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Dag Hammarskjöld's saml.

Guatemala

8-19 July 54

- a.) Meeting of A. Cordier (U.N.) with Mr. Wadsworth and Mr. Barco of the U.S. Mission, re the memorandum on procedure in the Security Council
- b.) Second meeting — " —

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list 35

MEETING OF MR. CORDIER WITH MR. WADSWORTH
AND MR. BARCO OF THE U.S. MISSION ON JULY
8, 1954 REGARDING THE MEMORANDUM ON
PROCEDURE IN THE SECURITY COUNCIL

Mr. Wadsworth said that he had come on instructions from the State Department and Mr. Lodge, and presented me with the formal comments of the Department on our memorandum. He stated that the Department took a very serious view of this matter and that he had been instructed, in addition to the presentation of the formal comments, to present certain oral comments, which he then read from rather full notes. After finishing the first reading of the notes I asked him to repeat them to my secretary.

He said that these views were transmitted to me for transmission to you in whatever form or with whatever fullness I felt desirable. I told him it should be obvious that I would have to present these comments to you in full.

I stated at once that I thought the oral comments were -- to use a phrase from the comments themselves -- tendentious, and that the allegation of lack of objectivity and the presence of bias was unacceptable and that I would have to reserve your position both on the oral and the written comments.

I said I felt that it seemed from the first reading of the formal comments that our very effort to be objective and avoid reference to the Guatemalan case had, in reality, been misunderstood and provided occasion for them to regard our position as lacking in objectivity. I further

stated that there was a certain lack of balance in their own comments and I referred to the off-hand way in which they dealt with the cease fire resolution of June 20th by limiting their reference to a statement that "the Security Council then adopted another resolution concerning the matter." It was, in fact, the non-compliance with this resolution and the Guatemalan initiative of Wednesday, June 23rd in presenting this new situation to the Security Council that constituted the basis for the interpretation of the appropriateness of the action at the Security Council meeting on June 25th. This new situation was one which entitled Guatemala to a hearing unrelated to the hearing of June 20th. Mr. Wadsworth reiterated the substance of their formal comments and argued that the hearing of June 20th in fact represented full discharge of their responsibility to the Council under Article 35.

I pointed out that the reference to a "balanced mechanism" in their memorandum was precisely the objective which the memorandum sought to emphasize. This "balanced mechanism" was ^acarefully calculated mechanism achieved in the San Francisco Conference and, as a member of the U.S. Delegation, I recalled vividly, and now sharpened by the reading of the documents, statements made by the Chairman of the Delegation, Senator Vandenberg and Mr. Stassen, ^{ALL} both of whom emphasized the paramountcy of the Charter, the primary responsibility of the Security Council for the maintenance of peace and security, and the detailed provisions of Articles 51, 52, 53, 34 and 35 which provided an arrangement whereby the role of regional arrangements was to be considered as complementary to the United Nations.

Paragraph 4 of Article 52 had, in fact, been written into the Charter on the initiative of the U.S. Delegation and the only appropriate interpretation of Article 52 was to regard it in ensemble and certainly not on the basis of the paramountcy of Paragraphs 1, 2 and 3. It was paragraph 4 that kept the door open to the possibility of an initiative on the part of a member nation to seek and be entitled to a hearing in the Security Council. Mr. Barco replied that they felt Article 35 was permissive to the Council and was intended to be permissive because if it were not so, the Security Council might be subjected to all kinds of complaints, many without foundation. I replied that I felt that both the San Francisco background and the experience of the eight years in the United Nations refuted that thesis. The Security Council certainly was free to determine whether it would or would not act or in what way it would act but it could hardly be free to refuse any action at all without first having heard the complaint of the member state.

Mr. Wadsworth added that their procedure in fact was a more polite gesture to Guatemala than the suggested alternative procedure of the adoption of the agenda with an immediate adjournment, thus slapping the Guatemalans in the face. He added that the debate would have been very hard to control and that it seemed an obvious desire on the part of Guatemala to lock the matter in the hands of the Security Council, thus rendering the Organization of American States incapable of action. I indicated that I felt this reasoning was wrong for two reasons.

First a motion of adjournment could have been made at any time and the debate certainly would not have gotten out of hand.

Secondly, a hearing would not have precluded continuing action on the part of the OAS since, under Article 52, paragraph 3, the initiative of the states concerned, which, in this case is OAS, would not have been impaired by a hearing.

There was some discussion on the unfavorable repercussions of disclosure of our memorandum, toward the conclusion of which I stated that I was authorized to say that it was your intention, before you left, to limit the circulation to the United Kingdom and France, this distribution seeming to be logical because it was the U.S., the U.K. and France who were primarily involved in the discussions on procedure. I stated, however, that in the light of the formal comments I would withhold circulation until I had reported to you.

Mr. Wadsworth then said that he was also instructed to convey to you the position of the United States with regard to the question of Chinese Communist representation in the United Nations. ^{They} / took the strongest possible objection to the seating of Communist China and would resort to the strongest possible measures to prevent it. I asked him to define the position a little more clearly. Did it mean, for example, that he was conveying to us the Knowland formula? He replied "not necessarily" but the Knowland position was at least an indication of the seriousness with which the United States viewed the matter.

I then said that for a few minutes I wanted to speak as an American and not as an international civil servant and express my deep personal regret that American foreign policy was moving rapidly toward an effective

alienation of the free world. I felt that this was a most needless course and one that could not only easily be avoided, but it had to be avoided if we were, in the long run, to avoid World War III. There were three basic trends in the world today; (1) the gains of communism; (2) the disintegration of the free world; and (3) the decline of effective American leadership. I felt that the "get tough" policy to which allusion was made earlier in the conversation, would not maintain the kind of solidarity that was distinctly in the American interest and in the interests of preservation of peace. After all, the world expected the U.S. to follow a line of ethics with corresponding methods and procedures which transcended those of the Communist world. The strength of the free world is its reliance upon constitutional forms and procedures and upon the moral unity that is produced and maintained through persuasion, not force.

At the end of the conversation Mr. Wadsworth and I agreed that it would be useful, before any further steps were taken, for you and Mr. Lodge to have a discussion regarding the principles contained in the memorandum.

MEETING OF MR. CORDIER WITH MR. WADSWORTH
OF THE U.S. MISSION ON JULY 19, 1954 AT
11.00 A.M., REGARDING THE MEMORANDUM ON
PROCEDURE IN THE SECURITY COUNCIL

Mr. Wadsworth came to see me at my request to have a further discussion regarding the Guatemalan question. I opened the conversation by saying that I might use, with equal justice, some of the phrases used in their oral comments to describe the position of the United States but that I was sure that would not be a contribution toward our common objective and I believed that both parties possessed the maturity and the desire to approach the problem in such a way as to achieve an understanding of the principles involved.

I then stated that your only desire in taking this initiative had been to avoid the risk of future interpretations of decisions as establishing a claim for the exclusive competence over such matters by regional agencies. You agreed with them that the Charter does not establish such competence for the Security Council any more than for regional agencies. Furthermore you felt that doubts in future should not exist as to the interpretation of the term "bring to the attention" as implying a right to a hearing. If agreement existed on these two constitutional issues, which I must presume from the formal comments does exist, it would appear that the major issues would have been dissolved. While the U.S. recognizes the right to a hearing, there remains the difference of interpretation as to the conditions under which it is exercised. The recognition of the principle, however, is important.

I referred to the statement I made on July 8th. Mr. Wadsworth recalled the substance of the formal comments regarding the hearing and I referred again to my reply on this matter in the same conversation. I stated I assumed there was no departure in the basic American position from the position taken by the U.S. Delegation at San Francisco regarding the balanced mechanism between the United Nations and regional organizations. Mr. Wadsworth felt that there had been no departure and that while there was a difference between us as to the interpretation of the two meetings as they affected the application of Articles 35 and 52, there was never any intention to argue ~~through~~ for exclusive competence of regional organizations or the denial of a hearing to a member.

I pointed out that the address made by Mr. Key at Colgate a few nights ago was, if I might use Mr. Wadsworth's expression, a slightly more balanced interpretation of the issue than the arguments set forth by Mr. Lodge on June 25th and it was that speech that added to the anxiety regarding the interpretation of Articles 52 and 35.

I told Mr. Wadsworth, as an expression of my personal feeling, that I thought the short Lodge letter to you was regrettable. I asked him whether this letter had the effect of formalizing his oral comments. He said that it was not intended to apply to the oral comments but rather was an expression of Mr. Lodge's attitude in support of the formal comments. Mr. Wadsworth said he had not seen the letter, which I showed to him, but that Mr. Lodge ^m had dictated it immediately after a conversation that they had had on the subject.

We agreed that it would be useful, upon your return, to engage in a further discussion of this matter with Mr. Lodge.