Chapter Three

INDIA AND THE SITUATIONS DESIGNATED AS THREATS TO INTERNATIONAL PEACE AND SECURITY
In accepting the collective security system envisaged by the UN Charter, India had also accepted the primary responsibility of the great powers incorporated into the unanimity rule of the permanent members. At San Francisco India had merely accepted the unanimity rule. But during the actual operation of the system, India became a firm supporter of this principle and insisted that the type of collective action envisaged by the Charter should not be undertaken unless all the great powers agreed. Although the Charter enumerated five states as great powers, in actual practice India seems to have interpreted the unanimity rule as agreement among the Soviet Union and the United States. In the case of disagreement between these two, India wanted the United Nations to look to powers other than the Big Five and procedures other than those explicitly stated in the Charter. In other words, it meant that if the U.S.S.R. and the U.S.A. were not prepared to act jointly, they should not be allowed to appropriate the political and military strength of the member-states for their own purposes in the cold war. Coupled with this concern of India was her insistence that enforcement action envisaged by Chapter Seven was only one aspect of the collective security system; of greater significance were those provisions of the Charter which aimed at
removing the causes which made a situation develop into a threat to international peace and security.

Both these aspects of India's attitude were brought out in her reaction to the various situations designated by the United Nations as serious threats to international peace and security. This chapter deals with India's reaction to the situations considered by the United Nations as the Complaint of aggression upon the Republic of South Korea (June 1950), Intervention by Israel, France and United Kingdom in Egypt (October 1956), The situation in Hungary (October 1956), Complaints of Lebanon and Jordan (May 1958), Questions concerning the situation in the Republic of the Congo (Leopoldville) (July 1960).

Complaint of Aggression Upon the Republic of South Korea

India viewed divided Korea as a threat to international peace and security, even before the crisis of 1950. The division of Korea at the 38th Parallel had been the wish not of the Koreans but the Americans and the Russians. The great powers had invited trouble for the world in refusing to fulfil the promises and declarations made by them at Cairo (1944) and Moscow (1945). So long as the urge for unity survived in the Koreans while the peninsula remained artificially divided, there could be no peace in Korea, nor any stability in the Far East. (1)

Although the Korean question had its own history outside the United Nations — in which the great powers had a major concern —

(1) Nehru, Raiva Sabha Debaten, 6 (1954) col. 6661.
the United Nations had been seized of the matter at all its various stages and had never relaxed its interest. The constant hope of the United Nations had been to bring about a unified, democratic and independent Korea. After being appointed as the chairman of the UN Temporary Commission for Korea in October 1947, India also repeatedly emphasized the need for unification.

The invasion of South Korea by the North on 25 June 1950 was viewed with grave apprehensions by India. Firstly, despite the fact that India was all in favour of a unified Korea, there seemed no justification for such a unity being imposed by one state on the other through the use of force. Secondly, India was situated relatively near the scene of conflict and could not afford to ignore the consequences of any major flare-up in the Far East.

India considered it necessary that the United Nations should act promptly to deal with the Korean situation, in view of its primary responsibility for the maintenance of international peace and security. The Indian delegation at the United Nations voted in favour of the decision of the Security Council, which declared that the armed attack by North Korea on the South constituted a breach of peace, called for immediate cessation of hostilities, asked the North Koreans to withdraw their forces to the 38th Parallel and requested all the member-states to refrain from giving any assistance to the North Korean authorities.

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(2) Ibid., cols. 6660-1.

India's conviction that aggression should not be condoned, was indicated by her willingness to invite the victim of aggression to attend the proceedings of the Security Council, while refusing to accord the same status to the aggressor. (4) The desire for a prompt action was reflected in India's abstention from voting on the Yugoslav draft resolution asking for an immediate cessation of hostilities but limiting the United Nations action to mere ascertaining of facts regarding the Korean situation. (5)

In supporting the initial United Nations decision regarding Korea, India had not envisaged the nature of action to be undertaken. The Indian delegation at the United Nations was hoping for "some way to meet the situation" even after the United Nations Commission on Korea (UNCOK) had reported that in view of its past experience and existing conditions, it was convinced that North Korea would not heed the Security Council resolutions. (6) India never suggested a military action by the United Nations to repel the aggression and she was certainly not prepared to accept that the U.S.A. should singly intervene in the


(6) Addressing the Security Council on 27 June 1950, Sir B. N. Rau recalled the situation in March 1949 when the relations between India and Pakistan were as bitter as could be. Even responsible ministers spoke freely of war as the only possible solution. At that juncture, the Prime Minister of India had suggested a meeting with the Prime Minister of Pakistan. They had met without any pre-planned agenda and immediately the tension in both countries eased. S.C.O.R., (5th year), 474th Mtg., 27 June 1950, 3.
Korean conflict to act on behalf of the United Nations. The Indian delegation delayed voting on the U.S. draft resolution which noted that the North Korean authorities had neither ceased hostilities nor withdrawn their forces to the 38th Parallel, and urged that since the Republic of Korea had asked for assistance, the members of the United Nations should furnish such assistance to South Korea as was necessary to repel the armed aggression. (7) The Security Council adopted this resolution as the basis of UN action in Korea. (8) But its nature could be grasped only in the context of the speech delivered by its sponsor, i.e., the U.S.A. Quoting from a statement by President Truman, the U.S. delegate told the Security Council, that the U.S.A. had already ordered its air and sea forces "to give the Korean Government troops, cover and support," (9)

When the Indian delegation recorded their belated support of the aforesaid resolution, they did not forget to add that even at that stage it might be possible to put an end to fighting and to settle the dispute by mediation. (10) By that time, however, India's misgivings, about the first military campaign launched in the name of the United Nations, were fully borne out. In a cablegram dated 27 June, the Soviet Union informed the Security Council:

(7) S/1508/Rev. 1. The U.S. draft resolution.
(9) S.C.O.R., (5th year), 474th Mtg., 27 June 1950, 3-5.
Council that the resolution adopted by it on 27 June had no legal
force, since it had been adopted by six votes and in the absence of
two permanent members, the U.S.S.R. and China, whereas under the
Charter such an important decision could be made only with the
concurring votes of all the five permanent members. (11) With the
open declaration by the Soviet Union that it would dissociate
itself from the action being taken by the United Nations, the
Korean crisis got involved in the cold war, and from the Indian
point of view the situation became more dangerous than it was before.

While the U.S.A., as the moving spirit behind the UN Command,
carried on the military action, India tried to soften the Soviet
opposition to, if not win her willing co-operation for, the United
Nations action. Nehru made an appeal to Marshall Stalin and Dean
Acheson for collaboration in the prompt and peaceful settlement of
the existing impasse in the Security Council so that the representa-
tive of the People's China might take his place at the Council.
The appeal aimed at persuading the Soviet Union to return to the
Security Council and urging the U.S.A. to make it possible for the
Soviet Union to do so, by removing the reason of her walk out, i.e.,
the representation of Nationalist China. The U.S.A. refused to
revisit its attitude toward People's China. The Soviet Union later
returned to the Council, but for a purpose that was the exact
antithesis of what India desired. Instead of patching up the gap
which had made the United Nations action legally dubious to some
of its objective observers, the Soviet Union used the full weight
of its presence in the Council to expose UN military action.

(11) 3/1517, Cablegram dated 27 June 1950 from the
Deputy Minister for Foreign Affairs of the U.S.S.R.
For full one month of his presidency, the Soviet delegate successfully blocked the taking of a single concrete decision regarding the UN action. In its efforts to overcome Soviet hostility, the Indian delegation used all sorts of arguments in favour of seating People's China in the Security Council. Thus, India supported the ruling made by the Soviet President of the Security Council that the Nationalist group did not represent China and should not be allowed to take part in the proceedings of the Council. When the Western bloc challenged this ruling by quoting Rule 17 of the Charter, India argued that procedure was a good servant but a bad master. (12) After all, the provisional rules of procedure of the Council were devised to facilitate its efficient working and could be departed from in view of some compelling reason. There could be no more compelling reason than the danger of the disruption of United Nations as a world organization, a probability which seemed imminent if the Soviet opposition were not overcome. (13)

India believed that the presence of People's China would directly help in the settlement of the Korean crisis. People's China was the most powerful among the states bordering on Korea. The American decision to place her Seventh Fleet between Formosa

(12) Rule 17 of the provisional rules of procedure of the Security Council provides that any representative of the Security Council to whose credentials objection has been raised within the Security Council, shall continue to sit with the same rights as other representatives until the Security Council has decided the matter.

(13) S.C.O.R., (5th year), 480th Ltrg., 1 August 1950, 5.
and the Mainland merely acknowledged the fact that China was closely linked up with the Korean debacle. (14)

India agreed with the Soviet Union that the People's Republic of China should be invited to attend the meetings of the Security Council in regard to the complaint of aggression against Formosa (Taiwan). Even if Peking's charges of aggression against the U.S.A. were false and the Security Council was to appoint a commission to investigate those charges, the presence of People's China would be a great help. (15) Under Art. 39 of the provisional rules of procedure, the Security Council was empowered to invite any person whom it considered competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence. A representative of People's China could obviously supply the Council with some of the information required. For instance, it was essential for the success of the proposed investigation commission that all the governments concerned should ensure

(14) The President of the Security Council, speaking in his capacity as the Soviet delegate, told the Council, "As to who linked up the Korean and the Chinese questions, it was the President of the United States who did it. In ordering his armed forces to open hostilities, to launch their aggressive operations against the people of Korea and to begin armed intervention in Korea's domestic affairs, the President of the United States also decided to seize the Chinese island of Formosa by ordering the U.S. Seventh Fleet to occupy that land." S.C.O.R., (5th year), 460th Mtg., 1 August 1950, 20.

(15) In two cablegrams from the People's Republic of China, dated 28 August 1950 (S/1722) and 31 August 1950 (S/1743), the Security Council was informed about the atrocities committed by the U.S. air forces on the frontiers of the Chinese territory. In a communication from the U.S. representative, on 29 August 1950 (S/1727), these allegations were repudiated and the U.S. Government welcomed the appointment of a commission by the Security Council, to make investigations on the spot. The U.S.A. also introduced a draft resolution to that effect (S/1752). India supported the idea of appointing a commission, but abstained from voting on the resolution because her's was one of the names proposed. The Soviet Union did not allow the resolution to be adopted.
the safe conduct and provide the facilities required by the commission. The representative of People's China could tell the Security Council the attitude of his government on that point. If that attitude was unfavourable, the Council might, after listening to the reasons for such an attitude, persuade and bring about a change in it. (16)

Although India was genuinely eager to associate the Soviet Union with UN action, she refused to compromise on the original stand she had taken in regard to the aggression. That was evident from her staunch opposition to the Soviet efforts to treat the victim and the aggressor alike. (17) After assuming the chair in the Security Council, the Soviet Union insisted that the representative of North Korea be invited to take part in the proceedings of the Council under Art. 32. (18) India refuted the Soviet view and held that if the Soviet contention were correct, then not only the Korean representative should be invited to all the future discussions of the Council, but also any past proceedings to which he was not invited would stand vitiated as a violation of the Charter. Also, it was argued by India that Art. 32 did not apply to the Korean crisis at that stage. The Council was not investigating or considering a dispute, it was in the midst of enforcement


(17) India did not participate in the voting on Soviet sponsored resolution to that effect (S/1666) which was rejected at the 483rd meeting of the Security Council.

(18) Art. 32 of the Charter provides that any state which is not a member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate without the right to vote in the discussions relating to the dispute.
action to suppress a dangerous breach of peace. "If I may use a hackneyed analogy," Sir B. N. Rau told the Council, "when the police are quelling a riot or the fire brigade in putting out a fire, they are not considering, they are taking action to remove a serious danger." (19). The Council had a dual function under the Charter, it investigated disputes under Chapter VI of the Charter and it undertook action with respect to breaches of peace under Chapter VII. It was only when it considered disputes that Art. 32 of the Charter applied. The invitation to South Korea to participate in the Council's proceedings had been extended under Art. 39 and not Art. 32. (20) India did not consider it either helpful or desirable to invite the North Korean representative also under Art. 39. That would mean inviting those whom the Council had declared guilty of aggression and against whom military operation was in progress. The Council was receiving, from time to time, reports from the Unified Command describing the progress of the campaign in Korea and it was conceivable that the contents of those reports and any disclosures during their discussion, might be of value to the enemy and harm the United Nations efforts. (21) The question of hearing the North Korean representative in the Council could not arise until after the hostilities had ceased.

Failing to get the Soviet Union associated with UN action, India devoted all her efforts to bring about a termination of the

(19) S.C.O.R., (5th Year), 494th Mtg., 1 September 1950, 15-16.
(20) Ibid., 16.
(21) Ibid., 15-16.
UN campaign in Korea. She did not agree with the Soviet Union that the U.S. and other troops should be immediately withdrawn from Korea. (22) Such a suggestion was open to the obvious objection of leaving the South Koreans at the mercy of the North Koreans. Nevertheless, India was insistent that UN military operations in Korea should not last a day longer than it was absolutely necessary. As the war went on, there continued an immense waste of men and materials on both sides. Even the victim of aggression, on whose behalf the United Nations had intervened, was "sick, desolate and dying." (23)

The Charter remained silent as to when and how a military action by the United Nations should be terminated. India, however, emphasized that the UN Command had gone to Korea with the limited purpose of repelling the aggression and should not carry its campaign beyond its original objective. The aggression had been checked and the North Korean armies were pushed back till they seemed to be completely broken. (24) There was nothing else which

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(22) A/C.1/567. Five power draft resolution sponsored by the U.S.S.R. India abstained from voting on the draft resolution which was rejected by the General Assembly. G.A.O.R., 5th Sess. (1950) 1st Cttee, 350th Htg., 33.

(23) India did not want Korea to suffer the fate of Burma during the Second World War. That country was first bombarded and occupied by the Japanese and the Allies had to bomb it again to drive the Japanese out. The net result was a double devastation. Much the same would happen in Korea and the United Nations could hardly expect to find the money and material required for healing the twice inflicted annihilation. Rou, S.C.O.R., (6th year), 478th Htg., 23 July 1950, 7.

(24) The U.S. delegate himself admitted at the 512th meeting of the First Committee of the General Assembly that the purposes of intervention in Korea had been achieved and all that remained was the termination of it. See Kenon, G.A.O.R., 7th Sess. (1952), 1st Cttee, 525th Htg., 111.
the UN Command was supposed to do or should be made to achieve under pressure from any quarter. In this context India was strongly opposed to the U.S. view that the UN forces should be allowed to remain in any part of Korea so long as it was necessary for achieving the purpose of a unified and independent Korea. (25) Such a view could be easily interpreted to authorize the UN Command not only to cross the 38th Parallel but also to remain in North Korea indefinitely because no one knew how long the unification would take. According to India any attempt to speed up the unification of Korea by force under the UN Command was no more justified than a similar attempt on the part of North Korea. (26) India warned the United Nations that a prolongation of its military operations after the repulsion of aggression would intensify the North Korean resistance and extend the area of conflict. As a matter of fact, the Indian Government had counselled her ambassador in Peking and her representatives in other countries about how the various Governments were reacting to the Korean scene. The reaction of Peking had firmly convinced India that, if the 38th Parallel were crossed, China would consider it a grave danger to her own security and would not tolerate it. (27) India conveyed her views to the

(25) Sub para (d) of the 8 power draft resolution (A/1422) submitted by the U.S.A.

(26) "Faith in the United Nations might be impaired if the U.N. were even to appear to authorize unification of Korea after the Organization had resisted the attempt of North Korea to unify the country by force against South Korea." Rep. G.A.O.R., 5th Sess., (1950), 1st Cttee, 350th Mtg., 33.

Governments of the U.S.A., the U.K. and other Asian countries but she proved a Cassandra of international behaviour. As an inevitable result of its victory over the aggressor, the UN Command marched into the North where it clashed with recognized North Korean troops and later with the forces of the strongest military power in Asia, i.e., People's China. The situation became more dangerous because not only was the UN military campaign being carried without the approval of one of the two big powers, it was also jeopardizing what it had aimed at safeguarding i.e., world peace and security.

Anxious to bring about an end of the Korean crisis, India along with several other Arab-Asian countries proposed that a three-man group be constituted to determine the basis on which a satisfactory cease-fire could be arranged in Korea and to recommend the same to the General Assembly. (28) The purpose of the cease-fire group was to prevent the conflict in Korea from spreading to other areas, to put an end to the fighting in Korea and to provide an opportunity for considering what further steps should be taken for a peaceful settlement of the existing issues in accordance with the purposes and principles of the Charter. (29) As the group thus constituted —of which India was also a member—proceeded to negotiate with the two sides involved in the conflict, India suggested that People's China should also be consulted. (30)


(30) With the entry of the Chinese forces, called as 'Volunteers' by the Peking Government, into the Korean arena, the initiative to terminate the aggression no longer rested with the party which had started it. Ibid.
In view of the strong opinion expressed by the Peking Government on the future of Korea, as well as the existing state of warfare in that country and also because the Chinese were participating in that warfare, India considered it essential that China should be associated with the cease-fire negotiations. (31) Towards that end, the Indian member of the cease-fire group utilized the presence in New York of General Wu-Haiu-Chuan. (32) Both as a result of the discussion with the Peking representative and the official reaction of the Government of China to the cease-fire proposals submitted to them, one thing became clear. It was, that although China had no desire to continue a war with the U.S.A. or the United Nations, she was bent upon making the most out of having been dragged into it. (33) The Peking Government emphatically stated that the settlement of the Korean problem was inextricably involved with the placing of the Seventh Fleet in the Pacific and the non-recognition of People's China. (34)

(31) Ibid.


(33) General Wu-Haiu-Chuan told B. N. Raj that a war had been forced on China by the forces of the United Nations and the U.S.A. in carrying out military operations near the Chinese border. To India it seemed understandable that China should not want a war because she had been ravaged by wars of one kind or another for almost a generation. G.A.O.R., 5th Sess. (1950), 1st Cttee, 415th Mtg., 433.

(34) Statement of People's China's Foreign Minister contained in his letter dated 23 December 1950 to the President of the General Assembly. See annex to the report by the Cease-fire Group, n. 29.
India had all along held the view that the military action in Korea should not be mixed with the political objectives of the United Nations regarding Korea, but Peking made her realize that the two had become closely intertwined. In those circumstances, India supported the recommendation of the cease-fire group that the settlement of the Korean question should be brought about in two stages. (35) In the first stage, arrangements should be made for the cessation of hostilities and the withdrawal of troops from Korea. In the second stage, the General Assembly should appropriate a body to consider the political solution of the Korean problem. The proposed body should include the representatives of the U.K., the U.S.A., the U.S.S.R. and the People's China, and should discuss the Korean problem in the context of other East Asian problems especially those of Formosa and the representation of China. Lest the gap between the first and the second stage be availed of as a smoke-screen for further offensives, the group suggested that pending the final settlement of the Korean problem, appropriate interim arrangements should be made in accordance with the UN principles for the maintenance of peace and security in Korea. To begin with, these proposals were rejected by People's China, but ultimately it was on their basis that the armistice was concluded. (36)

India was very keen that the political conference stipulated in para 50 of the armistice agreement should be held within the time


limit of 90 days provided therein. She insisted that the composition of the political conference should not be limited to the belligerents on either side. In deciding this issue the United Nations should make its own judgement and should not be influenced by any side. Since the fifteen powers whose armies had fought in Korea differed among themselves in their fundamental approach to the problem, there could be legitimate differences between them and those who had not fought with them but represented the United Nations. (37) India considered the presence of the Soviet Union absolutely indispensable for the success of the conference and also emphasized the advantages of having some neutral nations as participants. (38) If the political conference were preceded by some private consultations among the great powers, it was likely to be more successful because then a more or less agreed formula could be put before the General Assembly. (39) As regards the most controversial issue of India’s participation in the conference, it was stated unequivocally by the Indian Government that their decision would depend on a) the Assembly’s decision, b) the decision of the other side, c) the

(37) The representative of the U.S.A. wanted that only those who had fought in Korea should attend the conference. The representative of the U.K. did not wish to perpetrate the 'two sides concept' in the post-armistice negotiations (613th Ltgs.) Similar views were expressed by other representatives including those of France (613th Ltgs.), and Canada (615th Ltgs.) See G.A.O.R., 7th Sess. (1953), 1st Cttee Ltgs., 613th to 615th, 699-713.

(38) Nehru, Parliamentary Debates, 8 (1953) cols. 3987-20.

assurance that India could perform some useful function in the interests of peace. (40)

The political conference of the type envisaged in the armistice agreement was never held. The Geneva Conference on the Far East that was held in April 1954 to answer the description merely emphasized the differences between the parties concerned. The South Korean delegate insisted that elections should be held only in North Korea and the newly elected deputies should take their places in the South Korean Parliament, also that the Chinese forces should withdraw, while the UN forces should remain. The Western powers in the UN group suggested that elections for both sides, North and South Korea, should be held under the UN supervision. The North Koreans proposed that all foreign forces should be withdrawn within six months and that an all-Korean commission based on parity should be formed to conduct elections without outside interference. (41)

India did not agree with the Western view that the Geneva Conference was equivalent to the Korean Political Conference envisaged in the armistice agreement, but she did not regard the Conference to be as big a failure as it was made to appear. In Geneva, the Soviet Union, China, North Korea, South Korea and the Western powers had all agreed upon certain things: that there should be unification, that there should be elections and that there should be supervision.

(40) See A/L.1/53, draft resolution recommending India's participation in the Political Conference rejected by the General Assembly at its 625th, 1st Cttee meeting. For India's view on its participation see联合国, C.A.O.R., 7th Sess. (1952), 1st Cttee, 828th Ltg., 754.

India supported the idea of holding elections under international supervision and had no objection to UN supervision if it were possible to persuade both the parties to accept it. But there was no point in accepting the South Korean stand that the unification of Korea should be brought about by one side adopting the constitution of the other. (42) The North Korean Government had clearly and repeatedly stated that it would be willing to participate in elections which were internationally supervised but as the United Nations had involved itself in the war, it was difficult from their viewpoint to join such elections. (43)

India held that it would not detract from the prestige of the United Nations if the elections in Korea were not formally the task of the Organization. Whatever machinery was set up for the supervision of the elections in Korea should be agreeable to the United Nations and in consonance with the Charter, and the unification would not be less important because it did not carry a UN label. (44)

India's attitude to what should be done pending the ultimate unification of Korea differed both from the views held by the divided Koreans as well as those of the great powers. To India it seemed fantastic that since the Political Conference had failed the armistice should also be terminated, a stand which was taken by

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(44) See n. 42.
South Korea. (45) Nor did she agree with the view that was gaining ground with the great powers that the best which could be hoped for Korea would be the maintenance of the status quo and the confirmation of the lines of division. At the end of the Korean war, North Korea had about 400,000 troops and South Korea had 700,000. The absurdity of a small country like Korea maintaining forces to a total of more than a million was self-evident, especially in view of the fact that what the country needed most was a balanced economic development and raising the standard of living of its people. Moreover, India emphasized that the maintenance of the status quo would not help in the ultimate solution of the problem. As days passed by, the parties concerned might realize that the Korean problem today cannot be settled in the context of yesterday. (46)

In the beginning, the Chinese and the North Koreans were enthusiastically in favour of unification. But after the Korean war, the picture had changed. South Korea, which had population thrice as much as that of North Korea had become militarily stronger and it was debatable whether the North Koreans would look upon unification with any great enthusiasm. (47) The main obstacle to unity in Korea, according to India, was likely to be the growing difference between the two politico-economic systems. Therefore, she suggested

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(46) Ibid.

(47) The attitude of South Korea was plainly evident from the statement made by President Syngman Rhee about the signing of the armistice agreement. "We should have got tough faster and stayed tough longer. Now, we have got all that to do over again. A few atom bombs could have freed Korea of the Chinese and assured Korea's unity." The Hindu, 28 January 1954.
that the United Nations should actively encourage contacts between the two parts of Korea and use whatever influence it had to make it possible for them to come together on such problems as they might discuss without political or constitutional commitments. (48) For a while, North and South Korea might function separately, democratically and independently, but build up some kind of a common feature at the top, so that they could consider their problems. Gradually common matters of discussion might grow and when the passions of the past were soothed, they might come together and unify in a closer way. (49) In this respect the association of North Korea with the UN discussion on the future of Korea was as essential as that of South Korea because it was no longer the issue of aggression that was being considered. (50)

(48) Menon, n. 42.
(49) Nehru, Rajya Sabha Debates, 6 (1954) col. 6662.
(50) India would not object to leaving out North Korea, if South Korea also was left out, but the Committee should not shut out only one. Menon, G.A.O.R., 10th Sess. (1955), 1st Cttee, 734th Mtg., 154-5.

(51) Mr. Pynn, the South Korean representative accused India of having appeased the communist aggressors. While India had not sent one soldier to defend freedom, she had willingly dispatched thousands of troops to guard anti-communist prisoners. G.A.O.R., 8th Sess. (1953), 1st Cttee, 621st Mtg., 737.
supporting the U.S. draft resolution (S/1506), which called upon member-states to give all assistance to South Korea, was not entirely due to the delay in the communication of the draft to the Government of India, although that was the official explanation given (S/1520). Sir B. N. Rau's statement, "the truth is that the whole structure and composition of our armed forces are designed for home defence and our internal needs at present are such that we cannot afford to send any of these forces to remote areas of India," provided only a partial explanation for India's attitude. (52) The frankest reason would have been that the UN military action in Korea did not go the way, India considered it should have gone. It was initiated, conducted and even concluded by one of the great powers, i.e. U.S.A., as a part of the cold war. 

Initiating the move for military action in Korea, the U.S. delegate had said, "the attack on Korea, makes it plain beyond all doubt that Communism has passed beyond the use of subversion to conquer independent nations and will now use armed invasion and war." (53) The first troops, U.S. of course, which were supposed to make the UN Command later on, had landed in Korea before the UN Command itself was created. (54)

In conducting the UN military operations the U.S.A. acted almost unilaterally. The major decisions regarding the course of action were made by the U.S.A. without consultation with even the other members of the UN Command, let alone the other members of the

(54) Ibid.
United Nations. The U.S. Defence Secretary said in Washington on 20 June 1952 that in an extreme emergency the U.S. joint Chiefs of the Staff could authorize the bombing of the Chinese bases in Manchuria north of Yalu river without referring to the United Nations. Prime Minister Churchill conceded before the House of Commons that the British Government had not been consulted before the devastating raids by 500 American planes on the Korean-Manchurian border were carried out. (55)

In the armistice negotiations also the U.S.A. behaved as the chief spokesman of the United Nations and insisted on playing that role even in the post-armistice political conference over Korea. By perpetrating the 'two sides' concept, the U.S.A. wanted that the Soviet Union should be made to join the Conference on the side of the aggressors. (56)

India regarded Korea as a bad precedent for collective action—by the United Nations and having supported the initial decision regarding aggression, she tried her best to prevent the United Nations from becoming identified with one power bloc only.

India did not want the U.S.A. to forget that she should report to the United Nations on the actions which she was undertaking on the latter's behalf. The UN Command had come into existence by virtue of the UN resolution (S/1588) and had become the agent of the United Nations. There was no evidence whatsoever that the actual authority, functions and competence of the United

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United Kingdom,
(55) /Parliamentary Debates: Commons/ 502 (1951-52) 2040.
(56) Menon, n. 40, 752-5.
Nations had been at any time delegated to the U.S.A. or to any other member of the UN Command. (57)

India's concern that the collective action undertaken by the United Nations should not be exploited as a part of the cold war, was fully expressed in her attitude towards the Uniting for Peace resolution which aimed at transferring the collective security functions of the Security Council to the General Assembly. (58) India abstained from voting on the resolution because considered in the Korean context, it appeared to be a handy instrument whereby any power bloc with a numerical strength in the United Nations, could force decisions on the other side and court disaster for the world. (59)

India did not want the United Nations to lose its impartial character even after having acted without the approval of one of the great powers. Therefore, any means of censure or condemnation was opposed by her. She did not support the Soviet resolution which condemned the U.S.A. for bombing the towns and villages in Korea (S/1579), because the move aimed at condemning without investigation. (60) Nor did she support the U.S. resolution (A/C.1/654) which accused the People's China of having directly assisted the aggressor and thus committed aggression against the

(57) Criticizing Rhee's action in releasing the prisoners of war as a breach of agreement which the United Nations had made, Nehru posed the question: "Who controls the situation in Korea? Is the U.N. Command master of the situation or President Rhee?" The Hindu, 21 June 1953.

(58) Resolution 377 (V).


(60) Ibid., 347th Mtg., 10.
United Nations. It would have hardly added to the prestige of the United Nations if a declaration of guilt was not followed by other steps envisaged in the Charter. Since the feasibility of taking those steps against a great power was seriously open to question, the only result of condemnatory resolutions would have been to leave the problem unsolved and to close the door for negotiations. "It must be realized," emphasized the Indian representative, "that first to condemn and then to propose to negotiate would indicate that there was no serious intention, either of condemning or negotiating." (61)

Throughout the Korean crisis India's efforts were directed towards offering compromise solutions which could make the great powers at least tolerate, if not agree with, each other. When after the Soviet return to the Security Council in August 1950 that unhappy body stood a helpless witness to the counter-resolutions brought by both the sides, India suggested a way out. The Council might appoint a committee consisting of its non-permanent members to study all the proposals that had been, or might be, submitted. The non-permanent members—who could not be suspected of expansionist designs—could then meet in private or public and make recommendations which the Council might deal in the manner it liked. (62) Again, in evolving a formula to solve the problem of the prisoners of war, the Indian delegation kept itself in close touch with the principal powers including People's China. The original


formula had been rejected both by the U.S.A. and the U.S.S.R.

To placate the U.S. stand, India made some minor changes regarding the entrusting of the care, maintenance and also the disposition of the prisoners to the United Nations. On the insistence of the Soviet Union, some clauses were amended. (63) Apart from it, when People's China submitted counter proposals to those submitted by the cease-fire group and the Western powers were eager to regard them as outright rejection, India indicated that there was a room for further negotiations. India did not share the feeling that any negotiations with the seemingly intransigent party were damaging to the prestige of the United Nations or that they amounted to an appeasement policy towards People's China. No one knew for certain the reasons for Chinese intervention in Korea but the possibility was that the intervention was the result of a fear of threat to China's own territorial integrity. (64) The United Nations knew that those fears and suspicions were unjustified but to remove misunderstandings or unfounded fears was not appeasement. (65) The Western powers had themselves indicated their willingness to discuss the disputed issues with the U.S.S.R. and People's China. In suggesting to them to associate them directly, India was merely trying to do across the table and with frankness what the Western


(64) Reasons of history, a generation of continual war of one kind or another and the isolation resulting from non-representation at the United Nations had tended to create fears and suspicions in China. Rev., G.A.O.R., 8th Sess. (1950) 1st Cttee, 428th Mtg., 523-4.

(65) Ibid.
powers wanted to do, and were actually doing, in a vague sort of way. (66)

India's eagerness that the United Nations should emerge chastened from the onslaughts of cold war even after the Korean crisis, was epitomized thus: asked as to who would be victorious if the Korean war ended, Nehru said, "it would be a resounding victory for either side. It would be a settlement between the two for the benefit of the world." (67)

**Intervention by Israel, France and United Kingdom in Egypt**

India viewed foreign intervention in Egypt (October-November 1956) as a grave threat to international peace and security. By striking at Egypt, Britain and France had hit at the citadel of Arab nationalism. To the Arab people and, for that matter, to most of the Asian-African countries, nationalization of the Suez Canal was symptomatic of the weakening of domination by the European countries over West Asia and they were likely to react strongly to Anglo-French intrusion into Egypt. Also, it was evident that Anglo-French action would not remain an issue between Britain and France on the one hand and Egypt on the other. In the few weeks preceding the Suez crisis, the Soviet post-war gains in Eastern Europe had been put in a jeopardy and Soviet Union was reacting strongly to the situation. If the Anglo-French **entente** succeeded in knocking out Nasser, they would have destroyed the centre of Soviet influence in

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(67) Nehru in The Hindu, 26 June 1953.
West Asia also. In those circumstances the Soviet Union was bound to put itself on the side of Egypt, not only to stabilize the existing gains but also to raise its prestige in the whole Arab world as the upholder and saviour of Arab resurgence. But once the Soviet Union decided to come in conflict with Britain and France there could be no doubt that the U.S.A. would go to the rescue of her allies, however wrongly they might have acted. Although it was doubtful whether the Soviet Union would be prepared to precipitate a major war with the U.S.A. over Egypt, yet nothing could prevent her from sending 'Volunteers' into Egypt and turning it into another Korea.

India condemned the Anglo-French attack on Egypt in unequivocal terms. "After fairly considerable experience in foreign affairs, I cannot think of a grosser case of naked aggression than what England and France are attempting to do," said Nehru. (68) Britain and France had been planning such an action several months before. (69) Responsible statesmen in France and Britain had stated that the regime in Egypt should be changed and in particular the Head of State and Government of Egypt should be removed. (70) The main grudge of Britain and France was against Nasser; re-establishment of authority over the Suez Canal and safeguarding of the Western

(68) Public speech at Hyderabad. The Hindu, 2 November 1956.

(69) When the London Conference over Suez met there were vast concentrations of Anglo-French forces in the Mediterranean. The Indian Government was told that those forces were for security purposes. It was the very same forces which later formed part of the invading armies on Egypt. Menon, C.A.O.R., 11th Sess. (1956) 611th Plen. Mtg., 573.

oil supplies as well as retention of Western influence against Soviet infiltration were all secondary. None of these objectives justified aggression, so far as India understood the situation.

India wanted that the situation in Egypt should be settled primarily by the United Nations. (71) Any suggestion which sought to deal with the issue to the exclusion of the United Nations was not favoured by India. (72) The time to consider such proposals would arise only when the UN procedures were exhausted. (73)

India pressed the United Nations for immediate and effective action regarding the aggression on Egypt. "The procedures of the United Nations must be swifter than those of invasion and aggression," Nehru said in a message to the Secretary-General. (74) The attitude of the U.S.A. and the Soviet Union towards the Suez crisis, emboldened India to insist on strong action by the United Nations. The situation created by the Israeli aggression on Egypt which preceded the Anglo-French attack had been brought before the Security Council at the

(71) S/3720. Nehru's message of 31 October 1956 to the Secretary-General.

(72) The Government of India categorically rejected the Soviet proposal for joint military action by the Soviet Union and the U.S.A. She also expressed strong disapproval of the Soviet threat to send volunteers to Egypt because it was certain that such a move would bring the Soviet Union in conflict with forces other than those of the aggressors and involve disaster for all. Nor did India agree to the Soviet suggestion, made simultaneously to the Indian and the Indonesian Premiers in the first week of November 1956, that a second Bandung Conference be convened to get the foreign forces withdrawn from Egypt. Exchange of letters between Nehru and Marshal Bulganin, The Hindu, 9 November 1956.


(74) Nehru, n. 71.
U.S. Initiative. (75) Both the U.S.A. and Soviet Union had demanded — of course in separate resolutions — the withdrawal of Israeli forces from Egypt. (76) After Britain and France had vetoed both the resolutions — for perfectly understandable though wholly unjustifiable reasons — both the Soviet Union and the U.S.A. voted in favour of the Yugoslav draft resolution to call an emergency special session of the General Assembly. (77)

India welcomed the transfer of the issue from the Security Council to the General Assembly and emphasized that nothing should be considered which might detract from the urgency of evacuation of foreign troops from Egypt. (78) Menon strongly repudiated the French contention that cease-fire arrangements had to await a meeting of the Security Council. (79) During the consideration of the Suez crisis by the Emergency Special Session, the Western powers and their

(75) S/3706, Letter dated 29 October 1956 from the representative of the U.S.A. to the President of the Security Council.


(77) S/3719, Yugoslav draft resolution adopted on 31 October 1956.


(79) "It was exactly because of the Security Council's inability to perform its functions on account of the British and French veto that the matter had come before the Assembly and if we go back to the Council, then other conditions will have to prevail. It was not in any sense to give expression to a rivalry between the two bodies, but to take the matter as it stood — namely that a country having been attacked without cause and the security provisions having become inoperative on account of the exercise of veto — other procedures had been adopted," Menon, G.A.O.R., 1st Emergency Special Session (1956) 567th Plen. Mtg., 119.
supporters tried to suppress the issue and put it aside to replace it by the Hungarian question which was exercising the minds of all the members at the same time. India resisted to the best of her capacity this diversionary attempt. (80)

India supported the U.S. resolution which called for cessation of hostilities, withdrawal of forces to the armistice lines and asked the member-states to refrain from any act which might obstruct the implementation of the aforesaid purposes. (81) She regarded this resolution as the minimum action which could be taken at that stage. The defiance by Britain and France of the above resolution was viewed by India as a serious affront to the United Nations and she pressed for stronger measures. The 19-power draft resolution submitted by India and other Asian-African states asked the Secretary-General to make immediate arrangements for cease-fire and the halting of movement of troops and arms. (82) The resolution adopted by the General Assembly with an overwhelming majority requested the Secretary-General to report compliance with the above measures in not later than 12 hours. (83) India also supported the establishment

(80) Nehru, Lok Sabha Debates, 9 (1956) col. 592, Rajya Sabha Debates, 15 (1956) col. 1539. Also see n. 78.

(81) S/3256. The U.S. draft resolution adopted as 997-ES(1).


(83) Explaining the 12 hour limit, Lall said: first, the situation was extremely grave; and second, certain powers took it upon themselves to give Egypt a 12 hour ultimatum and certainly if twelve hours were given in those circumstances, twelve hours were enough to stop the situation created by the end of that ultimatum. 1st Emergency Special Session (1956), 563rd Plen. Mtg., 56.
of an emergency international force and a UN Command to supervise the withdrawal of foreign troops from Egypt. (84)

Two aspects of the international force were repeatedly emphasized by India. (85) Firstly, the international force should be established only with the consent of the Egyptian Government, because it was to function within the territory of Egypt. In this context, India attached great importance to the fact that the countries who contributed to the force should be acceptable to Egypt, more so because Egypt had objected to certain countries being included in the emergency force. (86) Secondly, the 'force' was being established in the context of the withdrawal of foreign troops from Egypt, which included the Israeli, the British and the French troops. The object of the 'force' was the cessation of hostilities and the maintenance of old armistice lines between Egypt and Israel. The functions of the 'force' were to be, when a cease-fire was being established, to enter into the Egyptian territory with the consent of that Government and to help maintain peace during and after the withdrawal of non-Egyptian troops.

The most important question which faced the Egyptian Government as well as those who were contributing to the 'force' was: how did it intend to secure the withdrawal of foreign troops and what

(84) A/3290, Draft resolution introduced by Canada, Columbia and Norway.

(85) A/3302/Add.4/Rev. 1.

(86) Egypt had objected, in particular, to receiving Pakistani troops primarily because she was a member of the Baghdad Pact, the senior partner of which had invaded Egyptian territory.
would happen if the Egyptian forces were attacked despite the presence of UN troops. India seems to have taken the stand that if the aggressors refused to cease-fire in spite of the repeated calls by the United Nations, the General Assembly should turn at once to the other provisions and other remedies that were open to it within the Charter. (87) That eventuality did not occur and the aggressors agreed to withdraw from Egypt.

The warning inherent in the establishment of a United Nations Force was not the only factor which brought about the withdrawal of foreign troops from Egypt. The attitude of the Soviet Union and the U.S.A. was considerably responsible for dissuading Britain and France from the action they had undertaken. (88) Also they could not afford to ignore the overwhelming world opinion which had solidly crystallized against them. (89)


(88) The Soviet Union had sent warning notes to Britain and France that she was fully determined to crush the aggressors and restore peace in the Middle East. Considerable alarm was caused in Britain and France by the news that Egypt had asked the Soviet Union for 15,000 volunteers, till Cairo denied the report. The U.S.A. also made it plain to her allies that she would not go far with them on the path they had chosen. Western prestige had sunk very low in West Asia after the Anglo-French action. The immediate problem before the U.S.A. was how to arrest the deteriorating situation and prevent the Arabs from believing, as they were inclined to, that it was only the Soviet warning which brought about immediate cease-fire in Egypt. The concern of the U.S.A. in this matter became evident when she started applying what could only be called 'sanctions' against her allies. President Eisenhower turned down the idea of high level talks until the British and French troops had withdrawn, nor was she willing to help the British to secure emergency oil supplies from America until that condition had been fulfilled. The Hindu, 21 November 1956.

(89) The burden of criticism against them, both inside and outside their own countries, was that they had achieved nothing. "The squalid episode has ended in a pitiable climb down," Daily Herald (quoted in The Hindu, 8 November 1956).
India contributed her maximum to rallying the world opinion against Britain and France. In addition to sending messages to the Secretary-General, Indian Prime Minister wrote to President Eisenhower, Premier Eden and Premier Mollet notifying them of India's strong reaction to the aggression on Egypt. In fact Nehru wrote not merely to all the Colombo and Bandung powers but most of the states which had diplomatic relations with India, suggesting them that they should protest individually against the Anglo-French action. The Colombo powers meeting in New Delhi on 14 November 1956 also contributed to the same end. (90)

While agreeing to withdraw, Britain and France were keen to emphasize that they had intervened in Egypt to keep peace and security in that area till the time, the United Nations could take over from them. India strongly repudiated any claims on the part of aggressors to assume for themselves the self-imposed role of policemen in West Asia. (91) The Charter made provisions for defence in case of attack. Egypt had that right and not Britain or France who were not attacked. (92) The British spokesmen made the fantastic assertion that as a result of their swift intervention

(90) Texts of Documents, 267.
(91) Lall, n. 78.
(92) "There is nothing in the Charter, there is nothing in any moral principles of international law and practice which places upon any country, however great, however mighty, however steeped in traditions of domination by force, the justification to-day for walking into another country and saying 'we shall make you keep the law.' That is the function of the international community and there is no right to appropriate it for oneself. That is the height of national egoism." Menon, G.A.O.R., 11th Seas. (1956), 594th Plen. Mtg., 303.
the Israeli advance had been checked and the threat to the Canal averted. Somehow India could not be convinced that the best way to stop aggression was to attack the victim of aggression. Nor could she overlook the plain fact that as a result of Anglo-French action the functioning of the Canal had been obstructed. (93)

India wanted it to be clearly understood that the UN Force in Egypt was in no way taking over from Britain and France. (94) It was set up in the limited context of the withdrawal of foreign troops from Egypt and could not stay there indefinitely. India's stand on this issue was explained unambiguously by her reaction to the suggestion made by Percy Spender of Australia, who said, "It is my understanding that the functions of the UNEF specifically include the occupation of areas relinquished by the opposing parties and I hope that my understanding in this respect will be confirmed."

"So far as my Government is concerned," said Lenon, "that understanding stands repudiated and not confirmed. We have said from the very beginning that UNEF should not and could not be used as an army of occupation on the soil of Egypt and if all the area that is evacuated is to be occupied by these troops, what else would it be?" (95)

(93) Nehru, n. 71.

(94) India emphasized the dissociation of the United Nations from the Anglo-French action by insisting that the UN Force should be of a balanced composition, that Britain and France should not be included in the force and that the choice of the UN Commander should be such as to make him function in full independence from the policies of any one nation. (These understandings were contained in the report of the Secretary General A/3302/Add.4/Rev.1)

Lenon, 1st Emergency Special Session (1956), 567th Plen. Ltg., 117.

All attempts to make the United Nations deal with issues relating to the problems which had given rise to aggression were firmly resisted by India. In the General Assembly, when the U.S.A. sponsored a draft resolution regarding the problems of Suez and Palestine which had brought about the crisis, India reacted unfavourably. (96) The Emergency Special Session had been called to consider the situation created by attack against Egypt and not the internationalization or nationalization of the Suez Canal. To try to introduce other matters, i.e., the whole question of Suez, by a vote of the Assembly would require the consent of the Egyptian Government. (97) India fully supported the stand taken by the Secretary-General in this respect. (98) Before withdrawing her troops Israel had asked the Secretary-General whether Egypt was prepared to abandon the position that it was at war with Israel, lift the economic blockade against Israel and the blockade on Israeli ships passing through the Suez Canal. Also Israel wanted to know whether Egypt was prepared to enter into negotiations with her. The answer of the Secretary-General was that those issues were not covered by the mandate given to him through the General Assembly resolution of 4 November 1956. India's attitude in this matter reflected her view of the nationalization of the Suez Canal. While the Western powers held that the Egyptian Government's action was an arbitrary and unilateral seizure by one nation of an

(96) A/3309. U.S. draft resolution.


(98) Lennon, n. 95.
international agency, India held the view that Egypt had a perfect
right to do as she did. (99) The Government of India showed no signs
of sitting in judgement over the action of Egyptian Government. (100)
They were concerned only with the availability of the Canal for the
transit of shipping or goods of all user nations without discrimina-
tion on the same terms and conditions as before, and that, the
Egyptian Government had willingly and fully guaranteed for all
people. (101)

The Situation in Hungary

India viewed the situation in Hungary as a national upsurge
against an unpopular regime. (102) The military weakness of the
existing Government in Hungary headed by Imre Nagy, made it rely
upon the Soviet troops to crush the rebellion. As such Nagy

(99) India had some reservations about the timing and
manner of nationalization in that a perfectly legitimate and
domestic act had been made to appear as an act of retaliation
against the Western refusal to aid the Aswan High Dam.
The Suez Canal Problem July 26 - September 22, 1956. A
documentary publication, The Department of State (Washington,
1956) 34.

(100) Nehru, Lok Sabha Debates, 7 (1956) col. 2540.

(101) It was understandable that some states were more interested
in the Canal than others. What could not be understood was how the
rest of the world could be exhausted by the claims, desires, fears
and apprehensions of Britain and France alone. Menon, G.A.O.R.,
1st Emergency Special Session (1956), 572nd Plen. Ltg., 134-5.

(102) The tragic history of Hungary had been punctured by
unsuccessful attempts to attain freedom. The decision of the 20th
Congress of the Soviet Communist Party in February 1956 initiated
liberalization and democratization of the Soviet regime and its
impact on the regimes of Eastern Europe encouraged the Hungarian
nationalists to rise in an insurrection. Nehru, address at a
public meeting in Hyderabad. The Hindu, 2 November 1956.
protested against the consideration of the Hungarian issue by the Security Council and declared that the situation fell within the domestic jurisdiction of the Hungarian Government. (103) Nevertheless, Nagy's Government made some concessions towards the insurgents also and thus alienated the Soviet Union. The show of arms by the Soviet Union did not succeed in winning over Nagy, instead he announced the withdrawal of Hungary from the Warsaw Pact and appealed to the United Nations to secure Hungary's neutrality. (104) The events in Hungary were clouded by a smoke-screen of fast developing tragedy and when the smoke thinned away, Nagy had been overthrown. The new Government headed by Janos Kadar announced the invalidation of protestations made by Nagy and declared that the United Nations had no authority to interfere with what came purely under the domestic jurisdiction of the Hungarian Government. (105)

India looked at the events in Hungary with a grave anxiety; her sympathies were entirely with the Hungarians and she held the view that the people of Hungary should be left alone to decide their fate without any pressure from any quarter whatsoever. (106) India's attitude in this matter was largely determined by the fact that the Hungarian issue had entered the United Nations under the

(103) S/3691. Letter from the Hungarian representative to the Secretary-General transmitting the declaration of the Hungarian Government of 28 October 1956.

(104) A/3251. Cablegram of 1 November 1956 from the President of the Hungarian People's Republic to the Secretary-General.

(106) A/3311. (S/3739) Cable of 4 November 1956 from the Prime Minister of Revolutionary Workers and Peasants Government of Hungary and from Foreign Minister to the Secretary-General.

(106) Nehru, Lok Sabha Debates, 9 (1956) cols. 351-5.
full blasts of the cold war. The very competence of the United Nations to deal with the situation had been seriously questioned by one of the two great powers, i.e., the Soviet Union. Britain and the U.S.A. wanted the Security Council to deal with the situation in Hungary pursuant to Art. 34 which authorizes the Council to investigate any dispute or any situation which might lead to international friction, in order to determine whether the continuance of the dispute or the situation was likely to endanger the maintenance of international peace and security. (107) They maintained that in suppressing the rights of the Hungarian people the Soviet Union had violated the Peace Treaty of 1947 to which the Associated Powers and Hungary were parties. The Soviet Union strongly repudiated those charges and held that the Hungarian Government in taking measures to end the "criminal" activities of "counter revolutionaries" had been acting in accordance with Art. 4 of the Treaty which obligated it not to permit the existence of organizations of the Fascist type. (108) Therefore Art. 34 of the Charter which concerned disputes or situations of an international character was not relevant. The Security Council decided to discuss the Hungarian issue despite the negative vote of the Soviet Union and there followed a tirade of accusations and counter-accusations. The Western powers argued that even if the Soviet troops were in Hungary under the "Warsaw treaty, as the Soviet Union claimed they were, those troops under Art. 8


of that treaty could not be used to maintain law and order. (109) The Soviet Union, on the other hand, tried to emphasize that the discussion of the matter by the Council was only a clever manoeuvre by which the Western powers were trying to divert public opinion from the Anglo-French aggression in the Middle East. (110) After repeated reports of violent attacks by the Soviet troops in Budapest the United States tried to get adopted by the Security Council, a resolution which would call upon the Soviet Union to withdraw her troops from Hungary without delay. (111) By vetoing that resolution, the Soviet Union left no one in any doubt that any action which the United Nations might take regarding Hungary would meet the strong resistance of the Soviet Union. The United States got the Hungarian issue transferred to an emergency special session of the General Assembly under the provision of the Uniting for Peace resolution. (112)

India participated in the Second Emergency Special Session of the General Assembly and concentrated her efforts to prevent that body from becoming a theatre of the cold war.

She abstained from voting on a U.S. sponsored draft resolution which condemned the Soviet Union for suppressing the rights of the Hungarians, asked for the withdrawal of Soviet troops and requested the Secretary-General to make arrangements for investigating and observing the situation in Hungary.

(109) Ibid., 8-17.
(110) S.C.0.R., 11th year, 854th Mtg., 4 November 1956, 8-11.
Explaining India's abstention on the resolution, Menon said that India would have preferred a resolution which did not proceed on the assumption that the Soviet Union was guilty of aggression. (113)

The second resolution on Hungary [1005-ES(II)] was strongly objected to by India and she voted against it. This five-power resolution, after confirming the charges against the Soviet Union, proposed that free elections should be held in Hungary under the auspices of the United Nations. Menon gave two reasons for India's vote on the resolution. (114) Although India had abstained on the earlier resolution [1004-ES(II)], once adopted it had become the resolution of the Assembly. It had asked the Secretary-General to make investigations and report to the General Assembly, but the new resolution proceeded to take decisions without having heard from him. In this connection Menon referred to the aide memoria of the Secretary-General in which he had informed the Assembly of the steps he was taking and also pointed out that nothing could be done without the consent of the Government of Hungary with whom he was in correspondence. (115) Also India was opposed to the resolution because its most objectionable part was also its most important part. (116) No country, which had been admitted to the United Nations after due procedures and existed as a sovereign entity, could

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(115) A/3315. Aide memoir of the Secretary-General, 8 November 1956.

be asked to submit its elections or anything else to the United Nations without her own agreement.

India abstained from voting on the third resolution on Hungary 1006-ES(II) which accused the Soviet Union for interfering with the immediate transportation and distribution in Hungary of relief supplies urgently needed and asked the Soviet and the Hungarian Governments to co-operate fully with the United Nations in carrying out its humanitarian objectives in Hungary. India was in full agreement with the humanitarian purposes of the resolution but she objected to the irrelevant references concerning the political aspects of the situation. Along with Ceylon and Indonesia, India proposed an amendment (A/3325) to get those references deleted, but in vain. Explaining India's vote on the resolution, Lenin said that the resolution took for granted the facts of Soviet interference with the supply and distribution of food and medical aid by the United Nations, while the Secretary-General had yet to report on such facts, (117) Also, India herself had not experienced any obstruction or difficulties in the matter of conveying her gifts for relief to the Hungarians. (118)

The fourth important resolution on Hungary 1007-ES(II) was supported by India. This Austrian-sponsored resolution had called for immediate supply of large-scale aid to the suffering Hungarians.

India's misgivings about the practical outcome of the resolutions adopted by the Second Emergency Special Session of the General Assembly were confirmed by the reaction of the Hungarian Government to the communications from the Secretary-General conveying

(117) Lenin, n. 114.

(118) Ibid.
those resolutions. In an official statement the Secretary-General was informed that the Hungarian Government had requested the assistance of Soviet troops to crush certain "fascist elements" and to restore law and order. (119) On that basis, the settlement of the situation lay exclusively within the legal competence of the Hungarian state. The holding of elections in Hungary was entirely within the competence of the Hungarian Government. They, however, gratefully accepted the UN offer of relief and would facilitate the arrangements in that connection.

Despite the fact that the Government of Hungary wanted the United Nations to limit its activities to the provision of relief to the Hungarians, India believed that the United Nations should remain seized of the situation. (120) By accepting the UN resolutions in regard to aid, the Government of Hungary had recognized the whole UN action. Also India held that if counter allegations were to be made by either side, it would be better if the Assembly considered them. (121)

India participated actively in the deliberations of the 11th regular session of the General Assembly and emphasized that cooperation of the Hungarian Government was indispensable for any solution of the existing crisis. She fully supported the efforts


(120) India sponsored a motion for the inclusion of the Hungarian item on the Agenda of the 11th regular session of the General Assembly. The motion was adopted. G.A.O.R., 11th Sess. (1956), General Committee, 106th Mtg., 2.

of the Secretary-General to persuade the Government of Hungary to permit the UN observers inside Hungary and welcomed the suggestion of the Secretary-General that he should himself go to Hungary, with a view to discuss the UN aid and exchange views on the position taken by the Hungarian Government regarding the UN resolutions. (122) On her own part India agreed to send a member to the three-man observer group nominated by the Secretary-General but warned that such a group would meet failure unless the Government of Hungary permitted its working. Along with Indonesia and Ceylon, India appealed to the Government of Hungary to co-operate "as a member of the United Nations," with the great majority in the clarification of the situation in Hungary. (123) In refusing to permit the UN observers, the Hungarian Government was assuming a grave responsibility upon itself. Even if there was something to hide, it could not remain hidden for long in view of the large number of international Red Cross workers, the state of communications in the world and the presence, inside and outside Hungary, of people who had participated in the administration of Hungary but did not support it. (124) Both in making the appeal and issuing the warning India never ignored one basic understanding, i.e. the sovereign rights of the Hungarian


(123) A/3368, Rev. 3. Joint draft resolution submitted by India, Indonesia and Ceylon, adopted as 1128 (XI).

(124) Menon, n. 121.
Government as an independent state. (125) Nevertheless, the Indian Government urged the Government of Hungary through diplomatic channels to receive the UN Secretary-General and the Committee of UN observers. (126) Similar diplomatic pressure was put on the Soviet Union.

The Hungarian Government refused to permit UN observers but agreed to receive the Secretary-General immediately in New York or Rome indicating that he would be welcome in Budapest at a later date. (127) Although it was apparent that it would have been more fruitful if the Hungarian representatives were met in their own capital, India regarded the decision as a definite advance in the situation. Events that followed, however, belied India's hopes. On 4 December 1956, as the Secretary-General was exploring the chances of visiting Budapest, the Assembly adopted a Western-power sponsored resolution (A/350-XI) which reiterated the call to the Soviet and Hungarian Governments to permit UN observers in Hungary and asked them to communicate their consent to the United Nations "not later than 7 December 1956." It also recommended that the Secretary-General should immediately despatch to Hungary and other countries bordering Hungary, observers named by him. India abstained

(125) Belgium introduced some amendments (A/L.213) to the joint draft resolution A/3358. (See n. 123) One of the amendments sought to delete the words "without prejudice to the sovereignty" referring to Hungary. India rejected those amendments saying that the inclusion of those words was necessary to allay the fears of the Government of Hungary. Menon, n. 122.


(127) A/3414. Cable dated 3 December 1956 from the Acting Minister of Foreign Affairs of Hungary to the Secretary General,
from voting on the resolution. She objected to the term "Hungarian authorities" being used for referring to a sovereign state. (128) Also she considered it wrong to send observers to neighbouring countries to ascertain the situation in Hungary; that kind of "eavesdropping" was a bad international practice. Besides, India was against sending ultimatums to countries. (129)

India's apprehensions about this ill-fated resolution were confirmed when out of the four neighbouring states whom the Secretary-General had contacted, only one, i.e., Austria agreed to receive the UN observers. The Governments of Czechoslovakia, Rumania and Yugoslavia expressed their inability to comply with the Secretary-General's request. (130) Ignoring the lessons learnt by the failure of condemnatory resolutions, the Assembly adopted another and a strongly worded resolution (1131-XI) which accused the Soviet Union of having violated the Charter by interfering in the affairs of Hungary and asked her to withdraw from there without delay. India, Ceylon and Indonesia made a fruitless attempt to soften the cold war overtones of this resolution, but their

(128) India not only had one ambassador in Hungary, but had also sent there a special representative in view of the fast-changing situation. Thus when India had two representatives in a state, she could not pretend that the Government did not exist. Even the United Nations had given tacit recognition to that state by the mere fact that it was communicating with it. Menon, G.A.O.R., 11th Sess. (1956), 608th Plen. Mtg., 523.

(129) Ibid.

(130) A/3435 and Add.1-6. Note by Secretary-General. Annexes: letters of 8, 9, 10 and 12 December 1956 from the permanent representatives of Austria, Yugoslavia, Czechoslovakia and Rumania.
amendments were rejected. (131) The resolution adopted in its original form met with loud and serious protests both from the Soviet Union and the Hungarian Government. The Soviet Union regarded the move as highly provocative in character and made it clear that such resolutions backed by a narrow group of states headed by the U.S.A. and rubber-stamped by the General Assembly were doomed to failure. (132) The Hungarian representative charged the United Nations with having challenged the honour of his state and refused to participate in the meetings of the United Nations till it agreed to proceed in accordance with the spirit of the Charter. (133) To substantiate its annoyance, the Hungarian Government informed the Secretary-General that the date proposed by him for his visit to Budapest did not suit them. (134) As if that was not enough, the three-man observer group, nominated by the Secretary-General, recorded its inability to add anything to the facts already known about Hungary and suggested its own suspension. (135) The Secretary-General recommended that a special committee should take over the work of observers group under somewhat broader terms of reference. The Soviet Union questioned the

(131) A/L.216, India, Indonesia and Ceylon's amendments to A/3436 and Add. 1.


legality of the Committee. The Hungarian Government regarded it as a gross and unprecedented interference with her sovereignty. (136)

India had abstained from voting on the resolution (1132-XI) which established the Special Committee. She shared neither the objectives nor the findings of the Committee. The objective was to investigate the armed attack on the people of Hungary by the Soviet Union and the repercussions of that attack on the subsequent developments in Hungary. (137) The findings of the Committee were that the Soviet Union interfered with force in the internal affairs of Hungary to suppress a popular national uprising of the people and that the Government installed by the Soviet Union did not have the support of the Hungarian people. (138) In view of the serious protests by the Hungarian Government and the Soviet Union against the consideration of the report of the Committee, India held the stand that the approach of the United Nations should not be so much of merely discovering facts or contradicting them but of resolving a situation in which there was vast distress and which might lead to grave consequences. (139)

India's attitude toward the Hungarian crisis was characterized by a marked disinclination to condemn the Soviet Union. There were two strong reasons for such an attitude.


India realized that any condemnatory resolution, if it really meant something, should be logically followed by a declaration of aggression and some plan to drive the aggressor out. (140) In the case of Hungary, no such course could be adopted without enlarging the area of conflict and stultifying the purpose for which the Charter envisaged collective action, i.e., the maintenance of world peace. Already as a result of the behaviour of certain permanent members, the United Nations had been forced into a position where the General Assembly had to take upon itself the functions of security, of maintaining law and order, of establishing emergency forces and doing things which were not originally contemplated by the Charter. (141) The procedural obstacle in taking action against a permanent member was thus overcome. The events were taking place in the great storm centre of Europe; along with the arms situation and the flare-up in the Middle East, any false step could spell ruin for the world. (142) It was not that the Western powers did not realize the grave implications of any move to force the Soviet Union out of Hungary. Their very insistence to condemn the Soviet Union and leave it at that underlined their limitations. The Foreign Minister of Ireland made bold to say frankly what others had felt all along during the Hungarian tragedy: Hungary was sacrificed not because the United Nations, with the Soviet Union represented in

(140) Ibid., 609.
(141) See n. 128.
(142) Ibid.
the Security Council, was unable to act. Nagy's appeal was lost for one fundamental reason: member nations knew that if his appeal were answered, the result would have been war. (143)

India tried to emphasize that in exploiting of Soviet involvement in Hungary, principally for propaganda purposes, the Western powers were forgetting what effect it would have on the people of Hungary. A war started on the soil of Hungary itself would not help the Hungarians in the realization of their objectives. (144) Any blanket condemnation of the Soviet Union would not only close the door for further moves to help the people of Hungary it would definitely hurt their cause by making the Soviet Union more adamant and ruthless. (145)

Despite her refusal to condemn the Soviet Union, India never justified either the Soviet interference in the affairs of Hungary or her non-compliance with the repeated calls of the United Nations for the withdrawal of Soviet troops from Hungary. (146) Rather, India strongly held the position that even if the Soviet troops were already in Hungary under the Warsaw Pact, the only justification for them to have intervened with force would have been if


(144) "Our great anxiety and the anxiety of many peoples in this matter has been that the situation should not be allowed to drift towards war. We have the greatest sympathy for the people, but we have also kept in mind that this tragedy might be still greater if war should break out not only elsewhere but in Hungary itself." Nehru, Rajya Sabha Debates, 15 (1956) col. 2356.

(145) Ibid.

(146) See n. 128.
they were called to aid the civil power in conditions of a 
coup d'état which the Hungarian uprising was not. (147) The
Russian story of foreign interference and counter-revolution by
the forces of reaction wore thin, the workers, intellectuals
and others refused to co-operate with the Kadar Government. (148)
On the basis of information received by India through her
ambassador as well as India's special representative in Hungary,
India believed that the one factor which was alienating the
government from the people in Hungary was the presence of Soviet
troops. India could appreciate the anxiety of the Soviet Union
to have friendly states in her neighbourhood; only, the Soviet
Union had to realize that her strength in Europe would depend upon
the willing co-operation of her neighbours.

While appealing to the better judgement of the Soviet Union
India also urged the U.S.A. to draw the Soviet Union into willing
and effective co-operation. (149) Whether the Western powers liked
it or not the fact remained that the Soviet Union could not be

(147) See n. 139, 609.

(148) A group of Hungarian writers - it was writers and
students who started the Hungarian revolution - stated their
protest against the Kadar regime. "We were against the
erroneous idea that the revolution would have liquidated the
achievements of socialism if the Soviet armies had not intervened.
We know it is not true." The Hindu, 12 December 1956.

(149) "There rests on the U.S.A., the responsibility of
diplomatic initiative and not merely condemnation or things like
that, for it is not a question whether the Soviet Union is a
party to the dispute. The effective position is that without its
coopertation and initiative, no settlement can be brought about."  
Henon, n. 139, 610.
compelled to do something merely by amassing votes in the General Assembly. India suggested that the Secretary-General should visit Moscow also as he was trying to go to Budapest. (150)

India felt that the withdrawal of Soviet forces from Hungary would become a greater probability than it was, if the question was considered in the limited context of the use of Soviet troops in the internal affairs of Hungary. (151) There was no point in complicating issues by going into the whole problem of forces attached to the different defensive alliances. Although India was basically against the practice of making alliances under which one country stationed its troops in the other it was clear that the Western powers would never succeed in getting Warsaw troops withdraw so long as NATO forces maintained their posts. The suggestions made by the Foreign Minister of Ireland in this context were greatly welcomed by India. (152) The Irish plan envisaged a phased withdrawal of all foreign troops from European countries tied to different alliances. In the first stage the United Nations would declare itself in principle, in favour of a withdrawal of non-national armies and military personnel on the continent of Europe. In the second stage the actual drawing back should take place. To avoid the emotional difficulty of deciding what country would be evacuated for what other the withdrawal would be affected along the latitudinal lines from either side of the border for an

(150) A/3437. Joint draft resolution by Burma, Ceylon, India and Indonesia.

(151) Nehru, n. 144, cols. 2357-60.

equal number of kilometres, i.e., for every step which the Soviet troops took to the East along a latitudinal line, the U.S. troops would take a step westward along the same line. In the third stage if the zone thus created, became a reality, the member-states should be willing to contribute to a UN inspection unit which would supervise the withdrawal of foreign contingents, see to it that no military infiltration took place and ensure that the countries concerned were left free to govern themselves in their own way. Such an inspection unit would be helpful if composed of nations which did not belong to the Warsaw or the NATO groups.

The basic issue that was at dispute during the UN discussions on Hungary was the competence of the Organization to deal with a situation which if continued might endanger international peace and security. The situation in Hungary was brought before the United Nations under Art. 34, but before the organ competent to pronounce judgement on the situation, i.e., the Security Council could do so the issue was transferred to the General Assembly. India might not have shared the Hungarian Government's stand that the situation was within Art. 2(7) of the Charter and the United Nations had no competence to deal with it. The large scale violence that was being committed in Hungary by itself was enough to bring the situation within UN jurisdiction. But India staunchly held the position that in such circumstances the United Nations could, at best, limit itself to making recommendations. The Government of Hungary could not be forced even to submit herself to UN observation against her own will. There could be no
justification for threatening the Hungarian Government with an expulsion if she did not want the United Nations within her own borders. It was true that India took the stand she did in regard to Hungary because the Soviet Union was directly involved. Had it not been so, the Security Council would have reached some decision to resolve the situation. The Western powers themselves might have agreed that no sovereign state could be forced to submit its security problem to the United Nations against her will; but in the case of Hungary, they were questioning the very legality of the Government functioning there.

Complaints of Lebanon and Jordan

India viewed the situation in Lebanon in the historical context, i.e., the resurgence of Arab nationalism in West Asia symbolized by Egypt under the leadership of Nasser. (153) Any attempt by the Western powers to infiltrate into West Asia was strongly resented by the Arab nationalists. President Chamoun's support for the Baghdad Pact and the Eisenhower plan for West Asia was not liked by the Lebanese nationalists. His attempt to amend the constitution of Lebanon to give himself another term of office, brought a civil war in Lebanon, in which the Lebanese army itself refused to back the President. The U.A.R. and Syria showed open sympathy for the insurgents.

The situation in Lebanon was brought to the notice of the Security Council by President Chamoun himself. (154) When the Council took up the discussion of the Lebanese complaint, the Representative of Lebanon accused the U.A.R. and Syria of instigating terrorist activities in Lebanon. (155) The Representative of the U.A.R. observed that the Government of Lebanon had given an international aspect to a national disturbance which had become serious and slipped out of its hands. (156) The Soviet Union also agreed with the view expressed by the U.A.R. and maintained that the accusations of foreign intervention were being made by Lebanon to justify claims for intervention by troops who would not be Arabs presumably. (157)

The Security Council adopted a Swedish draft resolution (S/4023) which recommended the urgent despatch to Lebanon of an observation group to ensure that there was no illegal infiltration of personnel or supply of arms or other material across the Lebanese borders. India was nominated as one of the three members of the United Nations Observation Group in Lebanon (UNOGIL), the

(154) On 22 May 1958, Chamoun asked for an urgent meeting of the Security Council to consider the following item: "Complaint by Lebanon in respect of a situation arising from the intervention by the U.A.R. in the internal affairs of Lebanon, the continuance of which is likely to endanger the maintenance of international peace and security." S/4007, S/4018, Letters of 22 May and 2 June 1958 from the representative of Lebanon.


(156) Ibid., 23. Statement by the Representative of the U.A.R.

other two being Ecuador and Norway.

India welcomed the action taken by the Security Council regarding the situation in Lebanon. Nehru expressed the hope that the establishment of UNOGIL would lessen the chances of foreign intervention and prevent the trouble spot from developing into a threat to international peace and security. (158)

The first report of the UNOGIL indicated that although there were substantial movements of armed men within Lebanon there was no evidence to establish that they had infiltrated from outside. (159) The Secretary-General also told a press conference in New York on 3 July that on the basis of his latest visit to Lebanon, he could find no foundation for the allegations of massive intervention in the affairs of Lebanon by the U.A.R. The Lebanese Government challenged the findings of the UNOGIL as "inconclusive or misleading or unwarranted." (160)

India was inclined to agree with the UNOGIL and the Secretary-General. Also India expected that there were not many chances for the situation in Lebanon to grow into a major threat to world peace. As the general situation existed at that time, there was little likelihood that the great powers interested in that region would decide to internationalize the trouble in Lebanon. The wisdom of the Western policy in the Middle East


(160) S/4043, Letter of 8 July 1958 from Permanent Representative of Lebanon enclosing "Official comments of Government of Lebanon on 1st Report of UNOGIL."
had been seriously questioned by their own people. (161) Despite Chamoun's claim that the United States was pledged to go to his rescue on his demand, it was hard to expect that Washington and London would allow Chamoun to lead them. Even if the overthrow of Chamoun's Government meant the end of Western influence in the Arab world and perhaps the rest of the Muslim comity, the Western powers could not hope for a successful intervention to keep President Chamoun in power. It was not probable that the British and American forces would be able to wage a self-contained war along the Syrian border. Even if the Soviet Union kept quiet, the entire Arab world would be as provoked as it was during the intervention in Suez in 1956.

The Lebanese crisis flared up suddenly after a coup d'état in Iraq brought a new regime in that country. The Lebanese representative told the Security Council that following the upsurge in Iraq, preparations were ripe for a major assault against the established government in Lebanon. Pending action by the Security Council to meet the threat to their security, the Government of Lebanon had decided to rely upon Art. 51 and get assistance from friendly countries. (162) The U.S. representative officially informed the United Nations of the fact that the U.S.A.

(161) "The Lebanon like a burning glass focusses the stupidities of Western policy in the Middle East over the past ten years. We are reaping there what we have sown. ... Why did the West have to encourage its Government to declare itself in a way that clearly had the support of only half - or less - of the country?" The Lancscester Guardian, cited in The Hindu, 12 July 1958.

had gone to save the integrity and independence of Lebanon in response to the request for aid by the Lebanese Government. (163)
The United Nations also received a complaint from Jordan against interference by the U.A.R. in her internal affairs. (164)
Simultaneously the U.K. informed the United Nations that she was helping the Government of Jordan to safeguard her integrity. (165)
The reaction of the Soviet Union to these developments was sharp and instantaneous. In a broadcast aimed at the Western powers, the Moscow Radio said, "The American aggression would result in a flame of hatred more fierce than the blazing oilfields of all the Middle East which will sweep across the Arab lands and force the imperialists back into the sea from where they came. Nothing can halt this." (166)
There were disturbing reports of serious movements on the part of Soviet land, air and naval forces north of the Turkish and Iranian border.

(India was gravely distressed at the turn of events in Lebanon and expressed her strong protest against the British and American intervention in Jordan and Lebanon. There could be no reasonable explanation for their irresponsible behaviour. (167)

(165) 5/4033.
(166) Quoted in The Hindu, 18 July 1958.
(167) "We viewed with grave concern the landings of foreign troops in Lebanon and Jordan. We have given the most careful consideration to the various reasons which were adduced for these actions but whether they were reasons based on Art. 51 of the Charter, a stand which we regard as totally unacceptable and inapplicable to these cases, or whether they were reasons based on the right to protect foreign nationals or on the right to assist the regime or Government, we were, may I say, not in the least impressed." Lall, O.A.O.R., 3rd Emergency Special Session (1958), 738th Plen. Mtg., 66-9.
India did not agree that the revolution in Iraq gave to the U.S.A. and the U.K. a right to intervene in Lebanon and Jordan. Some sort of violence was inevitable in countries trying to come out of feudalistic, colonial and class-ridden societies. But that violence was nothing as compared to the atrocities suffered by the people under governments saddled in power against the wishes of their masses. The Western powers had to realize that there would be greater stability and security in the Middle East after the Arab nationalism had achieved its goal than when its efforts were being continually stultified. If the object of their intervention was to protect their economic interests they had greater chances of succeeding if they tried to attain their purpose in a civilized manner. If all they wanted was to save Lebanon from foreign intervention, the task should have been left to the United Nations which was already seized of the matter. (168) In a way India's criticism of American intervention in Lebanon was stronger than her criticism of the British incursions into Jordan. This was presumably because the American action was regarded as a flagrant defiance of the UNOIL. (169)

As the Security Council proceeded to take up the Lebanese and the Jordanian complaints concurrently, it was pulled in opposite directions by the cold war. The Soviet Union wanted to capitalize on the situation and repay generously what she had received in amplitude during her involvement in Hungary. (169) That the Soviet Un

(168) Ibid.

would not agree to anything less than the outright condemnation of the U.S.A. was proved by her veto of the Japanese draft resolution (S/4055 and Rev.1). The U.S.A., on the other hand, attempted to get a UN cover for her action. In a draft resolution (S/4056) which was rejected due to the Soviet veto the U.S.A. asked the Security Council to take note of her action, invited the Observation Group to continue its activities and requested the Secretary-General to make arrangements, including the contribution and use of contingents, to protect the integrity of Lebanon against foreign interference.

(India did not agree with the Soviet Union that condemnation of the U.S.A. would achieve the objectives necessary regarding Lebanon. The reasons for her opposition to the Soviet attitude towards the U.S.A. on the Lebanese issue were similar to the grounds on which she had opposed the U.S. attitude towards the Soviet Union during the Hungarian crisis. Nor did India submit to the U.S. suggestion that the UNOGIL should be strengthened to work alongside the U.S. troops in Lebanon. (170) That the U.S. troops and the UN observers could scarcely work together was plainly shown by the reports of the UNOGIL before and after the U.S. intervention. In its interim report (S/4051), the consideration of which coincided with the U.S. intervention, the Group said that it had succeeded in obtaining full access to all sections of the Lebanese frontier.

(170) S/4054. This Swedish draft resolution stated that the U.S. intervention had substantially altered the conditions in Lebanon and the activities of the UNOGIL should be suspended till further notice. India agreed with the Swedish view in this matter.
In its later report (S/4069) the Group stated that the impact of the landing of U.S. armed forces in Beirut on 15 July had occasioned difficulties and caused setbacks to the task of observation.

As the Lebanese issue was transferred to the 3rd Emergency Special Session of the General Assembly India insisted that once the forces were withdrawn from Lebanon and Jordan the situation would resolve itself. In this connection India was firmly opposed to the Western suggestion that the United Nations should send some sort of a police force to Lebanon. (171) There could be no greater folly than the replacement of the U.S. troops by UN troops. Nothing in the Charter made it obligatory for the United Nations to keep King Hussain or President Chamoun in power if their people did not want them. (172)

India was, however, prepared to support the idea that the UNOGIL should be strengthened provided such a course was acceptable to the Arab-states. In fact, the Observers Group in its report to the Secretary-General (S/4052) had itself suggested that it should be assigned a force of unarmed, non-commissioned personnel.

(171) Addressing the General Assembly on 13 August 1958 President Eisenhower declared that the U.S. troops would be totally withdrawn whenever that was requested by the duly constituted Government of Lebanon or whenever, through UN action, Lebanon was no longer exposed to the original danger. Similar assurances were repeated in a letter from the American Secretary of State to the President of the General Assembly (A/3876) and another from the British Foreign Secretary (A/3877).

(172) There can be no question whatsoever of the United Nations devising means to arrest the development of Arab nationalism in each state of the area. Nor can there be any question of there being any other form of UN activity which might interfere in the internal affairs of an Arab state," Lall, n. 157.
and other ranks. It had also asked that the number of observers should be raised to enable a direct and constant patrolling of the actual frontier. When the Secretary-General requested member-states to accept the recommendation of the Group (A/3866) India was one of those who contributed additional observers. But in an official statement released by the Indian Ministry of External Affairs, it was explained categorically that the functions of the Observers Group should be limited to the prevention of infiltration by foreign elements. This meant that the observers should keep away from interfering in the internal policies of the country and just hold the ring for the political parties to sort out their domestic differences. India stuck to this position because she was convinced that anything more than mere observation would be opposed by the Arab nationalists as an attack on their sovereign rights.

India's understanding of the situation in Lebanon was fully confirmed by the developments which ultimately restored peace in that area. With the election of General Chehab as the new President there was a remarkable relaxation in tension throughout the country. (173) The Arab states themselves sponsored a resolution whereby the General Assembly, referring among other things to the Pact of the League of Arab states, welcomed the renewed assurance given by the Arab states to observe the principles of Art. 8 of the Pact which bound each member to respect the systems of Government established in other member-states and called

(173) A/3934 Rev. 1, Report of/Secretary-General.
upon all members of the United Nations to act strictly in accordance with these principles and asked the Secretary-General to uphold them regarding Lebanon and Jordan. (174) India remained closely associated with the sponsors of the resolution. The unanimous adoption of that resolution [1237-ES(III)] and the subsequent withdrawal of alien troops from West Asia (A/4050) merely underlined the fact that even a grave crisis in the world could be resolved without an enforcement action by the United Nations. India's insistence on this point was further reflected in her acceptance of the Soviet suggestion for a "summit" over West Asia. The U.S.A. maintained that such a "summit" would derogate from the authority of the United Nations and would amount to five nations compelling the Organization to sign on the dotted line. More reasonable from the Indian viewpoint was the position taken by British Prime Minister Macmillan that such a meeting would be helpful and Art. 28 (2) of the Charter authorized the Security Council to hold meetings at which each of its members might, if it so desired, be represented by a member of its Government or some specially designated representative. Despite Soviet Union's insistence that India should participate in the "summit" India took the usual stand, i.e., her participation would depend upon the consent of the great powers. India was more interested in an agreement among the powers that mattered than in the presumption that her own presence had facilitated the accord. However, the proposed "summit" meeting was never held.)

(174) A/3893 and Rev. 1. 10-Power draft resolution.
Questions Concerning the Situation in the Republic of the Congo (Leopoldville)

India viewed the situation in the Congo with grave concern. When Belgium freed the Congo, the latter had no educated or capable administering strata in its society. (175) This created internal conflicts, disruptions and dangerous secessionist tendencies which threatened the very existence of the young republic. To make things worse, Belgium sent her troops to the Congo and tried to feed the disruptive elements. India was bitterly critical of the Belgian policy because she regarded the Congo as a single entity not to be split. (176)

India wholeheartedly supported the prompt response of the United Nations to the appeal made by the Congolese Republic for the urgent despatch of military assistance to protect the Congolese national territory. (177) Bringing the appeal to the attention of the Security Council under Art. 99 the Secretary-General strongly recommended that the assistance asked should be immediately given. (178) He

(175) "There can be no greater condemnation of an empire, not even its atrocities, than that it leaves a country paralysed, emasculated and incapable of taking care of itself." Menon, G.A.O.R., 15th Sess. (1960), 960th Plen Mtg., 1310.

(176) Nehru, Lok Sabha Debates, 46 (1960) col. 5929.

(177) By cables of 12 and 13 July 1960 (S/4382), the President of the Congolese Republic and its Prime Minister complained to the Secretary-General that the arrival of Belgian metropolitan troops in the Congo constituted an act of aggression and that the provincial authorities in Katanga had declared secession as a result of colonialist machinations.

(178) Art. 99 of the Charter authorizes the Secretary-General to bring "to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security."
indicated that if his recommendation was accepted his action would be based upon the principles set out in connection with the UNEF. (179) Those principles which received the full support of India were: the UN Force in the Congo would not be authorized to take action beyond self-defence; it would not take any action which might make it a party to the internal conflicts in the country; the selection of personnel for the Force should be such as to avoid complications because of the nationalities used. The Secretary-General intended to obtain, in the first place, units from African states and exclude troops from any of the permanent members.

The Security Council authorized the Secretary-General to take necessary steps in consultation with the Government of the Republic of the Congo to provide "such military assistance as may be necessary, until, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security forces may be able, in the opinion of the Government, to meet fully their tasks." The Security Council also called upon Belgium to withdraw her troops from the Congo. (180)

With the arrival of the first batch of the UN troops in the Congo Belgium withdrew some of her forces promising to withdraw completely when the United Nations sent sufficient forces to take hold of the situation. The reluctance of Belgium made the Congolese Government nervous and they impatiently informed the

(179) S/4381, Letter dated 13 July 1960 from the Secretary-General to the President of the Security Council.

Secretary-General that if the United Nations seemed unable to accomplish the withdrawal of Belgian troops by 19 July 1960, they would be regretfully compelled to seek the assistance of the U.S.S.R. (181) The situation grew really perilous as the Soviet Union assured the Prime Minister of the Congo that she would not refrain from taking resolute measures to stop the "imperialist aggression" and extend to the Congolese Government whatever assistance might be necessary for the "just cause." (182) The U.S.A. reacted sharply to the Soviet suggestion and declared her intentions to do whatever was necessary to prevent the intrusion of any military forces other than the United Nations into the Congo. (183)

In those grim circumstances the unanimous adoption by the Security Council of its second important resolution on the Congo was greatly welcome. It reiterated the call to Belgium to withdraw her troops and requested all the member-states to refrain from any action which might undermine the territorial integrity and independence of the Congo. (184)

The United Nations signed an agreement with the Government of the Congo, whereby the latter authorized the former to intervene in the Congo for the purposes asked. (185) As the UN Force started

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(183) Statement by the U.S. representative. Ibid., 38.


its operation in the Congo the President of the province of Katanga informed the Secretary-General that his Government was determined to resist the Central Government of the Congo and the despatch of the UN troops to Katanga. (186) While the Central Government of the Congo was particularly anxious that the United Nations should help them to deal with the breakaway Katanga province, where the Belgian influence was maximum, the Secretary-General considered it prudent to assure the Government of Katanga that the United Nations did not seek to influence the solution of the internal political problems of the Congo. The Security Council confirmed the Secretary-General's view in its third resolution on the Congo which declared that the entry of the UN Force in Katanga was necessary and reaffirmed that the UN Force would not be a party to or in any way intervene in, or be used to influence the outcome of any internal conflict, constitutional or otherwise. (187) Together the three resolutions, mentioned above, formed the basis of the UN attitude toward the Congolese situation in the initial stages.

The Government of India expressed their full support for the United Nations Operations in the Congo (CNUC). (188) From the


(188) The Government of India was not asked, nor did she offer any armed personnel in the early stages. But at the request of the Secretary-General, she sent about 200 to 250 persons. They included officers and medical teams. India also provided high ranking personnel, a military adviser and a personal representative of the Secretary-General, besides setting up a 400-bed hospital in the Congo. Nehru, n. 176.
Indian viewpoint the ONUC represented a constructive aspect of collective security system. Not only were military forces sent to the Congo but the problem of the development of a newly independent and large country became partly the responsibility of the United Nations, (189) India took special note of the fact that the United Nations had assumed these heavy responsibilities at the explicit request and the full consent of the country concerned, (190) It was hoped that with the intervention by the United Nations the threat to world peace was greatly averted.

The alternative to UN action would have been direct assistance by the interested powers to various groups; that would have meant not only the dismemberment of a young republic but also pushing the whole of Africa into the grips of the cold war and turning it into another source of international conflict. (191)

The high note of expectation, with which the United Nations started its operations in the Congo, faded out earlier than conjectured. It became apparent that despite the United Nations having acted so promptly the situation in the Congo was getting out of its control.

The Government of the Congolese Republic faced serious disintegration represented largely by the conflict between President Kasavubu and Premier Lumumba, both claiming to represent

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(191) Ibid.
the Congolese Republic. On 13 September the Congolese Parliament, in a joint session, gave power to the Prime Minister but the Chief of the State declared the parliamentary vote invalid and suspended the Parliament. The President also declared that the changed circumstances in the Congo required a change in the *loi fondamentale* (Constitution of the Republic). The Chief of the Army Staff announced on the same day that he was taking over the administration.

The Belgian troops instead of withdrawing from the Congo started arriving there in fresh numbers. They seemed to permeate every phase of life in the Congo. (192) In Katanga Belgian influence was virtually omnipresent. As a result of their concerted activities the task of the United Nations was rendered extremely difficult. (193)

The Congolese situation was exploited in the cold war. The great powers openly sided with the rival groups set up in the Congo and pulled the United Nations in opposite directions. The Soviet Union, supported by several African states, firmly held that the Lumumba Government was the only legal government since it alone had received the confidence of the Parliament. (194) The Western powers supported Kasavubu and made the Credentials Committee recognize the delegation sent by him to the United Nations as against the one accredited by the Lumumba group. (195) As regards

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(193) Ibid., para 45.


(195) Ibid.
the withdrawal of the Belgian forces also the great powers were sharply divided. The Soviet Union wanted the United Nations to declare Belgium as being guilty of aggression and drive her out. In case the Organization found itself incapable of doing that the task should be left in the Soviet hands. (196) The Western powers, on the other hand, wanted that the United Nations should merely ask Belgium to withdraw; France and the U.K. were hesitant even to do that. (197) As a result of the tussle between the two blocs the Congolese issue had to be transferred to an Emergency Special Session of the General Assembly. (198)

As if other complications were not enough, the Government of the Congo itself became bitterly critical of the Secretary-General and his Congo operation. The Lumumba group had accused the Secretary-General of having given tacit recognition to the secession of Katanga by refusing to side with the Central Government. (199) After the Kasavubu-Lumumba split, the Kasavubu Government, recognized by the UN Credentials Committee, charged the United Nations with having assisted the Stanleyville (Provincial) Government run by the pro-Lumumbists, especially after the Bahaun


(197) S/4516.

(198) S/4525.

(199) S/4443. Cablegram dated 20 August 1960 from Patrice Lumumba, the Prime Minister of the Congo.
incident. (200) General Mobutu's troops openly insulted the UN personnel in the Congo including some high ranking officials. The arrest of Lumumba and his associates came as a serious challenge to the United Nations. Any attempt on the part of the United Nations to approach Lumumba, even on humanitarian grounds, was strongly opposed and the limit was reached when the ex-premier and his close associates were murdered. One direct consequence of Lumumba's murder was that many states which had become increasingly dissatisfied with the UN policy in the Congo, especially after the Kasavubu-Lumumba split, threatened to withdraw their troops from the UN Force in the Congo. (201) Except for Belgium and her allies who were congratulating themselves for having got rid of the ex-premier the reactions of all the members to the ghastly deed were almost similar. (202) They regarded the murder of Lumumba as a direct affront to the United Nations. While the U.S.A. merely faced embarrassment and was greatly disillusioned with the bonafides of

(200) After Lumumba and his associates were arrested by the Leopoldville Government, Gizenga, Vice Premier in the Lumumbist Government, issued a proclamation that the capital of the Congo had temporarily shifted to Stanleyville and he was heading the Government in Lumumba's absence. On 25 December 1960 some 60 soldiers from Stanleyville arrived in Bukavu, capital of Kivu province, and after conference with the local army commander and members of the provincial government, arrested the commander as well as President of the provincial government and carried them off. The ONUC Commander at Bukavu had made an approach to the Congolese Commander but had departed on being told that ONUC protection was not require In his communications dated 7 and 14 January 1961 President Kasavubu complained strongly against the UN inability to co-operate with the Congolese Government. S/4129 and Add. 1 and S/4630.


(202) Ibid.
the Government she had been supporting so far, the Soviet Union accused the Western powers for complicity in the crime. (203) The prospects were so gloomy that in many quarters it was felt that the best thing for the United Nations would be to beat a retreat.

India firmly held the view that the United Nations should not withdraw from the Congo because it had been faced with reverses. Firstly, a withdrawal would have meant an act of despair and a confession of defeat causing serious damage to faith in the United Nations. (204) Small countries would henceforth think a hundred times before they could ask the United Nations to take them under its protective umbrella. Secondly, it was certain that the vacuum created by the UN troops would lead to a general flare up not only in the Congo but in the whole African continent and beyond. (205)

India believed that there was nothing to compel the United Nations to come out of the Congo if it decided to stay there. Neither the President of the Republic nor one of the factional leaders who sided with him nor one of the secessionists who did not support any faction but generally challenged the entire authority of the United Nations had the right to ask the United Nations to get out. (206) The UN action in the Congo was based

(203) 5/4706, Soviet draft resolution.
upon a bilateral agreement between the Organization and the legally constituted Government of the Congo, (207) (In that agreement the Government of the Republic of the Congo had stated that "in the exercise of its sovereign rights with respect to any question concerning the presence and functioning of the United Nations force in the Congo, it will be guided in good faith by the fact that it has requested military assistance from the U.N." (208) So far as the United Nations was concerned that position had not altered, neither assistance nor military intervention, nor the introduction of military personnel had taken place except in accordance with that request. The Kasavubu Government could not abrogate that request by a unilateral decision was substantiated by the UN's part in the aforesaid agreement. "The U.N. reaffirms," said the agreement, "considering it to be in accordance with the wishes of the Republic of Congo that it is prepared to maintain the U.N. Force in the Congo until such time as it deems the latter's task to have been fully accomplished." (209) It was too evident to be ignored that the task of the United Nations as envisaged in its resolutions had not been accomplished. Neither law and order was restored nor the Belgian troops had withdrawn. To accomplish the task it had undertaken it was essential not only that the United Nations should stay in the Congo but also that it should work

(207) S/4389, Add. 5.
(208) Ibid., para I.
(209) Ibid., Para II.
more effectively than it had been working in the past. (210) With some 20,000 troops in that country and about 147 technical experts the United Nations was a force to be reckoned with and India wanted it to work effectively even if it required the use of force. (211)

India believed that the mandate given by the Security Council to the Secretary-General was wide enough to permit the use of force to achieve the declared ends. In hesitating to use force the Secretary-General was conditioned not by considerations of what was legal but what was possible. (212) Explaining the implications of the Security Council resolution of 22 July 1960 (S/4405) Menon told the General Assembly that the resolution had called upon the Government of Belgium to implement speedily the Security Council resolution of 14 July 1960 (S/4387) on the withdrawal of their troops and authorized the Secretary-General to take all necessary action to that effect. (213) It did not say all legal action or legitimate action or cautious action, it said the necessary action, i.e., action limited to the achievement of the desired result. As such no extension of the mandate was necessary.

(210) It could not stay there just for some little humanitarian work which it was doing or just to bolster up some odd regime or some odd party in the Congo. Menon, n. 204, 1318.

(211) Referring to the UN operations in the Congo Nehru said, "It should function even if it is necessary to use armed force and not merely look on while others use armed force for a wrong purpose." Lok Sabha Debates, 50 (1961) col. 139.

(212) "What ought to be done is to a certain extent ... quite rightly affected by what is legal and what is possible. ... Law is the best aid to justice. It is also the best smoke screen for the reverse. It always has been so in human history." Menon, S.C.O.R., (15th year), 919th Mtg., 10 December 1960, 17.

(213) Menon, n. 204, 1310.
What was required was an extension of activity in its implementation. It was not necessary to exercise a mandate to its full in the beginning, but India insisted that a change in its implementation was necessary in view of the legal dictum of 
rebus sic stantibus, i.e., change of circumstances. (214) Henon drew the attention of the General Assembly to the following pertinent changes in the conditions regarding the Congo:

(1) The United Nations went into the Congo at the invitation of the legal Government of the Congolese Republic. There was no longer any legal Government in the Congo, in fact, there was no Government at all. India disagreed with the United States that there were only two constitutional authorities in the Congo, i.e., the President and the Parliament and since the Parliament was extinct only the President remained. The suspension of the Parliament by the President was regarded unconstitutional by India. (215) She also questioned the legality of the Premier appointed by Kasavubu, i.e., Joseph Ileo who never received the confidence of the Parliament. Without any prejudice against the Kasavubu Government India believed that in recognizing the Congolese delegation appointed by Kasavubu the United Nations had changed its originally wise position to leave the Congolese benches vacant till it was possible for the people in the Congo to decide their own affairs. (216) According to India the lawful Government

(214) Ibid.

(215) The Loi fondamentale of the Republic of the Congo did not permit the suspension of the Parliament for more than a month.

(216) Henon, n. 204, 1318.
in the Congo was the one run by the Lumumbists who had been elected by the Parliament on the basis of adult franchise and enjoyed the support of the largest section of the masses. (217)

(ii) When the United Nations started its operation in the Congo, the Congolese army, while it was far from being a disciplined force, was considered by the United Nations as a worthy subject of discipline. That army had entered into politics and prevented the Government from functioning the way its role required. (218)

(iii) The United Nations went to the Congo for the purpose, among others, to maintain its integrity and check the separatist tendencies. But the Congo was on the verge of a civil war and more factions had come into being than existed earlier, each bidding to set up a different Government.

(iv) The United Nations intervened to obtain the withdrawal of Belgian troops and prevent the intervention by other foreign forces. But there were more outsiders meddling with the Congolese affairs than the United Nations. To the Belgian military and paramilitary personnel had been added the Rhodesians, the South Africans, the Germans and the French fighting at cross-purposes with the United Nations. (219)


(218) There had been a coup d'état in the Congo by a person who at best was a Chief of the Army Staff under the old Government. A coup conducted by a commissioned officer in the regular post of an army amounted to an act of treason, that was to say, a treasonable individual was in charge of the operative forces that were in the Congo. Menon, n. 204, 1313.

(219) Menon, n. 212.
India suggested that the situation in the Congo could be resolved if the United Nations undertook to implement its mandate to bring about the following conditions:

(1) The Parliament of the Congo had to be convened because the effectiveness of UN action presupposed the continued existence of an effective and lawful government working hand in hand with the United Nations and co-operating fully with them. (220) It was the people of the Congo who had to produce their own leadership, whether good or bad. The United Nations obviously could not act all the time as a policeman nor should any outside power intervene. (221)

The Parliament of the Congo, freely elected by the people, seemed dead and the sort of conference called by Kasavubu without the participation of Lumumba and other important leaders could not be called representative of the Congolese people. (222) Since the United Nations could not by itself call the Parliament and had failed to persuade Kasavubu to do so and since it was necessary that this should be done under the authority that existed according to the U.S. representative, in the President, India urged that those who were responsible for giving him that prestige should prevail upon him to reconvene the Parliament. (223) The United Nations could

(220) Jha, n. 217, 22.
(222) Jha, n. 217.
(223) President Kasavubu had initially refused to receive the Conciliation Commission appointed by the Secretary-General after consultation with his advisory committee on the Congo on 5 November 1960. The members of the Commission were Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Liberia, Mali, Morocco, Nigeria, Pakistan, Senegal, Sudan, Tunisia and the U.A.R. The Commission aimed at assisting in a speedy restoration of parliamentary institutions in the Congo.
facilitate the meeting of the Parliament in some neutralized area and prevent unauthorized troops such as those of Colonel Mobutu from interfering with them. (224)

India was certain that the UN initiative in getting the Congolese Parliament convened could not be considered a violation of the Charter. (225) Art. 14 of the Charter read: "Subject to the provision of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation regardless of its origin." The words "regardless of its origin" were important because then it did not matter whether it was an international conflict or fratricidal conflict. The same Article referred to "situations resulting from a violation of provisions of the present Charter setting forth the principles and purposes of the Charter." In that context, Menon drew the attention of the General Assembly to Chapter I of the Charter which made it the purpose of the United Nations "to take effective collective measures for the prevention and removal of threats to the peace, ..." India wanted to know what constituted a breach of peace if not the aggression committed by Mobutu against the United Nations? (226) It was considered indispensable by India that all the private armies should be disarmed and neutralized until such time as the Armée Nationale Congolaise, with the assistance of the United Nations, became a

(224) President Kasavubu had said that he was prepared to reconvene the Parliament as soon as necessary conditions of security and freedom of action had been re-established. Since Colonel Mobutu was the one who created the maximum trouble it should not be difficult for 20,000 UN troops to deal with him. Menon, n. 212.

(225) Menon, n. 204, 1316.

(226) Ibid., 1317.
disciplined force subject to the authority of a constitutional Government. (227)

(ii) No settlement of the situation in the Congo was possible unless all the Belgian troops, military and non-military, were made to withdraw from all parts of the Congo, including Katanga. India was convinced that Belgium had committed enough assaults to invite enforcement action by the United Nations. She had indulged in an act of aggression against the Congo. (228) She had also deliberately ignored the repeated calls by the United Nations regarding the withdrawal of its troops. (229) Moreover in misusing the trust territory of Ruanda-Urundi as a base and a jumping off ground to send troops into the Congo Belgium had committed a gross violation...
of the Charter under Art. 82. (230) By its persistent misdeeds the Government of Belgium had put itself in the dock of the world and had to be brought to its senses by the United Nations, if necessary by the use of force. (231)

(iii) India emphasized that if the United Nations had to take the vital decision to use force it was essential that the great powers should agree on some basic minimum policy. (232) No peace loving country in the world wanted the Congo to become another Korea. It was imperative, therefore, that Congo should be insulated from the supply of arms and military assistance of all kinds to the various sections contesting for power. If it was argued by the great powers that they were going there to defend law the position then arose that their troops and the United Nations had the same objective. If the United Nations was there then no other protective hand was required. If they felt that the UN protective hand was not sufficiently strong then they should join the United Nations and accept orders from the UN Command. (233)

(230) Art. 82 of the Charter provided that "there may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies ... without prejudice to any special agreement or agreements made under Article 43,"

(231) Lennon, n. 2 04, 1316.

(232) A pointer in that direction had been given by President Kennedy who said in his inaugural address: "Let both sides explore what problems unite us, instead of belabouring those problems which divide us." Jha, n. 217, 23.

(233) There could not be two independent lines of action in regard to the same problem, hence all assistance to the Congo had to be channelized through the United Nations. Lennon, n. 212, 30-1.
India welcomed the adoption by the Security Council of an Afro-Asian draft resolution authorizing the UN Command to intervene and prevent a civil war in the Congo using force, if necessary. (234) The unanimous adoption of the resolution was almost a miracle in view of the fact that when the Security Council started the discussion of the Congo issue, the West, the Soviet Union, the Secretary-General and the Casablanca group were all at variance with each other. (235) India had remained in close co-operation with the sponsors of the resolution and had also engaged in brisk diplomatic activity at the United Nations so as to evolve a compromise solution acceptable to all. The resolution was especially called for in view of the stand taken by the Secretary-General so far. He insisted that while political persuasion could be employed use of force was an entirely different proposition inasmuch as the Council and the Secretary-General were bound by the Charter provisions. The Council had never invoked Arts. 41 and 42 of the Charter which provided for enforcement action overriding the domestic jurisdiction limitation of Art. 2 (7). If the Council wanted him to use force he would request it to clarify its position and provide him with adequate means. (236)


(235) India's attitude towards a solution of the Congolese crisis was greatly influenced by the view of the Asian-African states represented at Casablanca. The Conference was attended by the heads of the States of Morocco, the U.A.R., Mali, Guinea, Algeria, Libya and Ghana. S/4625. Letter from the President of Ghana conveying the decision of Casablanca powers.

Once having got an explicit mandate to use force the Secretary-General undertook immediate measures, to implement the decision of the Security Council, in close consultation with the Advisory Committee on the Congo. (237) Noting that the action envisaged would require a substantial increase in the strength of the UN Force, the Secretary-General approached member-states for additional troops, India being one of them. (238) On 3 March 1961 the Permanent Representative of India informed the Secretary-General that the Indian Government would despatch a brigade to the Congo as a reinforcement for the UN Force. (239) The Indian

(237) The Advisory Committee was formed by the Secretary-General on 23 August 1960 presumably to satisfy the Congolese Government's desire that a group of Asian-African states should ensure the implementation of Security Council's decisions on the Congo. India was nominated one of the members, others being Canada, Ghana, Ethiopia, Guinea, Indonesia, Ireland, Mali, Morocco, Pakistan, Sudan, Sweden, Tunisia and the U.A.R.

(238) The UN Force in the Congo had, at that time, about 17,500 troops out of the original 50,000 because many states had withdrawn. If the Governments of Morocco and Indonesia also carried out their threats of repatriation it would have been reduced to 14,500. The Special Representative and Military Commander of the Force felt that a strength of about 23,000 was required for the implementation of Security Council's resolution.

(239) It was made clear by India that the Indian troops would not be called upon to fight troops or nationals of other member-states, the only possible exception being the Congolese armed units, Belgians and other mercenaries in the Congo. They were not to be used for the suppression of popular movements or for any other political ends. They were not to be broken up and mixed with other armed contingents, while working, of course, under the overall UN Command. India made special reference to the importance of Belgium's withdrawal from the Congo. The Secretary-General accepted all these conditions and for the first time in the history of independent India, Indian armed forces left for an alien territory to fight as combat troops. The Government of India, Ministry of External Affairs No. D/42/PR, (Communication exchanged between India and United Nations over the despatch of Indian troops for the Congo). See also S/4841 and Add 1-3. Report of 20 June 1961 by the Secretary-General on the implementation of Security Council resolution of 21 February.
battalion of 4,701 men was the largest single contribution to the total of 13,607 soldiers under the UN Command. Explaining the sending of combat troops Nehru told the Parliament that India had not approved of the way in which the United Nations had been functioning but with the passage of the latest resolution the position had changed and was more in keeping with the stand taken by India. (240)

Belgium accepted the 21 February resolution and informed the United Nations that it would withdraw from the Congo except for the Belgians who were employed by the Congolese Government to whom they owed allegiance. After protracted negotiations President Kasavubu also accepted this resolution and signed an agreement to that effect on 17 April 1961. But the anti-Lumumbist groups in the Congo held various conferences aimed at resolving the Congolese affairs without outside interference. In the most important of these conferences held at Tananrive on 8 March 1961 they asked for the annulment of the 21 February resolution and accused President Kasavubu of having sold out the Congo in accepting it.

India did not agree that the Tananrive Conference and its decisions should divest the United Nations of its responsibilities in the Congo. (241) She supported the United Nations in its


(241) "It would not lie in the mouth of any one of us" said Nenon, "nor would it be within the competence of any one of us, to say that a member state could not change its character, its constitution, its structure or anything of the kind. But when the purpose of the United Nations intervention and when their participation is to maintain the integrity of the Republic itself, then, obviously, for a section of the people to go to some place and have a conference and make a decision unilaterally appropriating to themselves certain parts of this territory and breaking up its unity, is not a thing that this Organization could accept." Nenon, O.A.C.R., 15th Sess. (1961), 977th Plen. Mtg., 198.
 ceaseless and patient efforts to bring together the Kasavubu and the pro-Lumumbist authorities. The United Nations succeeded in getting the Congolese Parliament reconvened on 25 July 1961. The Parliament met at Lovanium University under heavy UN protection. It was attended by 200 delegates from all parts of the Congo except Katanga and in the elections that were held all important parliamentary posts were filled by the Lumumbists (except for the Senate). (242) The new Congolese Premier Joseph Adoula received almost a unanimous vote and the United Nations confirmed that this new Government was the only legal Government of the Congo recognized by the United Nations. (243)

The establishment of a properly elected Government in the Congo was a great stride towards the restoration of peace and stability in that unhappy land. But for a lasting settlement of the Congolese crisis Katanga's secession had to be put to an end. Even if Belgium withdrew from Katanga the province would remain a thorn in the side of the Congolese Republic. (244) All sorts of mercenaries had clustered in Katanga and the UN Chief in the Congo, Dr. Linner, reported that Tshombo's regime had approached a point where it could not control the forces it had unleashed. (245)


(243) Ibid.

(244) In a statement before the Security Council on 13 November 1961, the Foreign Minister of Belgium said that ever since taking office in April 1961, his Government had been co-operating with the United Nations and could not be blamed for the follies of its predecessor.

Any attempt to restore Katanga to the Leopoldville Government would be an act of imposing a political solution; but that was what the United Nations did and the following circumstances made it possible.

The Government of the Congo appealed to the Security Council for a clear and precise attitude and adequate means to put an end to the secession in Katanga. (246) The Security Council authorized the Secretary-General to use force to arrest the mercenaries and others who were serving Katanga without UN authorization. (247) The key para of the authorizing resolution asked the Secretary-General to take vigorous action, including the use of requisite measures of force, if necessary, for the immediate apprehension, detention pending all legal action and/or deportation of all foreign military and para-military personnel and political advisers not under the UN Command as well as mercenaries.

India welcomed the adoption of the resolution especially in view of the fact that it had been accepted by both the Soviet Union and the U.S.A. She openly criticized the Western powers, i.e., Britain and France for not supporting the resolution. (248) India actively participated in the implementation of this mandate. After the Katangan forces had arrested 11 UN personnel, set up a road blockade and fired at the UN aircraft, the Secretary-General ordered the UN forces to take any air or ground action necessary to restore the UN rights in Elizabethville. Indian troops played a


decisive role in the offensive launched by the United Nations. Clarifying the UN objectives in taking that action Brigadier Rikhye said that their first objective was to restore the UN Forces' freedom of action, the second, to restore the security of all the UN personnel. (249)

As the Katanga authorities persisted in flouting the ONUC on 31 July 1961 the Acting Secretary-General appealed to all the members of the United Nations to use their influence to persuade the parties concerned for a peaceful solution of the problem. He added that if such persuasion should prove ineffective he would ask them to consider what further measures might be taken. He suggested economic pressure which would bring home to the Katangese authorities the realities of their situation and the fact that Katanga did not constitute a sovereign state and was not recognized as such. (250)

(249) There were three important factors which prompted the United Nations to take the vital decision regarding Katanga. (1) All the peaceful efforts of the United Nations to make Adoula and Tshombe reach some agreement proved fruitless. Tshombe accused Adoula of putting forward impossible terms because he was so sure of the UN support; Adoula asserted that Tshombe had decided long ago not to end the secession no matter what terms were offered. (ii) The UN operation in the Congo which was quite a costly affair was being prolonged unnecessarily. But alongside this there was also the realization, as pointed out by Nehru, that leaving the Congo at that stage would mean undoing much of the work that had been done. The only course left was to speed up a solution. (iii) The great powers concerned in the Congo were all drawing together to an almost similar position. Britain and the U.S.A. were prepared to bring economic pressure upon Belgium to put an end to the Katanga secession. Britain did not agree to apply economic sanctions but had no objection to their being applied by others. The Soviet Union had all along been in favour of stout action and had become more adamant since the death of Lumumba.

(250) S/5053/Add.11; Add.11/Add.1 & Corr. 1. Annexes II. Comments of the Secretary-General: (A) On the Congo problems in general; (b) on the question of "proposals".
In close consultation with the India and some other diplomats, particularly those representing states who had given major support to the ONUC, the Acting Secretary-General drew up a ten point "Plan of National Reconciliation." (251) The Plan was to be carried out in four stages: the first stage envisaged moral and political pressure while in the next three stages emphasis was to be put gradually on more coercive measures aimed at forcing Katanga out of its secession. Presenting the Plan to Tshombe on 24 August the UN Chief made it clear that the Plan had to be accepted as a whole and within a period of 10 days. (252) On the last day Tshombe grudgingly accepted the Plan but persisted in piling up troops in Katanga. On 10 December Tshombe was informed by the United Nations that the Organization was prepared to invoke all measures short of war and the UN troops were alerted to meet the crisis. (253) Internal criticism of Adoula because of his failure to reunify Katanga posed a new threat. But before the United Nations could fight Katanga back to the fold India informed the United Nations that she wanted her troops back in view of the danger on her own frontiers.

From Korea to the Congo were revealed many aspects of India's attitude towards collective security system. In no two

(251) Ibid.
(252) S/5053, Add. 12 & Corr. 1. Report to the Secretary-General from the Official-in-Charge of the ONUC.
(253) Ibid.
cases India supported the UN action with the same vigour. From a medical unit for Korea to a brigade of combat troops for the Congo, was a definite landmark in India’s attitude towards military commitment in a collective action.

But if India’s behaviour was not the same in all the situations, it is also true that no two situations by themselves were identical. Each situation differed from the other both in its origin and in the context of international background. Therefore, the type of action envisaged by the United Nations also differed according to the requirements of each situation. The major operational problem which confronted the United Nations during most of these situations was the availability of an international force and all its constitutional and political implications. The following chapter deals with this aspect of collective security system and India’s attitude towards it.