

VIII

RESOLUTIONS ADOPTED ON THE REPORTS OF THE AD HOC POLITICAL COMMITTEE

385 (V). Observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms

The General Assembly,

Considering that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Having regard to General Assembly resolutions 272 (III) and 294 (IV) concerning the question of the observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms, and to its decision in the latter resolution to submit certain questions to the International Court of Justice for an advisory opinion,

1. *Takes note* of the advisory opinions¹ delivered by the International Court of Justice on 30 March 1950 and 18 July 1950 to the effect that:

(a) The diplomatic exchanges between Bulgaria, Hungary and Romania on the one hand, and certain Allied and Associated Powers signatories to the Treaties of Peace on the other, concerning the implementation of article 2 of the Treaties with Bulgaria and Hungary and article 3 of the Treaty with Romania, disclose disputes to the provisions for the settlement of disputes contained in article 36 of the Treaty of Peace with Bulgaria, article 40 of the Treaty of Peace with Hungary, and article 38 of the Treaty of Peace with Romania;

(b) The Governments of Bulgaria, Hungary and Romania are obligated to carry out the provisions of those articles of the Treaties of Peace which relate to the settlement of disputes, including the provisions for the appointment of their representatives to the Treaty Commissions;

(c) If one party fails to appoint a representative to a Treaty Commission under the Treaties of Peace with Bulgaria, Hungary and Romania where that party is obligated to appoint a representative to the Treaty Commission, the Secretary-General of the United Nations is not authorized to appoint the third member of the Commission upon the request of the other party to a dispute;

2. *Condemns* the wilful refusal of the Governments of Bulgaria, Hungary and Romania to fulfil their obligation under the provisions of the Treaties of Peace to appoint representatives to the Treaty Commissions, which obligation has been confirmed by the International Court of Justice;

¹ See *Interpretation of Peace Treaties, Advisory Opinion*: I.C.J. Reports 1950, page 65 and *Interpretation of Peace Treaties (second phase), Advisory Opinion*: I.C.J. Reports 1950, page 221.

3. *Is of the opinion* that the conduct of the Governments of Bulgaria, Hungary and Romania in this matter is such as to indicate that they are aware of breaches being committed of those articles of the Treaties of Peace under which they are obligated to secure the enjoyment of human rights and fundamental freedoms in their countries; and that they are callously indifferent to the sentiments of the world community;

4. *Notes* with anxiety the continuance of serious accusations on these matters against the Governments of Bulgaria, Hungary and Romania, and that the three Governments have made no satisfactory refutation of these accusations;

5. *Invites* Members of the United Nations, and in particular those which are parties to the Treaties of Peace with Bulgaria, Hungary and Romania, to submit to the Secretary-General all evidence which they now hold or which may become available in future in relation to this question;

6. *Likewise invites* the Secretary-General to notify the Members of the United Nations of any information he may receive in connexion with this question.

*303rd plenary meeting,
3 November 1950.*

386 (V). Relations of States Members and specialized agencies with Spain

The General Assembly,

Considering that:

The General Assembly, during the second part of its first session in 1946, adopted several recommendations concerning Spain, one of which provided that Spain be debarred from membership in international agencies established by or brought into relationship with the United Nations, and another that Member States withdraw their Ambassadors and Ministers from Madrid,

The establishment of diplomatic relations and the exchange of Ambassadors and Ministers with a government does not imply any judgment upon the domestic policy of that government,

The specialized agencies of the United Nations are technical and largely non-political in character and have been established in order to benefit the peoples of all nations, and that, therefore, they should be free to decide for themselves whether the participation of Spain in their activities is desirable in the interest of their work,

Resolves:

1. To revoke the recommendation for the withdrawal of Ambassadors and Ministers from Madrid, contained