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United States of America: draft resolution as modified
at the suggestion of Ecuador

The Security Council,

Having considered the item submitted by the Soviet Union on 13 July 1960,

Having heard the statements of representatives of the United States and the Soviet Union,

Noting the existence of differences between the two Governments as to the facts of the incident of 1 July 1960, in which a United States Air Force plane was brought down by Soviet military forces, and as to questions of legal liability arising from the incident,

Recalling its resolution of 27 May 1960 (S/4328), in which the Council

(1) stated its conviction that every effort should be made to restore and strengthen international goodwill and confidence based on the established principles of international law, (2) recommended to the Governments concerned to seek solutions of existing international problems by negotiation or other peaceful means as provided in the Charter of the United Nations, and (3) appealed to all Member Governments to refrain from the use or threat of force in their international relations, to respect each other's sovereignty, territorial integrity and political independence, and to refrain from any action which might increase tensions,

1. Recommends to the Governments of the Soviet Union and the United States to undertake to resolve their differences arising out of the plane incident of 1 July 1960 either (a) through investigation of the facts by a commission composed of members designated in equal numbers, by the United States, by the Soviet Union, and by a Government or authority acceptable to both parties, charged with inquiring into the incident by inspecting the site, examining such remains of the plane as may be located, and interrogating survivors and other witnesses; or (b) through referral of the matter to the International Court of Justice for impartial adjudication;

2. Requests the parties concerned to report to the Security Council as appropriate on the steps taken to carry out this resolution.

