcible detention by North Korean authorities. This North Korean action against a United States naval vessel on the high seas, and the series of North Korean armed raids across the demilitarized zone into the Republic of Korea had created a grave and dangerous situation which required the urgent consideration of the Security Council.

At the 1388th meeting on 26 January 1968, the Council decided, after objections had been made, to include the question in its agenda.⁶¹⁶ The question was considered by the Council at its 1388th and 1389th meetings, held on 26 and 27 January 1968, respectively.

Decision of 27 January 1968 (1389th meeting):

Adjournment

At the 1388th meeting on 26 January 1968, the representative of the United States stated that a virtually unarmed vessel of the United States, sailing on the high seas, had been seized on 23 January 1968 by armed North Korean patrol boats, and her crew forcibly detained. Such a "warlike action" carried an obvious danger to peace. Besides, a party of armed raiders infiltrated from North Korea had been intercepted when they invaded the South Korean capital city of Seoul with the admitted assignment of assassinating the President of the Republic of Korea. That event climaxed a campaign by the North Korean authorities, over the past eighteen months, of steadily growing infiltration, sabotage and terrorism in flagrant violation of the Korean Armistice Agreement of 1953. Both lines of action, which stemmed from North Korea, were aimed against peace and security in Korea, violating the United Nations Charter and international law. These grave developments were brought to the attention of the Security Council in the hope that the Council, which had the primary responsibility for the maintenance of international peace and security, would act promptly to remove the danger they constituted to international peace and security.

⁶¹⁵ S/8360, *OR*, 23rd yr., *Suppl. for Jan.-March 1968*, p. 140.

⁶¹⁶ 1388th meeting (PV), pp. 16-20.

This danger would be removed if action was taken forthwith to secure the release of the *USS Pueblo* and its eighty-three man crew, to bring to an end the pattern of armed transgressions by North Korea against the Republic of Korea and to restore to full vigour and effectiveness the Korean Armistice Agreement.⁶¹⁷

The representative of the USSR maintained that the charges levelled by the United States against the Democratic People's Republic of Korea were unfounded and that the aggressor in Korea was not the Democratic People's Republic but, rather, those who invaded the soil of the Korean people. The current aggravation of tension in Korea was a result of the aggressive acts undertaken by the United States and South Korean armed forces, on land and on the sea, against the Democratic People's Republic of Korea, the main source of tension in Korea being the continuing presence on the territory of South Korea of United States armed forces. It was well known that on the Demarcation Line in Korea, on the 38th parallel, there were systematic incidents and troubles. After citing a number of violations by the United States and South Korean armed forces of the Armistice Agreement from its conclusion in July 1953 to September 1967, the USSR representative stressed that it was necessary to withdraw all United States and other foreign forces from the territory of South Korea and to give the Korean people, at long last, the right to settle its own affairs by itself. Turning to the United States version of the events linked to the detention of the *USS Pueblo*, he remarked that the representative of the United States did not mention the statement of the captain of the vessel when it was detained by a North Korean ship. The captain left no doubt about the intrusion of the *Pueblo* into the territorial waters of the Democratic People's Republic of Korea, or about the hostile aims with which that vessel penetrated the territorial waters of the Republic in violation of its territorial integrity and sovereignty, and that it was engaged in espionage activities. It was obvious that the detention of a foreign military vessel in the territorial waters of any State came within the internal jurisdiction of that State. Consequently, it was not for the Security Council to consider such matters.⁶¹⁸

At the 1389th meeting on 27 January 1968, the representative of Ethiopia stated that the Council was at a great disadvantage for not having verified information on what actually happened, and suggested that it should initiate an investigation of the incident involved. To enable the Council to obtain first-hand submissions from all sides, he further suggested that an invitation be extended to North Korea, as a party to the dispute, to take its full part in the carrying out of the investigation and to appear and present its case before the Council while this item was being discussed.⁶¹⁹

The representative of Canada suggested that in order to bring the influence of diplomacy to bear in the grave situation considered by the Council, it would be advisable to undertake urgent consultations among the members of the Security Council before its next meeting.⁶²⁰

After further deliberation, the President (Pakistan) referred to the suggestion of the representative of Canada and stated that since there were no objections, he would adjourn the meeting until 29 January, in the afternoon, in order to permit consultations among the Council members.⁶²¹

The question remained on the list of matters of which the Security Council is seized.⁶²²

COMPLAINT BY HAITI

INITIAL PROCEEDINGS

By letter ⁶²³ dated 21 May 1968, the representative *ad interim* of Haiti requested the President of the Security Council to convene the Council, as soon as possible, to consider a situation created by an "armed aggression" against Haiti which threatened international peace and security, and that appropriate measures be taken in accordance with Article 39 of the Charter of the United Nations. In the letter, reference was made to an earlier letter ⁶²⁴ dated 20 May 1968 addressed to the Secretary-General, in which the latter had been requested, in pursuance of Articles 99 and 39 of the Charter of the United Nations, to draw the Security Council's attention to this situation which threatened not only Haiti's internal security but also international peace and security.

At the 1427th meeting on 27 May 1968, the Council, after including ⁶²⁵ the item on its agenda, invited ⁶²⁶ the representative of Haiti to participate in the discussion. The question was considered by the Council at that meeting.

Decision of 27 May 1968 (1427th meeting):

Adjournment

At the 1427th meeting, the representative of Haiti stated that over the years a series of repeated acts of aggression had been committed against his country, and that they had been carried out from outside creating a situation which might lead to international friction in the sense of Articles 34 and 35 of the Charter. These acts of aggression had reached their climax on 20 May and had been directed against the territorial integrity and political independence of Haiti, in violation of Article 2, paragraph 4, of the Charter. He maintained that this invasion of Haiti had been planned by exiles residing in the United States, and executed by American pilots living in the Bahamas. Furthermore, the invasion could not have been carried out without the tolerance of certain United Nations Members. Those acts of "international brigandage", coupled with the serious political crisis prevailing in the Caribbean area, constituted a threat to the peace of the hemisphere and the world. The Government of Haiti consequently requested the immediate cessation of activities infringing upon Haiti's territorial integrity and national sovereignty; the punishment of

⁶²¹ 1389th meeting (PV), p. 57.

⁶²² 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. 53, No. 153.

⁶²³ S/8593, *OR*, 23rd yr., *Suppl. for April-June 1968*, pp. 168-169.

⁶²⁴ S/8592, *OR*, 23rd yr., *Suppl. for April-June 1968*, pp. 167-168.

⁶²⁵ 1427th meeting (PV), p. 2.

⁶²⁶ 1427th meeting (PV), p. 2.

⁶¹⁷ 1388th meeting (PV): United States, pp. 23-41.

⁶¹⁸ 1388th meeting (PV): USSR, pp. 42-66.

⁶¹⁹ 1389th meeting, para. 22.

⁶²⁰ 1388th meeting (PV), p. 12; 1389th meeting (PV), pp. 23-25.