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Middle East conflict 1958 - November 25

SECCO documents

Verbatim Record of the 840-th Meeting

L 179: 170



UNITED NATIONS
SECURITY
COUNCIL



GENERAL
S/PV.840
25 November 1958
ENGLISH

VERBATIM RECORD OF THE EIGHT HUNDRED AND FORTIETH MEETING

Held at Headquarters, New York,
on Tuesday, 25 November 1958, at 3 p.m.

<u>President:</u>	Mr. ILLUECA	Panama
<u>Members:</u>	Canada	Mr. RITCHIE
	China	Mr. TSIANG
	Colombia	Mr. ARAUJO
	France	Mr. GEORGES-PICOT
	Iraq	Mr. JAWAD
	Japan	Mr. MATSUDAIRA
	Sweden	Mr. JARRING
	Union of Soviet Socialist Republics	Mr. SOBOLEV
	United Kingdom of Great Britain and Northern Ireland	Sir Pierson DIXON
	United States of America	Mr. BARCO

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EXPRESSION OF THANKS TO THE RETIRING PRESIDENT

The PRESIDENT (interpretation from Spanish): Before we start our work this afternoon, I should like to take advantage of this opportunity to extend to the representative of Japan our most heartfelt thanks for the skilful way in which he presided over the Security Council in October. This is not a mere casual remark. Ambassador Matsudaira was acting in his capacity as President of the Security Council as a representative of a country with a millenary culture, and he has brought to the work of the Council the fruits of his talent, and has shown himself worthy of the great diplomatic tradition.

Mr. MATSUDAIRA (Japan) (interpretation from French): Mr. President, I should like to tell you how touched I am by your very kind words. I feel that I am unworthy of your praise, and I prefer to see in your words feelings of friendship addressed to my country and my people. Therefore, Sir, I wish to thank you, and I should like also to take advantage of this opportunity to congratulate you on the fact that this month Panama presides over the Security Council for the first time in the history of the United Nations.

STATEMENT BY THE PRESIDENT

The PRESIDENT (interpretation from Spanish): I wish now to make a few brief comments which I believe to be of importance.

The Government of the Republic of Panama feels that the exercise of the function of the Presidency of the Security Council is, besides being an honour which requires the fulfilment of delicate responsibilities, also an extremely important matter because it stresses the principle of the sovereign equality of States, and also brings into play a recognition of the equality of the roles played by nations great and small in the service of this Organization.

I should like first to refer to the question of disarmament as far as it concerns the competence of the Security Council and the Military Staff Committee.

The resolution recently approved by the General Assembly to establish a disarmament commission composed of all eighty-one Members of the United Nations implies the necessity that the members of the Council and the Secretary-General study the manner of co-ordinating the work of that disarmament commission with the functions that the Charter has assigned to the Security Council and the Military Staff Committee.

Although according to Article 11 of the Charter, the General Assembly can make recommendations to Members or to the Security Council, or to both, regarding the principles governing disarmament and the regulation of armaments, these powers cannot be taken to mean that the Security Council and the Military Staff Committee may abdicate the functions which are specifically assigned to them in Articles 26 and 47 of the Charter regarding the working out of plans for the regulation of armaments and for possible disarmament.

In the course of a generation mankind has witnessed a scientific revolution without parallel in history, beside which the industrial revolution, which

(The President)

was said to have changed the world more than it had been changed in the previous ten centuries, appears mere child-play. To the same degree that science extends the frontiers of knowledge and increases man's creative and destructive capacities, international problems attain new dimensions. New intellectual processes are required that will lead to a fresh and fertile new mental attitude for searching out and finding solutions in keeping with the realities of our age.

In order to resolve the gigantic problems related to the maintenance of international peace and security it is no longer sufficient to apply the well-known routine procedures. Modern international law requires a new dynamic which will supply to the international community a periodic definition of its objectives which must be in keeping with the needs of the States Members and in keeping with the resources available for the solution of current problems.

In this respect the Charter of the United Nations, in paragraph 2 of Article 28, permits periodic meetings of the Security Council with the obvious purpose that the activities of the Council go beyond the mere settlement of disputes and beyond action in cases of threats to peace, breaches of the peace or acts of aggression.

Although rule 4 of our Rules of Procedure specifies that the periodic meetings mentioned in paragraph 2 of Article 28 of the Charter are to be held twice a year, on a date to be determined by the Security Council, up to the present time this salutary provision has never been put into practice. There are some who feel that the device of periodic meetings of the Security Council at the level judged appropriate by Governments should be understood as another way of giving validity to the principles and purposes contained in paragraph 4 of Article 1 of the Charter, that is to say, to serve as a centre for co-ordinating the efforts of the various countries for achieving the common objectives of the United Nations. If this is so -- and there is no reason to believe the contrary -- then it would be fitting for members of the Council to consider the possibility of having periodic meetings of the Security Council, thus giving a new vital impulse which will point the way towards a solution of some of the most important problems in the international sphere.

(The President)

In fact, Article 28 of the Charter sets up the procedural instrument to enable the Security Council to be what it should be -- an executive body capable of establishing an international policy that will stress common international interests, which by degrees will reduce the importance of differences among the States, and which, finally, will return to the world the confidence necessary for the dissipation of the fear of annihilation by surprise attack.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE DATE OF ELECTION TO FILL A VACANCY IN THE INTERNATIONAL COURT OF JUSTICE

The PRESIDENT (interpretation from Spanish): As a previous question to the debate on the substance of the question before the Council, as President for the Council I should like to pay tribute to the memory of the illustrious jurist of El Salvador, Dr. José Gustavo Guerrero, whose sad death occurred on 25 October 1958, while he was acting as a Judge on the International Court of Justice. The name of Dr. José Gustavo Guerrero, a badge of honour for Latin America, had already achieved universal renown because of his tremendous diplomatic, juridical and educational work. If his political career was brilliant as a Minister of El Salvador, Minister of Public Instruction, Justice, and Foreign Affairs, we can safely say that his international career had achieved greatness. Dr. Guerrero, in his exercise of the highest positions in the international field, brought together prudence and honesty, wisdom and justice. That is why he was able to achieve a place of honour in the history of his country, and that of America, and that of the world.

Dr. Guerrero exercised functions on the Council of the League of Nations in 1927. He was President of the tenth Assembly of the League of Nations in 1929; President of the Permanent International Court of Justice from 1937 to 1945, and President of the International Court of Justice from 1946 to 1949. All these are milestones marking the constructive elements of an exemplary life dedicated to the service of humanity.

To the noble people of El Salvador, of America and of the United Nations, the death of his Honour, Judge José Gustavo Guerrero, was an irreparable loss, but for posterity and succeeding generations all over the world, there remain his thoughts and his ideals, which were crystallized in his writings and his judgements as a living testimony of honour and rectitude.

(The President)

It is in accordance with Article 14 of the Statute of the International Court of Justice that the Security Council has been called together today to decide on the date at which it should fill the vacancy which has occurred because of the death of Judge Guerrero of the International Court of Justice.

In accordance with the practice followed in such cases, I take pleasure in submitting for your consideration a draft resolution the operative part of which is meant to have the Security Council decide that an election to fill the vacancy shall take place during the fourteenth session of the General Assembly or during a special session before the fourteenth session. This draft resolution has been circulated to members. Before it is discussed, however, I should like to offer one point for clarification.

When it is stated in the operative part of the draft resolution that the election shall take place at the fourteenth session of the General Assembly or during a special session before the fourteenth session, we mean to refer to a special session as provided for under rule 8, paragraph (a), of the rules of procedure of the General Assembly. I say this in order to avoid any possible misunderstanding as to the meaning of that term "special session", which is not to be understood as one that would cover the cases where an emergency session would be convened. It is a special session as described in rule 8, paragraph (a), of the rules of procedure.

I might also tell the Council, for its information, that the Secretary-General already addressed a letter on 14 November to the various national groups on the Permanent Court of Arbitration which has the power to submit nominations, informing them that they would have three months to **submit** the names of their candidates. All this is meant to indicate that the provisions of Articles 5 and 14 of the Statute have been complied with.

If there are no objections, I shall consider this draft resolution as adopted.

The draft resolution was adopted unanimously.

LETTER DATED 16 NOVEMBER 1958 FROM THE MINISTER OF FOREIGN AFFAIRS OF LEBANON
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The PRESIDENT (interpretation from Spanish): The Security Council has thus concluded its consideration of the item on its agenda for this meeting. I should like, however, to draw the attention of the members of the Council at this time to certain other documents which have recently been circulated. These are the following: A letter addressed to me on 16 November by the Minister of Foreign Affairs of Lebanon, document S/4113; the fifth report of the United Nations Observation Group in Lebanon, document S/4114; and a letter addressed to me by the Secretary-General on 17 November 1958, document S/4115.

In his letter of 16 November (S/4113), the Foreign Minister of Lebanon has requested that the complaint submitted to the Security Council by his Government on 22 May 1958 be deleted from the list of matters before the Council. The Lebanese Government has further requested the Security Council to ask the Secretary-General to communicate its decision to the General Assembly.

The United Nations Observation Group in Lebanon, in its fifth report of 14 November (S/4114), by way of conclusion, stated that the withdrawal of UNOGIL should now be undertaken since the task assigned to the Group may now be regarded as completed. The Secretary-General has informed the members of the Council, in a letter dated 17 November (S/4115), of the measures being taken for the liquidation of that operation.

In view of the statement of the Government of Lebanon and the recommendation of the Observation Group, it would appear to be appropriate at this stage to ascertain whether the members of the Security Council consent to the deletion from the list of matters of which the Council is seized of the complaint submitted on 22 May 1958 by the Government of Lebanon and to the liquidation of the operations of the United Nations Observation Group in Lebanon.

In the light of these circumstances, I have engaged in consultations with the members of the Council, and they appear agreeable to such a decision being taken. Accordingly, if I hear no objection, I shall place on the record that the Council has agreed to delete from the list of matters of which it is seized the complaint

(The President)

submitted to it by the Government of Lebanon on 22 May 1958, it being understood that the Secretary-General will inform the General Assembly under his mandate in the 21 August resolution.

It was so decided.

The meeting rose at 4.10 p.m.



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(The President)

1 submitted to it by the Government of Lebanon on 22 May 1958, it being understood
2 that **the** Secretary-General will inform the General Assembly under his mandate in
3 the **21** August resolution.

It was so decided.

The meeting rose at 4.10 p.m.