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Chairman : Mr. Finn MOE (Norway).

In the absence of the Chairman, Mr. Carlos Blanco (Cuba) the Vice-Chairman, presided.

Threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations (A/C.1/711) (*concluded*)

[Item 23] *

CONSIDERATION OF THE DRAFT RESOLUTION SUBMITTED BY CHINA (A/C.1/711) AND THE AMENDMENTS THERETO (*concluded*).

1. Mr. PALAR (Indonesia) said that in spite of the sympathy he felt for the Chinese representative, who was a friend of Indonesia, it would be impossible for him to support the Chinese draft resolution (A/C.1/711).
2. His Government had recognized the Central People's Government of the People's Republic of China and considered that it alone was competent to decide whether the Soviet Union had violated the Treaty of Friendship and Alliance of 14 August 1945. In view of the fact that relations between the USSR and the People's Republic of China were friendly, the only conclusion was that the Chinese Government did not consider that the USSR had violated that Treaty.
3. Sir Keith OFFICER (Australia) said he would abstain from voting on the Chinese draft resolution, for the events referred to therein were historical in character. However blameworthy the part played by the USSR in those events might have been, they could not be altered by the adoption of a resolution. Moreover, the General Assembly had already adopted, in 1949, a resolution which stressed the need for Member States to respect their international

obligations towards China. There was therefore no point in adopting another purely formal resolution. Lastly, his delegation was reluctant on general grounds for the Assembly to make findings without having made an independent investigation as well as hearing the parties.

4. The Australian delegation supported the view expressed by the representatives of the United States, the United Kingdom and France that any threat of communist aggression in south-east Asia should be considered by the United Nations.

5. Mr. KATZ-SUCHY (Poland) said that the discussion had confirmed the point of view he had previously expressed, namely, that the only purpose of the Kuomintang representative's draft resolution was to enable the United States delegation and a number of other delegations which were associated with it to indulge in provocative statements designed to obscure United States preparations for war in the Far East.

6. The Polish delegation would vote against the draft resolution under discussion, since no proofs had been forthcoming in support of the slanderous accusations made by the Kuomintang régime. His delegation was opposed to such provocative action, which threatened peace in the Far East, and appealed to other delegations to oppose it too.

7. Mr. CORDOVA (Mexico) said that he would abstain from voting on the Chinese draft resolution (A/C.1/711) and on the amendment submitted by the delegation of Thailand (A/C.1/715) to that draft resolution.

8. In fact the violation of a treaty was necessarily a legal question, and should not therefore be considered from a political angle. There would be more justification for the International Court of Justice taking up the question than the General Assembly. Moreover, if the General Assembly were to find that the treaty had been violated in as grave a way as the Chinese draft resolution alleged, it would, at the very least, have to refer the question to the Security Council.

* Indicates the item number on the General Assembly agenda.

9. In any event, delegations should be aware of aggravating the causes of international tension. In that connexion the Mexican delegation wished to pay homage to the conciliatory spirit displayed by a number of delegations, and in particular the United Kingdom delegation.

10. Mr. H. S. MALIK (India) said that he had taken no part in the discussion for the reason that, as the United Kingdom representative had said, the question raised by the Chinese draft resolution (A/C.1/711) was of purely academic interest. Moreover, the adoption of the draft resolution might well increase international tension, whereas the Indian delegation had always endeavoured to turn its attention to measures for bringing the contestants together. The accusations and counter-accusations which had been made in the course of the discussion had led to no useful result. The Indian delegation therefore deplored the fact that the draft resolution had been submitted.

11. There was one other objection to the Chinese draft resolution; it was a vital one, since its sponsor had no real standing. The only person who would be competent to deal with the question raised in the Chinese draft resolution was a representative of the Government of the People's Republic of China.

12. For those reasons, the Indian delegation would vote against the Chinese draft resolution and the amendment of Thailand, which did not alter it fundamentally.

13. Mr. CASTILLO ARRIOLA (Guatemala) said that he would abstain from voting on the Chinese draft resolution and the Thailand amendment for exactly the same reasons as those given by the representative of Mexico.

14. The draft resolution could lead to no concrete result and its adoption would heighten international tension unnecessarily.

15. Mr. TSIANG (China) said that he accepted the Thailand amendment and requested a roll-call vote on his draft resolution.

16. Prince Wan WAITHAYAKON (Thailand) thanked the Chinese representative for having accepted his amendment and consequently withdrew his request for separate votes to be taken.

17. Mr. ESQUIVEL (Costa Rica) said that he would vote for the Chinese draft resolution because he thought that the USSR representative had not succeeded in refuting the accusations made by the Chinese delegation.

18. Mr. COOPER (United States) said that, in view of the fact that the Chinese representative had accepted the Thailand amendment, he would support the draft resolution as amended although he would have preferred the original draft resolution, which indicated more clearly that the Soviet Union's failure to carry out the Treaty of Friendship and Alliance had been deliberate.

19. Mr. COSTA DU RELS (Bolivia) noted first of all that the representative of China had supplied at least a beginning of proof to support the accusations he had made. In view of the fact that the First Committee was a political body, no more should be expected, particularly since those accusations were accompanied by a *de facto* situation in Asia establishing the fact that the Soviet Union had violated the Treaty of Friendship and Alliance of 14 August 1945, as it had not been able to remain indifferent to the setting up of a communist government in China.

20. Furthermore, the establishment of that communist régime in China was at the root of the aggression against Korea and of the aid given to Indo-Chinese communists

in their fight against French forces. Such irrefutable facts were evidence of the constant expansion of the Soviet Union in both the political and the economic fields.

21. It was for those reasons that the Bolivian delegation considered the Chinese draft resolution to be justified, and would vote in favour of it.

22. Mr. Y. MALIK (Union of Soviet Socialist Republics) could not accept the new attacks launched by the Bolivian representative, who had reiterated the United States delegation's slanders with regard to the so-called "expansion" of the Soviet Union in the Far East. It should be borne in mind that the Bolivian representative had stated at the 359th plenary meeting of the General Assembly that the United States was bringing pressure to bear upon his Government, particularly in fixing the price of tin.

23. His delegation stated officially that the Soviet Union did not seek any expansion in the Far East and that it was practising a policy of non-intervention in the domestic affairs of other States in conformity with the Charter.

24. Mr. Malik recalled that, in the Third Committee, during the consideration of the draft international covenant on human rights, his Government had submitted an amendment to a text presented by Afghanistan, an amendment to the effect that all peoples and all nations should enjoy the right of self-determination. That amendment had been opposed by the representatives of France, the United Kingdom and the United States, and rejected.¹ That example showed which were the States practising an expansionist policy and preventing the peoples of Asia from enjoying the right to self-determination.

25. Mr. EBAN (Israel) associated himself with the convincing arguments brought forward by the representatives of the United Kingdom, India, Indonesia and Mexico. He noted, moreover, that the discussion on the draft resolution submitted to the Committee had done nothing to lessen tension and he added that, in view of the fact that his Government had recognized the Central People's Government of the People's Republic of China, he would not be able to vote for the Chinese draft resolution.

26. Mr. KISELYOV (Byelorussian Soviet Socialist Republic) pointed out that the draft resolution before the Committee was quite meaningless. It did not put forward any valid reasons or any conclusive evidence. Furthermore, only a representative of the People's Republic of China and not a representative of the Kuomintang, had the right to consider the matter.

27. The draft resolution should be rejected as it constituted a gross slander against the Soviet Union and the Chinese people. The delegation of the Byelorussian SSR would vote against the draft resolution and against the amendment submitted by Thailand.

28. Mr. COSTA DU RELS (Bolivia) replying to the representative of the USSR, pointed out first of all that, in the statement he had made in the plenary meeting he had not spoken of pressure of the United States on his Government, but of a disagreement between his Government and a private American company on the subject of the price of tin. Furthermore, even if the allegation were true, that would not mean that the delegation of Bolivia could not examine objectively the question under consideration.

¹ See *Official Records of the General Assembly, Sixth Session, Third Committee, 403rd meeting.*

VOTE ON THE DRAFT RESOLUTION SUBMITTED BY CHINA
(A/C.1/711)

29. The CHAIRMAN put to the vote the draft resolution submitted by the delegation of China (A/C.1/711) with the amendment submitted by Thailand (A/C.1/715) and accepted by the author of the draft resolution.

A vote was taken by roll-call.

Mexico, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Greece, Haiti, Honduras, Iraq, Liberia, Panama, Paraguay, Peru, Philippines, Thailand, Turkey, United States of America, Uruguay, Venezuela.

Against: Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, India, Indonesia, Israel, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Argentina, Australia, Belgium, Canada, Denmark, Egypt, Ethiopia, France, Guatemala, Iceland, Iran, Lebanon, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, Saudi Arabia, Sweden, Syria, United Kingdom of Great Britain and Northern Ireland, Yemen, Yugoslavia.

The Chinese draft resolution (A/C.1/711) was adopted by 24 votes to 9 with 25 abstentions.

Mr. Finn Moe (Norway) resumed the Chair.

Admission of new Members, including the right of candidate States to present proof of the conditions required under Article 4 of the Charter (A/1887/Rev.1, A/1899, A/1907, A/C.1/708 and A/C.1/716) (concluded) ².

[Item 60]*

CONSIDERATION OF THE DRAFT RESOLUTION SUBMITTED BY COSTA RICA, EL SALVADOR, GUATEMALA, HONDURAS AND NICARAGUA (A/C.1/716).

30. Mr. URQUIA (El Salvador) recalled that the five sponsors of the draft resolution (A/C.1/708) submitted at the 500th meeting had not opposed the postponement of consideration of their draft resolution, so that representatives might be given the opportunity and the time to receive instructions from their governments. He added that the USSR representative had nevertheless already spoken on the substance of the matter and that the Chairman had in reply pointed out that the draft resolution had been submitted within the requisite time-limit and that it was therefore in order.

31. The five delegations believed that an opinion of the International Court of Justice on the question indicated in the draft resolution would be valuable. However, in view of the fact that the purpose of their draft resolution was not in any contradiction with the Peruvian draft resolution which had already been adopted (501st meeting), they thought that it might perhaps be preferable to defer consideration of that question until the seventh session of the General Assembly.

32. It was for that reason that the five delegations were submitting a new draft resolution (A/C.1/716), which provided for a new procedure without changing the substance.

33. The CHAIRMAN suggested that the second paragraph of the operative part of the new draft resolution (A/C.1/716) should be amended by inserting the word "provisional" before the word "agenda".

34. Mr. URQUIA (El Salvador) thought the amendment unnecessary since, according to rule 13 (c) of the General Assembly's rules of procedure, the agenda of a regular session included all items the inclusion of which had been ordered by the General Assembly at the previous session.

35. The CHAIRMAN pointed out that rule 13 referred to the provisional agenda of a regular session and that, in addition, rule 22 provided that items on the agenda might be amended or deleted by the General Assembly.

36. Mr. CARIAS (Honduras) supported the Chairman's proposal.

37. Mr. Y. MALIK (Union of Soviet Socialist Republics) recalled that he had opposed the original draft resolution (A/C.1/708) and thought that the new draft resolution (A/C.1/716) did not change the substance of the problem.

38. In the first place, the clause requesting the Security Council to report to the General Assembly on the status of applications for membership which were still pending was purposeless, since the Council was bound to consider such applications and, in pursuance of rule 60 of its rules of procedure, to submit a report to the General Assembly.

39. Furthermore, there was no justification for the clause referring to the request for an advisory opinion of the International Court of Justice, as the Security Council's voting procedure was laid down in the Charter, and for six years the Council had agreed that the question of the admission of new Members was one of substance which therefore required a favourable vote of at least seven members, five of whom should be permanent members of the Council. Moreover, the International Court of Justice had already stated that if an application for membership did not receive seven votes or if a permanent member voted against an applicant State, it could not be said that the Council had made a recommendation in accordance with Article 4 of the Charter.

40. It was not within the competence of the International Court of Justice to interpret the Charter, since it had been decided at San Francisco that each principal organ of the United Nations would itself interpret the provisions of the Charter applying to it. Lastly, the International Court of Justice could give an advisory opinion on legal questions only. As the discussions which had taken place in the Committee on the Peruvian draft resolution had proved that the question was a political one, there were no grounds for asking the International Court of Justice for an opinion.

41. For that reason both the draft resolutions (A/C.1/708 and A/C.1/716) were unacceptable.

42. Mr. BELAUNDE (Peru) said that the USSR representative's point of view was, to say the least, extraordinary, since the two draft resolutions, which conformed with the General Assembly's rules of procedure, were obviously in order. The USSR representative was in reality afraid that the International Court of Justice might recognize that the representatives of all the small States who had objected to the abuse of the veto were right.

43. An advisory opinion of the International Court of Justice should be requested, as the opinions it had given so far were incomplete.

44. The new draft resolution (A/C.1/716) provided that the matter should be considered in all its aspects at the General Assembly's seventh session and was thus a mere

¹ See the 501st meeting.

motion for adjournment. The USSR representative would therefore have an opportunity of stating his opinion, and representatives would be able to study the problem as a whole.

45. As regards the nature of the problem, Mr. Belaunde pointed out to the USSR representative that if, at the time of the consideration of the draft resolution submitted by Peru (A/C.1/702/Rev.1) he had accepted, at the request of several delegations, the deletion of the word "juridical" in paragraph 1 of the operative part of the draft resolution, it was not because he considered that the question of the admission of new Members was a political one. It was, on the contrary, a juridical one which might, however, be subject to political influences.

46. The delegation of Peru supported the joint draft resolution submitted by the five Powers (A/C.1/716).

47. Mr. GROSS (United States) considered that the draft resolution which had been submitted to the Committee was admirably suited to the situation, inasmuch as the General Assembly would have before it two draft resolutions which had already been adopted by the First Committee (A/C.1/709 and A/C.1/710).

48. The arguments adduced by the representative of the Soviet Union against paragraph 1 of the operative part would not stand the light of analysis, for the fact that, according to rule 60 of the Security Council's provisional rules of procedure, the Council should submit a report to the General Assembly whether or not it recommended the admission of the applicant State, could not be interpreted as prohibiting the General Assembly from manifesting its interest by requesting the Security Council to report, whether or not there had been a discussion in the Council.

49. Mr. Gross suggested replacing the words "seventh session" in paragraphs 2 and 3 of the operative part by the words "next regular session".

50. He supported the Chairman's proposal that the word "*provisoire*" should be added in paragraph 2 of the operative part of the French text after the words "*ordre du jour*".

51. Faris EL-KHOURY Bey (Syria) supported the draft resolution (A/C.1/716). He felt that paragraph 1 of the operative part emphasized the importance attached by the General Assembly to a favourable and early solution of the problem of the admission of new Members by the Security Council.

52. He saw no reason why the questions set forth in the first draft resolution (A/C.1/708) should not be put to the International Court of Justice, but thought that the Court would not be able to reply to those questions otherwise than it had done in similar cases.

53. Mr. URQUIA (El Salvador) thanked the representatives of Peru, the United States of America and Syria for supporting the joint draft resolution (A/C.1/716).

54. He accepted the Chairman's suggestion that the word "*provisoire*" should be added to the French text of paragraph 2 of the operative part and the suggestions made by the United States representative concerning paragraphs 2 and 3 of the operative part.

55. He did not agree with the USSR representative's interpretation of rule 60 of the Security Council's provisional rules of procedure. Rule 60 referred to normal cases in which the Council had agreed upon a recommendation regarding the admission of an applicant State or had not agreed upon such a recommendation, whereas the United Nations was in an anomalous situation owing to the fact

that certain members of the Security Council interpreted the Charter in an arbitrary manner.

56. Sir Keith OFFICER (Australia) doubted whether the joint draft resolution (A/C.1/716) was necessary, as the two resolutions (A/C.1/709 and A/C.1/710) adopted by the Committee already obliged the Security Council to submit a report. The effect of those resolutions was that the question of the admission of new Members would be placed on the agenda of the next session of the General Assembly.

57. He felt some doubt as to the advisability of asking the International Court of Justice for an advisory opinion on the questions referred to in the draft resolution (A/C.1/708). It would be enough for the time being to take note of that draft resolution and to suggest to its sponsors that they could resubmit it, if necessary, at the General Assembly's next regular session.

58. Mr. DIHIGO (Cuba) said that his delegation would vote for the draft resolution of the five Powers (A/C.1/716).

59. Mr. KISELYOV (Byelorussian Soviet Socialist Republics) thought that the principal aim of the sponsors of the draft resolution was to prepare a fresh attack on the principle of the unanimity of the permanent members of the Security Council, which was essential for the admission of new Members. That constituted one further attempt to evade a provision of the Charter and to revise that instrument. The reason for it was the failure of the attack made by the Peruvian representative, in spite of the support of the United States representative.

60. The Byelorussian delegation would therefore vote against the draft resolution (A/C.1/716).

61. Mahmoud FAWZI Bey (Egypt) did not think that the General Assembly could decide forthwith to refer to its next regular session a draft resolution (A/C.1/708) regarding an item which, according to paragraph 2 of the operative part of the new draft resolution (A/C.1/716) had to be included in the provisional agenda of the session. If they so desired, the authors of the first draft resolution (A/C.1/708) could, under the rules of procedure, submit the draft with an explanatory note.

62. Mr. MICHALOWSKI (Poland) considered paragraph 1 of the operative part of the draft resolution unnecessary, since the Security Council would be called upon to consider the draft resolutions (A/C.1/709 and A/C.1/710) adopted by the Committee. Its decision thereon would have to be reported to the next regular session of the General Assembly.

63. As to paragraph 2, the question of the admission of new Members would obviously, in view of its importance, be included in the agenda of the seventh regular session.

64. In regard to paragraph 3, it was hard to understand how consideration of a draft resolution could be referred to a future Assembly session without any opinion being expressed on its merits.

65. Accordingly, the representative of Poland agreed with the Australian representative's view that the Committee should merely take note of the draft resolution in question (A/C.1/708).

66. Mr. HRSEL (Czechoslovakia) was opposed to the two draft resolutions submitted to the Committee. The second (A/C.1/716) represented a further attempt to circumvent the provisions of the Charter relating to the admission of new Members.

67. The International Court of Justice could not be asked to give an opinion on political matters. The Charter

clearly defined how the Security Council should act, whether on the question then before the Committee or on any other question.

68. Moreover, two draft resolutions had been adopted by the Committee regarding the admission of new Members, and he was convinced that the whole problem could easily be settled, in conformity with the Charter, on the basis of the draft resolution presented by the USSR delegation and adopted by the Committee (A/C.1/710).

69. Mr. VON BALLUSECK (Netherlands) asked that the second paragraph of the preamble and paragraph 3 of the operative part of the joint draft resolution (A/C.1/716) should be voted upon separately.

VOTE ON THE DRAFT RESOLUTION SUBMITTED BY COSTA RICA, EL SALVADOR, GUATEMALA, HONDURAS AND NICARAGUA (A/C.1/716)

70. The CHAIRMAN stated that the changes suggested by the representative of the United States to the text of paragraphs 2 and 3 of the operative part of the draft resolution as well as the one proposed by the Chairman to the text of paragraph 2 of the operative part, had been accepted by the sponsors of the draft resolution. Those changes were incorporated in the text which would be put to the vote.

71. The CHAIRMAN put to the vote successively the second paragraph of the preamble and paragraph 3 of the operative part of the draft resolution (A/C.1/716).

The second paragraph of the preamble was adopted by 35 votes to 6, with 15 abstentions.

72. The CHAIRMAN put to the vote the remainder of the draft resolution.

The remainder of the draft resolution was adopted by 41 votes to 6, with 11 abstentions.

73. The CHAIRMAN put to the vote the joint draft resolution as a whole (A/C.1/716) with the changes accepted by the sponsors.

The draft resolution as a whole was adopted by 41 votes to 6, with 11 abstentions.

Completion of the Committee's work

74. The CHAIRMAN stated that the First Committee had completed the consideration of all the items on its agenda except the question of the independence of Korea. That item would be considered at joint meetings of the First Committee and the Joint Second and Third Committees.

75. He thanked the members of the Committee for the spirit of co-operation they had shown during the debates and the help they had given him in carrying out his duties.

76. He wished to express his gratitude to the Secretariat, especially to Mr. D. Protitch, Secretary of the Committee and Mr. K. Zinchenko, Assistant Secretary-General in charge of the Department of Security Council Affairs.

77. Mr. ZUNIGA PADILLA (Nicaragua) thanked the Chairman and officers of the Committee for the zeal and impartiality with which they had directed the Committee's work.

78. Mr. BELAUNDE (Peru) also expressed his appreciation of the spirit of fairness that had animated the Chairman, the Vice-Chairman, the Rapporteur, the Secretary and the Secretariat officials during the debates.

79. Mr. Y. MALIK (Union of Soviet Socialist Republics) also thought that the Chairman and the Secretariat deserved the Committee's praise.

80. However, it would seem premature to attempt to assess the value of the Committee's work. It still had to examine the question of the independence of Korea. As a result of certain "back-stage manoeuvres", it had been arbitrarily decided to refer the matter for consideration to a joint meeting of the First Committee and the Joint Second and Third Committee. The decision appeared to be due to the special wish of the United States and its supporters—the United Kingdom and France—whereas, if the usual procedure had been adhered to, the First Committee would have decided for itself how best to deal with the matter. The purpose of these manoeuvres was to leave the United States in Korea a free hand so that they could find new pretexts for delaying the conclusion of the armistice talks.

81. It should also be recalled that the specific measures proposed by the USSR delegation and certain others with a view to strengthening international peace and security, such as the prohibition of atomic weapons, the establishment of international control of atomic energy, the reduction of armaments and armed forces, the conclusion of a five-Power pact and other proposals designed to put an end to the threat of a new world war and to strengthen friendship among the nations, had been rejected by the "Anglo-American bloc".

82. In the circumstances, it was impossible to pretend that the First Committee's work had been crowned with success.

83. Mr. C. MALIK (Lebanon) wished to pay a special tribute to the Chairman and Vice-Chairman.

84. Mr. GROSS (United States) expressed his delegation's appreciation to the Chairman and its thanks to the officers of the Committee for their admirable management of the Committee's work. He also paid a tribute to the interpreters.

85. He thought that the fact that the question of Korea would be examined at a joint meeting of the First Committee and the Joint Second and Third Committee would not in any way restrict the First Committee's field of action. The debate on the draft resolution submitted by the representatives of France, the United Kingdom and the United States (A/C.1/713) would show clearly that it was the intention of the sponsors to facilitate the negotiations in Korea and to avoid any action in the General Assembly which might be harmful in effect.

86. The CHAIRMAN thanked the Committee for the tributes paid to him, the Vice-Chairman, the Rapporteur, the Secretary of the Committee, the Assistant Secretary-General and the members of the Secretariat.

87. Faris EL-KHOURY Bey (Syria) regretted that the Committee had been unable to progress further along the path of peace. International tension, despite all efforts and despite the wishes of the whole world, was no less than it had been when the General Assembly started its work on 6 November 1951. The sixth session was ending on a bitter note. An appeal had been made to the members of the Security Council, but the Council's last meetings had given no result which was likely to satisfy those people all over the world who were longing for peace.

88. In conclusion, he associated himself with the tributes paid to the Chairman of the Committee, the Committee's officers, and to the Secretariat.

The meeting rose at 5.35 p.m.