

France had always rejected the notion that the United Nations had any of the attributes of a supranational state. In the French view, only decisions by the Security Council under Chapter VII of the Charter could bind a sovereign state. On all other questions, including Council recommendations under Chapter VI, a sovereign state had to consent to be bound. France had consented to be bound by the General Assembly decision to establish and later to finance UNEF. It was not prepared to accept a similar obligation for ONUC.

In 1960, the majority of the Assembly, led by the United States, Britain, Canada and a number of other governments firmly wedded to the principle of collective responsibility, continued to support and adopt resolutions assessing peace-keeping costs for 1961 against the whole membership, including those who refused to pay. At the same time it was necessary to increase the subsidy to the developing countries, which became more and more restive over the financial burden which peace keeping imposed.

In 1961, the financial position had deteriorated to the point where different procedures had to be followed. No assessment was made; instead the Assembly :

- (1) Set up a working group of 15 (later increased to 21) to study all aspects of the problem of financing peace-keeping operations;
- (2) authorized the Secretary-General to float a United Nations bond issue of up to \$200 million and use the proceeds for purposes normally related to the working capital fund, with amortization to be a charge on the regular budget (the Soviet bloc and France denounced this decision as a transparent method of financing UNEF and ONUC from the regular budget, and asserted that they would not pay their share of the bond amortization cost in the regular budget);
- (3) asked the International Court of Justice for an advisory opinion on whether or not peace-keeping costs were "expenses of the Organization" assessable under Article 17 of the Charter (it was widely recognized that an unstated corollary of an affirmative answer would be that Article 19 would be applicable to defaulters).

During the summer of 1962, the International Court published its advisory opinion that the costs of ONUC and UNEF were expenses of the Organization, and this decision was "accepted" by the General Assembly (by a vote of 76 in favour, 17 against and 8 abstentions) at the autumn session in the face of strong Soviet and French opposition. In riposte, the Soviet Union announced that, in addition to bond-issue amortization charges, it would in future refuse to pay such regular budget items as the United