

"3. *Invites* those responsible to take all appropriate measures to prevent any further violation of the Cambodian frontier;

"4. *Requests* all States and authorities, and in particular the members of the Geneva Conference, to recognize and respect Cambodia's neutrality and territorial integrity;

"5. *Decides* to send three of its members to the two countries and to the places where the most recent incidents have occurred, in order to consider such measures as may prevent any recurrence of such incidents; they will report to the Security Council within forty-five days."

At the same meeting, at the suggestion of the President (Ivory Coast), the Council agreed to authorize the President, after consultation with each of its members, to appoint the three members of the group provided for in paragraph 5 of the adopted resolution.<sup>308</sup>

The question remained on the list of matters with which the Security Council is seized.<sup>309</sup>

#### THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA

**Decision of 9 June 1964 (1128th meeting):**

(i) *Urging the Government of the Republic of South Africa:*

(a) *To renounce the execution of the persons sentenced to death for acts resulting from their opposition to the policy of apartheid;*

(b) *To end forthwith the trial in progress, instituted within the framework of the arbitrary laws of apartheid;*

(c) *To grant an amnesty to all persons already imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid, and particularly to the defendants in the Rivonia trial;*

(ii) *Inviting all States and organizations to exert all their influence to induce the Government of the Republic of South Africa to comply with the provisions of this resolution;*

(iii) *Inviting the Secretary-General to follow closely the implementation of the resolution and to report thereon to the Security Council at the earliest possible date.*

By letter<sup>310</sup> dated 27 April 1964, to the President of the Security Council, the representatives of Afghanistan, Algeria, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Con-

<sup>308</sup> 1126th meeting: paras. 103-104. On 5 June 1964, the President named Brazil, Ivory Coast and Morocco to carry out the mission (S/5741). The relevant report was submitted to the Council on 27 July 1964 (S/5832 and Corr.1).

<sup>309</sup> The following were subsequent communications on this question during the period covered by this *Supplement*: S/5765, 15 June 1964; S/5770, 17 June 1964; S/5777, 19 June 1964; S/5786, 30 June 1964; S/5787, 30 June 1964; in *O.R., 19th yr., Suppl. for Apr.-June 1964*, pp. 244, 248, 253, 298, 300; S/5796, 3 July 1964; S/5799, 7 July 1964; S/5804, 8 July 1964; S/5810, 10 July 1964; S/5814, 13 July 1964, *ibid., Suppl. for July-Sept. 1964*, pp. 21, 26, 33, 39, 44; S/6324, 3 May 1965, *ibid., Suppl. for Apr.-June 1965*, pp. 81-82; S/6440, 30 July 1965; S/6641, 30 August 1965; *ibid., Suppl. for July-Sept. 1965*, pp. 221-223; S/6802 and Rev.1, 18 October 1965; and S/6803 and Rev.1, 18 October 1965; *ibid., Suppl. for Oct.-Dec. 1965*, p. 209.

<sup>310</sup> S/5674, *O.R., 19th yr., Suppl. for Apr.-June 1964*, pp. 96-98.

go, (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Republic, Upper Volta, Yemen and Zanzibar, requested the President of the Council to convene an early meeting of the Council "to resume consideration of the serious situation existing in South Africa", in the light of the report<sup>311</sup> submitted by the Secretary-General in accordance with paragraph 8 of the Security Council resolution<sup>312</sup> of 4 December 1963, and the new developments in the Republic of South Africa.

The respective Governments of those Member States, it was noted, were particularly disturbed by the extreme measures, and more specifically, the imposition of death sentences, which had been taken against a large number of African political leaders.

The situation in South Africa which, according to the Security Council resolution<sup>313</sup> of 7 August 1963, was "seriously disturbing international peace and security" had deteriorated still further in the wake of recent events in that country, as was clearly apparent from the interim report<sup>314</sup> of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa. The negative reaction of the South African Government to the provisions of the Security Council resolution of 4 December 1963 in particular, and the worsening of the situation as a result of the continued application of the policies of apartheid, were a matter of deep concern to world public opinion, and especially to the countries of Africa and Asia which considered that the Security Council should take effective measures to obtain the compliance of the South African Government with the earlier resolutions of both the General Assembly and the Security Council, and the discharge of its obligations as a Member State.

It was noted further that the Governments of the Member States submitting the letter were convinced that "positive and urgent action" by the Council was essential to prevent a conflict in South Africa of unforeseeable consequences for Africa and for the world.

At the 1127th meeting on 8 June 1964, the Security Council decided to include the question in the agenda.<sup>315</sup> The Council resumed consideration of the question at its 1127th to 1135th meetings, held from 8 to 18 June 1964. The representatives of India, Indonesia, Liberia, Madagascar, Pakistan, Sierra Leone and Tunisia were invited, at their request, to participate in the discussion.<sup>316</sup>

At the 1127th meeting, the representatives of Liberia, \* Sierra Leone \* and Morocco, \* speaking on behalf of all States of the Organization of African Unity, asserted that the situation in South Africa called for urgent action by the Security Council since it had not

<sup>311</sup> S/5658, *O.R., 19th yr., Suppl. for Apr.-June 1964*, pp. 19-63.

<sup>312</sup> S/5471, *O.R., 18th yr., Suppl. for Oct.-Dec. 1963*, pp. 103-105.

<sup>313</sup> S/5386, *O.R., 18th yr., Suppl. for July-Sept. 1963*, pp. 73-74.

<sup>314</sup> S/5621, also issued as A/5692. *Official Records of the General Assembly, Nineteenth Session, Annexes.*

<sup>315</sup> 1127th meeting: para. 2. See also chapter II. Case 3.

<sup>316</sup> 1127th meeting: para. 3.

only defied solution but had considerably worsened.<sup>317</sup> As a consequence, international peace and security were seriously endangered. In view of the gravity of the situation and of the rejection by the South African Government of the report of the Group of Experts, the African States had no other alternative than to urge the Security Council to apply economic sanctions immediately as the only peaceful means of resolving the issue. At the same time, if the execution of the African nationalist leaders already sentenced to death was to be prevented, and if the trials of the nationalists in Rivonia were to be stopped, the Council should be urged to demand that the South African Government should forthwith reprieve the three opponents of apartheid already sentenced to death, and also to put an end to the farcical trials of Nelson Mandela, Walter Sisulu and other nationalist leaders which were in progress. The necessary steps would also have to be taken to obtain the liberation of all persons held in custody for having opposed the policy of apartheid. The Council was, they concluded, empowered to make those demands under Article 41 of the Charter.<sup>318</sup>

At the same meeting, the representative of Morocco introduced for urgent consideration of the Council a draft resolution,<sup>319</sup> jointly sponsored by the Ivory Coast and Morocco. Under the text of the draft resolution, as later revised, the Council would primarily confine itself to the problem of the repression by the Government of the Republic of South Africa of a number of nationalist leaders, because of their political opposition to the rule of apartheid prevailing in their country.

In appealing at the 1128th meeting, on 9 June 1964, for the immediate, unanimous adoption of the draft resolution, the President of the Council, speaking as the representative of the Ivory Coast, referred to an increasing number of persons who, in less than a year, had been arrested, tortured, prosecuted and convicted under South African laws which had been considered to be arbitrary by United Nations bodies, by all the world's jurists, of whatever ideology, as well as all the world's theologians. No argument of domestic jurisdiction could justify delay in taking action while innocent people were being murdered.<sup>320</sup>

At the same meeting, the Council adopted<sup>321</sup> the draft resolution by 7 votes in favour, none against, and 4 abstentions.

The resolution<sup>322</sup> read:

*"The Security Council,*

*"Recalling General Assembly resolution 1881 (XVIII) of 11 October 1963, which condemns the Government of the Republic of South Africa for its failure to comply with the repeated resolutions of the General Assembly and of the Security Council and which requests it to abandon the arbitrary trial in progress and forthwith to grant unconditional release to all political prisoners and to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid,*

*"Further recalling that the Security Council in its resolutions 181 (1963) of 7 August 1963 and 182 (1963) of 4 December 1963 called upon the Government of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid,*

*"Noting with great concern that the arbitrary Rivonia trial instituted against the leaders of the anti-apartheid movement has been resumed, and that the imminent verdict to be delivered under arbitrary laws prescribing long terms of imprisonment and the death sentence may have very serious consequences,*

*"Noting with regret that the Government of South Africa has rejected the appeal of the Secretary-General of 27 March 1964,*

*"1. Urges the Government of South Africa:*

*"(a) To renounce the execution of the persons sentenced to death for acts resulting from their opposition to the policy of apartheid;*

*"(b) To end forthwith the trial in progress, instituted within the framework of the arbitrary laws of apartheid;*

*"(c) To grant an amnesty to all persons already imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid, and particularly to the defendants in the Rivonia trial;*

*"2. Invites all States to exert all their influence to induce the Government of South Africa to comply with the provisions of this resolution;*

*"3. Invites the Secretary-General to follow closely the implementation of the resolution and to report thereon to the Security Council at the earliest possible date."*

**Decision of 18 June 1964 (1135th meeting):**

(i) *Condemning the apartheid policies of the Government of the Republic of South Africa and the legislation supporting these policies, such as the General Law Amendment Act, and in particular its ninety-day detention clause;*

(ii) *Urgently reiterating its appeal to the Government of the Republic of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policies of apartheid;*

(iii) *Urgently appealing to the Government of the Republic of South Africa:*

*(a) To renounce the execution of any persons sentenced to death for their opposition to the policy of apartheid;*

*(b) To grant immediate amnesty to all persons detained or on trial, as well as clemency to all persons sentenced for their opposition to the Government's racial policies;*

*(c) To abolish the practice of imprisonment without charges, without access to counsel or without the right of prompt trial;*

(iv) *Endorsing and subscribing in particular to the main conclusion of the Group of Experts that "all the people of South Africa should be brought into consultation and should thus*

<sup>317</sup> For discussions relating to the competence of the Council, see chapter XII, Case 5.

<sup>318</sup> For texts of relevant statements, see: 1127th meeting: Liberia,\* paras. 37-39, 70-71, 77, 86; Morocco,\* paras. 116, 138-139, 149; Sierra Leone,\* paras. 100-105, 107.

<sup>319</sup> S/5752/Rev.1. Same text as S/5761. O.R., 19th yr., Suppl. for Apr.-June 1964, pp. 208-209.

<sup>320</sup> 1128th meeting: paras. 11-15.

<sup>321</sup> 1128th meeting: para. 34.

<sup>322</sup> S/RES/190 (1964), O.R., 19th yr., Resolutions and Decisions of the Security Council, 1964, pp. 12, 13.

be enabled to decide the future of their country at the national level";

- (v) *Requesting the Secretary-General to consider what assistance the United Nations might offer to facilitate such consultations among representatives of all elements of the population in South Africa;*
- (vi) *Inviting the Government of the Republic of South Africa to accept the above-mentioned main conclusion of the Group of Experts, and to co-operate with the Secretary-General and to submit its views to him, with respect to such consultations by 30 November 1964;*
- (vii) *Deciding to establish an expert committee, composed of representatives of each present member of the Security Council, to undertake a technical and practical study, and report to the Council, as to the feasibility, effectiveness, and implications of measures which could, as appropriate, be taken by the Council under the United Nations Charter;*
- (viii) *Requesting the Secretary-General to provide to the expert committee Secretariat's material on the subjects to be studied by the Committee and to co-operate with the Committee as requested by it;*
- (ix) *Authorizing the expert committee to request all Member States to co-operate with it and to submit their views on such measures to the committee not later than 30 November 1964, and request the committee to complete its report not later than three months thereafter;*
- (x) *Inviting the Secretary-General in consultation with appropriate United Nations specialized agencies to establish an educational and training programme for the purpose of arranging for education and training abroad for South Africans;*
- (xi) *Reaffirming its call upon all States to cease forthwith the sale and shipment to South Africa of arms, ammunition of all types, military vehicles, and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa;*
- (xii) *Requesting all Member States to take such steps as they deem appropriate to persuade the Government of the Republic of South Africa to comply with this resolution*

During the continued consideration of the question, at the 1129th and 1130th meetings, the representatives of Indonesia, \* Pakistan, \* Madagascar, \* Tunisia, \* Morocco, Sierra Leone, \* India \* and Liberia \* supported the recommendations and conclusions of the report of the Group of Experts. In the circumstances and in view of the refusal of the Government of the Republic of South Africa to co-operate with the United Nations, the imposition of economic sanctions was the only peaceful means left to deal with the situation in South Africa.<sup>323</sup>

The representative of Indonesia \* asked the Council to consider the question of South Africa's racial policies under Chapter VII of the Charter, and to apply consequently the necessary coercive measures

provided for in Articles 41 and 42 of the Charter. To that effect, the Council should make a finding that the situation in South Africa constituted a threat to the peace in the terms of Article 39 of the Charter. If the Council should take such an action, it would have gone a long way toward finding a solution of the problem and toward persuading the Government of the Republic of South Africa to see reason.

In the view of the representative of Pakistan \* the issue confronting the United Nations was, in the ultimate analysis, the freedom and self-determination of the peoples of South Africa. He supported the conclusion of the Group of Experts that a definitive solution of the South African issue could not be evolved except by the establishment of a suitable national convention which would fully represent the entire population of South Africa, and decide the future shape and structure of that country.

The representative of Madagascar \* described the situation in South Africa where, he stated, 13 million Africans had blindly to obey the *diktat* of 3 million Whites, and where the Africans were deprived of all political rights, had no share in the administration of the country, could not travel without authorization, and could not speak, write or assemble freely. He then referred to the arbitrary "sabotage" laws under which hundreds of thousands of patriots had been submitted to heavy penalties, and urged that in order to put an end to the repression which from year to year had become more merciless, the recommendations of the Group of Experts should be implemented and that all the great nations which had unanimously condemned apartheid would, realizing that all previous attempts had failed, join in a decision to apply against South Africa economic sanctions which, without their participation, would have no practical effect.

The representative of Tunisia \* felt that the conclusions of the Group of Experts contained positive elements for a tentative solution to the problem of apartheid. However, the basic element of that solution, the holding of a national convention, required a minimum of co-operation on the part of the Government of South Africa. Such co-operation had been refused by the Government of South Africa in its letter<sup>324</sup> the Security Council of 22 May 1964. That habitually negative attitude should dispel the illusions of those who still believed in the possibility of an easy solution of the South African issue. Despite the unceasing efforts of the United Nations to find a peaceful solution, all means have so far been without any progress. The Council should therefore proceed to impose economic sanctions under Chapter VII of the Charter. Those sanctions had been recommended in the conclusions attained by an International Conference which had met in London on 14 April 1964. The Conference had noted that all efforts toward moral suasion had failed over many years, and that the only effective means, short of military action, to change the situation in South Africa was the imposition of total economic sanctions. The Conference had concluded that total economic sanctions were politically timely; economically feasible and legally appropriate, and that in order to be effective they would have to be universally applied, and must have the active participation of the main trading partners of South Africa.

<sup>323</sup> For discussion concerning the employment of economic sanctions in terms of Chapter VII of the Charter, see chapter XI, Cases 1 and 5.

<sup>324</sup> S/5723, O.R., 19th yr., Suppl. for Apr.-June 1964, p. 161.

At the 1130th meeting on 12 June 1964, the representative of Morocco read a statement by Chief Albert Luthuli in connexion with the life sentence which had just been imposed on eight of the Rivonia trial defendants, including Nelson Mandela, Walter Sisulu and other leaders who over long years had advocated a policy of racial co-operation within the South African liberation movement. In his statement, Chief Luthuli had appealed to the United Kingdom and the United States to take decisive action to apply full-scale sanctions that would precipitate the end of the apartheid system.

The representatives of India, \* Liberia \* and Sierra Leone \* commenting on the statement of Chief Luthuli remarked that a man who was internationally renowned for moderation had been forced by circumstances to make an appeal which had overtones of violence. The Chief's statement had clearly pointed out how, after four years of peaceful efforts, the people of South Africa, of all colours, including not only the Blacks but also Whites, had found that the Government of the Republic of South Africa did not understand peace or peaceful methods. The appeal of Chief Luthuli to the Council, and specially to the permanent members, to impose sanctions was therefore fully endorsed.

At the 1132nd meeting on 15 June 1968 the President of the Council, speaking as the representative of the Ivory Coast, stated that the evidence of the threat to international peace and security created by the South African Government's continued pursuit of the policies of apartheid was manifest to any objective observer. He considered that the Council must determine that there was such a threat within the terms of Article 39 of the Charter, and that the recommendation of the Group of Experts might constitute the provisional measures provided for in Article 40 of the Charter. Meanwhile, a detailed study of the possible implementation of Article 41 should be immediately requested by the Council.

At the 1133rd meeting on 16 June 1964, the representative of Norway introduced a draft resolution<sup>325</sup> jointly sponsored by Bolivia and Norway. In introducing the proposal, he stated that the draft resolution reflected the strength as well as the weaknesses of a negotiated compromise.

At the 1135th meeting on 18 June 1964, prior to the voting on the draft resolution, the President, in his capacity as the representative of the Ivory Coast, and the representative of Morocco, stated that the draft resolution did not express the views of the African States and fell short of what had been requested of the Council. However, in view of the positive elements which it contained, they would vote in favour of the draft resolution, with a number of reservations.<sup>326</sup>

At the same meeting, the joint draft resolution was adopted<sup>327</sup> by 8 votes in favour, none against, and 3 abstentions.

The resolution<sup>328</sup> read:

*"The Security Council,*

*"Having considered the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Republic of South Africa, brought to the attention of the Security Council by fifty-eight States Members of the United Nations in their letter of 27 April 1964,*

*"Being gravely concerned with the situation in South Africa arising out of the policies of apartheid which are contrary to the principles and purposes of the Charter of the United Nations and inconsistent with the provisions of the Universal Declaration of Human Rights as well as South Africa's obligations under the Charter,*

*"Taking note with appreciation of the reports of the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa and the report of the Group of Experts appointed by the Secretary-General pursuant to the Security Council resolution 182 (1963) of 4 December 1963,*

*"Recalling Security Council resolutions 181 (1963) of 7 August 1963, 182 (1963) of 4 December 1963 and 190 (1964) of 9 June 1964,*

*"Convinced that the situation in South Africa is continuing seriously to disturb international peace and security,*

*"Deploring the refusal of the Government of the Republic of South Africa to comply with pertinent Security Council resolutions,*

*"Taking into account the recommendations and conclusions of the Group of Experts,*

*"1. Condemns the apartheid policies of the Government of the Republic of South Africa and the legislation supporting these policies, such as the General Law Amendment Act, and in particular its ninety-day detention clause;*

*"2. Urgently reiterates its appeal to the Government of the Republic of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policies of apartheid;*

*"3. Notes the recommendations and the conclusions in the Report of the Group of Experts;*

*"4. Urgently appeals to the Government of the Republic of South Africa:*

*"(a) To renounce the execution of any persons sentenced to death for their opposition to the policy of apartheid;*

*"(b) To grant immediate amnesty to all persons detained or on trial, as well as clemency to all persons sentenced for their opposition to the Government's racial policies;*

*"(c) To abolish the practice of imprisonment without charges, without access to counsel or without the right of prompt trial;*

*"5. Endorses and subscribes in particular to the main conclusion of the Group of Experts that all*

<sup>325</sup> S/5769, 1133rd meeting; para. 3.

<sup>326</sup> For texts of relevant statements, see:

1129th meeting: Indonesia,\* paras. 12-14, 18-22, 31; Madagascar,\* paras. 58-59, 63-65, 70-72; Pakistan,\* paras. 42-44; Tunisia,\* paras. 100-102, 104, 106, 108-110, 112.

1130th meeting: India,\* paras. 47-49; Liberia,\* paras. 53-55; Morocco, paras. 5-6; Sierra Leone,\* paras. 42-43.

1132nd meeting: President (Ivory Coast), paras. 3-4, 18-19.

1135th meeting: President (Ivory Coast) paras. 4-5, 10-14; Morocco, paras. 17, 25-26.

<sup>327</sup> 1135th meeting; para. 43.

<sup>328</sup> S/RES/191 (1964), O.R., 19th yr., Resolutions and Decisions of the Security Council, 1964, pp. 13-14.

the people of South Africa should be brought into consultation and should thus be enabled to decide the future of their country at the national level;

"6. *Requests* the Secretary-General to consider what assistance the United Nations may offer to facilitate such consultations among representatives of all elements of the population in South Africa;

"7. *Invites* the Government of the Republic of South Africa to accept the main conclusion of the Group of Experts referred to in paragraph 5 above and to co-operate with the Secretary-General and to submit its views to him with respect to such consultations by 30 November 1964;

"8. *Decides* to establish an expert committee, composed of representatives of each present member of the Security Council, to undertake a technical and practical study, and report to the Security Council as to the feasibility, effectiveness, and implications of measures which could, as appropriate, be taken by the Security Council under the United Nations Charter;

"9. *Requests* the Secretary-General to provide to the expert committee the Secretariat's material on the subjects to be studied by the committee, and to co-operate with the committee as requested by it;

"10. *Authorizes* the expert committee to request all States Members of the United Nations to co-operate with it and to submit to it their views on such measures no later than 30 November 1964, and requests the committee to complete its report not later than three months thereafter;

"11. *Invites* the Secretary-General, in consultation with appropriate United Nations specialized agencies, to establish an educational and training programme for the purpose of arranging for education and training abroad for South Africans;

"12. *Reaffirms* its call upon all States to cease forthwith the sale and shipment to South Africa of arms, ammunition of all types, military vehicles, and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa;

"13. *Requests* all Member States to take such steps as they deem appropriate to persuade the Government of the Republic of South Africa to comply with the present resolution."

#### COMPLAINT BY THE UNITED STATES (TONKIN GULF INCIDENT)

##### INITIAL PROCEEDINGS

By letter <sup>329</sup> dated 4 August 1964 addressed to the President of the Security Council, the representative of the United States requested that a Council meeting be urgently convened to consider "the serious situation created by deliberate attacks of the Hanoi régime on United States naval vessels in international waters".

At the 1140th meeting on 5 August 1964, the Council included the question in its agenda.<sup>330</sup> The question was considered by the Council at its 1140th and 1141st meetings held between 5 and 7 August 1964.

**Decision** of 7 August 1964 (1141st meeting): *Adjournment to reconvene after consultation with Council members*

At the 1140th meeting on 5 August 1964, the representative of the United States stated that on 2 August 1964 the United States destroyer *Maddox*, while on routine patrol in international waters in the Gulf of Tonkin, was approached by three high-speed North Viet-Nameese torpedo-boats in attack formation. All three attacking vessels directed machine-gun fire at the *Maddox* and two of them fired torpedoes which the *Maddox* evaded by changing course. After the attack was broken off, the *Maddox* continued on a southerly course in international waters. Although that was clearly a deliberate armed attack against a naval unit of the United States on patrol on the high seas, almost thirty miles off the mainland, the United States Government had hoped that that might be an isolated or uncalculated action. However, on 4 August, the destroyers *Maddox* and *C. Turner Joy*, while operating sixty-five miles away from the shore, were again subjected to an armed attack by an undetermined number of motor torpedo-boats of the North Viet-Nameese Navy. On that occasion numerous torpedoes were fired. The attack lasted for over two hours. Thus no longer could there be any doubt that it was a "planned deliberate military aggression" against United States vessels lawfully present in international waters.

In response the United States Government had subsequently taken "limited and measured" action to secure its naval units against further aggression. Thus aerial strikes had been carried out against North Viet-Nameese torpedo-boats and their support facilities. The representative of the United States further asserted that the action by the United States vessels was taken in self-defence and was fully within the provisions of the United Nations Charter.

The representative of the USSR stressed the fact that up to that moment the Council had only one-sided information about the alleged attacks by torpedo-boats of the Democratic Republic of Viet-Nam against the United States destroyers. For an objective discussion of a dispute of that kind in the Security Council, the Government of the Democratic Republic of Viet-Nam should therefore be asked for information on the substance of the United States complaint. He further drew the Council's attention to the fact that the statement of the United States regarding the alleged attack by torpedo-boats against the United States destroyer *Maddox* was made the day after a protest had been made public by the Government of the Democratic Republic of Viet-Nam that the United States and its "lackeys in South Viet-Nam" had sent warships to bombard the islands of Hon Me and Hon Ngu, situated in the territorial waters of the Democratic Republic of Viet-Nam.

Moreover, there were dispatches reporting that the Democratic Republic of Viet-Nam had described the incidents between the torpedo boats and the destroyers as acts of provocation committed by United States armed forces in the territorial waters of the Democratic Republic of Viet-Nam. On the bases of the foregoing and of what had been made public thus far, the USSR Government could not but condemn the actions of the United States in dispatching its navy to the Gulf of Tonkin, and in issuing the Presidential order to continue naval patrols along the coast of the Democratic Republic of Viet-Nam.

Furthermore, the Government of the USSR "most emphatically" condemned the bombardment of coastal installations of the Democratic Republic of Viet-Nam

<sup>329</sup> S/5849, O.R., 19th yr., Suppl. for July-Sept. 1964, p. 135.

<sup>330</sup> 1140th meeting: para. 32. See also chapter II, Case 4.