

mission were keys to the establishment and maintenance of peace in the area; these agreements could not be by-passed and the U.S.S.R. would therefore vote against the draft resolution.

Before the resolution itself was put to a vote, a discussion developed as to whether this resolution would be considered procedural or non-procedural, in which case the veto would apply. The draft resolution contained no reference to Article 34 which enables the Security Council to investigate disputes and which would have made the resolution subject to the veto by past Council rulings. The three-powers resolution instead was introduced under Article 29, which permits the Security Council to establish such subsidiary organs as it deems necessary for the performance of its functions. It was the President's view, shared by the Western powers, that resolutions under Article 29 should be considered procedural. He pointed out that the subcommittee was merely to report to the Council without recommendations, and the Security Council itself would make its own decision on the basis of the facts as ascertained by the subcommittee. It was Mr. Sobolev's view that the establishment of the proposed Sub-Committee should be subject to the unanimity rule in accordance with the "San Francisco Declaration" of June 1945 and could not in any way be considered as procedural since the nature of the action proposed could only have far-reaching implications. This position was rejected by the other members and it was decided by a vote of 10 to 1 (U.S.S.R.) that the resolution was a procedural one. The Soviet Representative held that this was a flagrant violation of the Security Council procedures.

Proposal Adopted

The vote in favour of the resolution itself also was 10 to 1. After the vote, the Soviet Representative declared that the President's statement to the effect that the resolution was adopted was not in conformity with the Charter. A permanent member of the Council, he stated, had voted against the resolution and therefore it had "no binding force on anyone" as it had been adopted by "illegal procedure". The President of the Council, for his part, declared that he had acted "in perfect good faith and consistent with the Charter". There was no doubt in his mind, he added, "that the resolution is valid".

After meeting for the first time on September 8, the "Security Council Sub-Committee" left New York for Laos on Saturday, September 12. The Japanese and Tunisian Representatives were elected Chairman and Vice-Chairman respectively.