

## VII

### RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIRST COMMITTEE

#### 376 (V). The problem of the independence of Korea

*The General Assembly,*

*Having regard* to its resolutions of 14 November 1947 (112 (II)), of 12 December 1948 (195 (III)) and of 21 October 1949 (293 (IV)),

*Having received and considered* the report<sup>1</sup> of the United Nations Commission on Korea,

*Mindful* of the fact that the objectives set forth in the resolutions referred to above have not been fully accomplished and, in particular, that the unification of Korea has not yet been achieved, and that an attempt has been made by an armed attack from North Korea to extinguish by force the Government of the Republic of Korea,

*Recalling* the General Assembly declaration of 12 December 1948 that there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission on Korea was able to observe and consult and in which the great majority of the people of Korea reside; that this government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such government in Korea,

*Having in mind* that United Nations armed forces are at present operating in Korea in accordance with the recommendations<sup>2</sup> of the Security Council of 27 June 1950, subsequent to its resolution<sup>3</sup> of 25 June 1950, that Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area,

*Recalling* that the essential objective of the resolutions of the General Assembly referred to above was the establishment of a unified, independent and democratic Government of Korea,

##### 1. *Recommends that*

(a) All appropriate steps be taken to ensure conditions of stability throughout Korea;

(b) All constituent acts be taken, including the holding of elections, under the auspices of the United Nations, for the establishment of a unified, independent

and democratic government in the sovereign State of Korea;

(c) All sections and representative bodies of the population of Korea, South and North, be invited to co-operate with the organs of the United Nations in the restoration of peace, in the holding of elections and in the establishment of a unified government;

(d) United Nations forces should not remain in any part of Korea otherwise than so far as necessary for achieving the objectives specified in sub-paragraphs (a) and (b) above;

(e) All necessary measures be taken to accomplish the economic rehabilitation of Korea;

##### 2. *Resolves that*

(a) A Commission consisting of Australia, Chile, Netherlands, Pakistan, Philippines, Thailand and Turkey, to be known as the United Nations Commission for the Unification and Rehabilitation of Korea, be established to (i) assume the functions hitherto exercised by the present United Nations Commission on Korea; (ii) represent the United Nations in bringing about the establishment of a unified, independent and democratic government of all Korea; (iii) exercise such responsibilities in connexion with relief and rehabilitation in Korea as may be determined by the General Assembly after receiving the recommendations of the Economic and Social Council. The United Nations Commission for the Unification and Rehabilitation of Korea should proceed to Korea and begin to carry out its functions as soon as possible;

(b) Pending the arrival in Korea of the United Nations Commission for the Unification and Rehabilitation of Korea, the governments of the States represented on the Commission should form an Interim Committee composed of representatives meeting at the seat of the United Nations to consult with and advise the United Nations Unified Command in the light of the above recommendations; the Interim Committee should begin to function immediately upon the approval of the present resolution by the General Assembly;

(c) The Commission shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject-matter of the present resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for transmission to Members;

*The General Assembly furthermore,*

*Mindful* of the fact that at the end of the present hostilities the task of rehabilitating the Korean economy will be of great magnitude,

<sup>1</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 16.*

<sup>2</sup> See *Official Records of the Security Council, Fifth Year, No. 16.*

<sup>3</sup> *Ibid.*, No. 15.

3. *Requests* the Economic and Social Council, in consultation with the specialized agencies, to develop plans for relief and rehabilitation on the termination of hostilities and to report to the General Assembly within three weeks<sup>3a</sup> of the adoption of the present resolution by the General Assembly;

4. *Also recommends* the Economic and Social Council to expedite the study of long-term measures to promote the economic development and social progress of Korea, and meanwhile to draw the attention of the authorities which decide requests for technical assistance to the urgent and special necessity of affording such assistance to Korea;

5. *Expresses* its appreciation of the services rendered by the members of the United Nations Commission on Korea in the performance of their important and difficult task;

6. *Requests* the Secretary-General to provide the United Nations Commission for the Unification and Rehabilitation of Korea with adequate staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay the expenses and *per diem* of a representative and alternate from each of the States members of the Commission.

*294th plenary meeting,  
7 October 1950.*

### 377 (V). Uniting for peace

#### A

*The General Assembly,*

*Recognizing* that the first two stated Purposes of the United Nations are:

“To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace”, and

“To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace”,

*Reaffirming* that it remains the primary duty of all Members of the United Nations, when involved in an international dispute, to seek settlement of such a dispute by peaceful means through the procedures laid down in Chapter VI of the Charter, and recalling the successful achievements of the United Nations in this regard on a number of previous occasions,

*Finding* that international tension exists on a dangerous scale,

*Recalling* its resolution 290 (IV) entitled “Essentials of peace”, which states that disregard of the Principles of the Charter of the United Nations is primarily responsible for the continuance of international tension, and desiring to contribute further to the objectives of that resolution,

<sup>3a</sup> See resolution 410 (V), page 31.

*Reaffirming* the importance of the exercise by the Security Council of its primary responsibility for the maintenance of international peace and security, and the duty of the permanent members to seek unanimity and to exercise restraint in the use of the veto,

*Reaffirming* that the initiative in negotiating the agreements for armed forces provided for in Article 43 of the Charter belongs to the Security Council, and desiring to ensure that, pending the conclusion of such agreements, the United Nations has at its disposal means for maintaining international peace and security,

*Conscious* that failure of the Security Council to discharge its responsibilities on behalf of all the Member States, particularly those responsibilities referred to in the two preceding paragraphs, does not relieve Member States of their obligations or the United Nations of its responsibility under the Charter to maintain international peace and security,

*Recognizing* in particular that such failure does not deprive the General Assembly of its rights or relieve it of its responsibilities under the Charter in regard to the maintenance of international peace and security,

*Recognizing* that discharge by the General Assembly of its responsibilities in these respects calls for possibilities of observation which would ascertain the facts and expose aggressors; for the existence of armed forces which could be used collectively; and for the possibility of timely recommendation by the General Assembly to Members of the United Nations for collective action which, to be effective, should be prompt,

#### A

1. *Resolves* that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security. If not in session at the time, the General Assembly may meet in emergency special session within twenty-four hours of the request therefor. Such emergency special session shall be called if requested by the Security Council on the vote of any seven members, or by a majority of the Members of the United Nations;

2. *Adopts* for this purpose the amendments to its rules of procedure set forth in the annex to the present resolution;

#### B

3. *Establishes* a Peace Observation Commission which, for the calendar years 1951 and 1952, shall be composed of fourteen Members, namely: China, Colombia, Czechoslovakia, France, India, Iraq, Israel, New Zealand, Pakistan, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, and which could observe and report on