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LETTER DATED 10 JULY 1964 FROM THE PERMANENT REPRESENTATIVE OF
THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I request you to arrange to have the attached "Memorandum of the Government of the USSR regarding certain measures to strengthen the effectiveness of the United Nations in the safeguarding of international peace and security" issued as an official document of the General Assembly.*

(Signed) N. FEDORENKO

* Transmitted to the Security Council under the symbol S/5811.

MEMORANDUM OF THE GOVERNMENT OF THE USSR REGARDING CERTAIN MEASURES
TO STRENGTHEN THE EFFECTIVENESS OF THE UNITED NATIONS IN THE
SAFEGUARDING OF INTERNATIONAL PEACE AND SECURITY

1. Recently the course of international relations has begun to show distinct signs of changes for the better. The conclusion of the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water, followed by the achievement of an understanding not to orbit objects carrying nuclear weapons and to reduce in the United States, the Soviet Union and the United Kingdom the production of fissionable materials for military purposes, have contributed to a certain easing of international tension and to the germination of seeds of mutual trust in relations between States. The principles of peaceful coexistence of States with different social systems have been given increasing recognition as the sole reasonable basis for international relations in our time.

There has been some improvement, too, in the situation within the United Nations, as revealed in the course of the eighteenth session of the General Assembly and in the deliberations of the Security Council on a number of important political issues. Nevertheless, the general state of international relations is still not satisfactory from the standpoint of securing a durable peace. The threat of war has not been eliminated. Some countries are still endeavouring by force to maintain their dominion over peoples waging the just struggle for freedom and independence. In various parts of the world friction in the relations between States and even conflicts fraught with dangers to world peace have arisen because of the actions of certain circles that have no interest in preserving peace. These same circles continue to impede progress at the disarmament negotiations.

The Soviet Government is deeply convinced that it is the duty of all countries to do everything in their power to help in further easing of international tension, in strengthening mutual trust in relations between States and in normalizing the international situation. In the opinion of the Soviet Government, a major contribution in this respect would be the achievement of an understanding among States Members of the United Nations on the strengthening of the Organization's effectiveness in safeguarding international peace and security. The United Nations Charter offers the necessary possibilities in this regard, but up to now these possibilities have not always been fully exploited.

2. The United Nations Charter contains the essential principles for peaceful and good-neighbourly relations among States. Therefore, to enhance the effectiveness of the United Nations in keeping the peace means first of all putting an end to violations of the Charter, permanently ridding the Organization of all remnants of the "cold war" period, creating within the United Nations a situation favourable to the co-operation of all States as equals. At the same time, wider use should be made of the peaceful means of settling international disputes provided for in the Charter. The enormous changes which have occurred in the world over the past decade, the expansion and consolidation of peace-loving forces, give every reason to believe that if countries, and primarily the great Powers which are permanent members of the Security Council, demonstrate goodwill and a genuine desire to preserve the peace, much can be done to enhance the ability of the United Nations to thwart attempts to disturb the peace and to prevent conflicts by means of the peaceful procedures provided for in Chapter VI of the Charter, such procedures as negotiation, good offices, conciliation, etc.

The Soviet Government does not deny, however, that in some cases there may arise a situation in which the maintenance of peace in a given area may be difficult to secure by peaceful means of settlement alone.

In such cases, where there is a threat to the peace, a breach of the peace or an act of aggression, the Soviet Government considers it rightful for the Security Council to adopt enforcement measures of a non-military character, in accordance with Article 41 of the Charter, including the interruption of economic relations, the severance of diplomatic relations and other related measures.

As is well known, the Soviet Government has repeatedly supported in the Security Council the demands of African States for the application of such measures to the Republic of South Africa, which is pursuing the inhuman policy of apartheid fraught with dangers to peace in Africa, and also to Portugal, whose Government is waging a colonial war against the people of Angola and other Territories.

3. While the Soviet Government holds that the peaceful, non-military means prescribed in the Charter should first be used to settle disputes and conflicts between countries, it does not exclude the possibility that situations may arise where the only way to prevent or stop aggressive acts, and protect the sovereignty

and territorial integrity of a victimized State, is for the United Nations to employ force in accordance with Article 42 of the Charter. In these exceptional cases it may prove necessary to send United Nations armed forces to the area concerned.

Decisions of this kind should be taken, however, only as a last resort and after all the relevant facts have been carefully weighed, for it must be kept in mind that the use of any foreign troops including those of the United Nations to settle conflicts, indeed their very presence in foreign territory, may, as experience has shown, lead to the very opposite result, i.e. to interference in the domestic affairs of States, to grave international complications, to a heightening of tensions.

The indispensable condition for the application of so extreme a measure as the use of United Nations armed force must at all times and in all circumstances be scrupulous compliance with all the provisions of the Charter dealing with the use of force for the maintenance or restoration of international peace.

Under the Charter, the only body authorized to take action in the maintenance or restoration of international peace and security is the Security Council. It is likewise within the purview of the Security Council to adopt decisions in all matters relating to the establishment of United Nations armed forces, the definition of their duties, their composition and strength, the direction of their operations, the structure of their command and the duration of their stay in the area of operation, and also matters of financing. No other United Nations body, including the General Assembly, has the right under the Charter to decide these matters.

These provisions of the Charter are profoundly sensible. They form the only basis on which it is possible to ensure that the United Nations armed forces may not be used in the narrow unilateral interest of any individual States or groups of States to the detriment of the interests of other States, which would lead not to a strengthening of peace but rather to a further aggravation of the situation. This basis is the agreement of the permanent members of the Security Council on all fundamental matters relating to the establishment, utilization and financing of United Nations armed forces in each particular case.

In the present circumstances, when an active part in international affairs is being played by numerous States belonging not only to different geographical areas but also to different military and political groupings, a further necessary condition to ensure that the application of force by the United Nations corresponds solely to the interests of peace and not to the unilateral aims of any particular States or groups of States is the adoption of arrangements for the composition of the United Nations armed forces whereby these forces would include, together with contingents from Western and neutral countries, contingents from the socialist countries. This means, too, that representatives of the socialist countries would participate in the command of United Nations armed forces established by decision of the Security Council in a given situation.

The Soviet Government takes the view, however, that it is inadvisable for United Nations armed forces to have contingents from nations which are permanent members of the Security Council.

As regards assistance to the Security Council in all matters relating to the use of United Nations armed force, including the preparation of plans for its application, under Articles 46 and 47 of the Charter, this task belongs to the United Nations Military Staff Committee. The Secretary-General, as the chief administrative officer of the United Nations, should contribute by all the means at his disposal to the execution of the relevant decisions of the Security Council.

The Soviet Government considers that the question of the reimbursement of expenditure required for the execution of emergency measures adopted by the Security Council to deter or repel aggression through the use of United Nations armed forces should be decided in conformity with the generally recognized principle of international law that aggressor States bear political and material responsibility for the aggression they commit and for the material damage caused by that aggression.

Nevertheless, the Soviet Government does not rule out the possibility that situations may arise where, in order to execute the above-mentioned emergency measures of the Security Council, it will be necessary for States Members of the United Nations to take part in defraying the expenditure involved in the maintenance and use of United Nations armed forces established in order to maintain international peace and security. In such future cases when the Security Council

adopts decisions to establish and finance United Nations armed forces in strict compliance with the provisions of the Charter, the Soviet Union will be prepared to take part with other States Members of the United Nations in defraying the expenditure involved in the maintenance of those armed forces.

4. With a view to securing conditions in which contingents could, when necessary, be promptly made available to the Security Council for inclusion in United Nations armed forces, the Soviet Government thinks it advisable that agreements, prescribed in Article 43 of the Charter and defining the procedures and terms for the provision of such contingents by States, should be concluded between the Security Council and States Members of the United Nations which so desire. In keeping with Article 45 of the Charter, those agreements might make it an obligation of States which have entered into such arrangements with the Security Council to hold immediately available, within their armed forces, certain military contingents and supporting facilities which would be at the disposal of the Security Council.

A draft of the main provisions of such agreements might be prepared by the Military Staff Committee, for subsequent consideration by the Security Council. Upon approval of the main provisions by the Security Council, the conclusion of appropriate agreements between the Security Council and interested States might commence.

The Soviet Government is convinced that the achievement of an understanding among States Members of the United Nations, and first and foremost among the permanent members of the Security Council, to strengthen the effectiveness of the United Nations in the safeguarding of peace and security on the basis of the propositions set forth in this Memorandum will help to enhance the authority and prestige of the United Nations as an instrument for international co-operation, among equal partners, in the cause of peace and the good of nations.