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President: Mr. Nasrollah ENTEZAM (Iran).

Admission of new Members to the United Nations, including the advisory opinion of the International Court of Justice (A/1353) (*concluded*)

[Agenda item 19]

1. Mr. SANDLER (Sweden): The Swedish delegation heartily welcomes the initiative taken by the delegation of El Salvador, although we do not find ourselves in a position to be able to vote in favour of the draft resolution which it has submitted [A/1585]. Through the initiative taken by the delegation of El Salvador, attention has again been drawn to the question of admission of new Members. All efforts on the part of the General Assembly to arrive at a fair and reasonable solution of this problem have so far failed. By "a fair and reasonable solution", we understand an arrangement which would not exclude from the right to membership sovereign States wishing to become Members and possessing the necessary qualifications for membership in accordance with the provisions of our Charter.

2. We all know why the General Assembly has failed. States which have indicated their desire to obtain membership have not been accepted into membership because of the absence of a favourable recommendation on the part of the Security Council as provided for in Article 4, paragraph 2 of the Charter. Those States which have obtained a majority vote for a favourable recommendation have failed to obtain membership because of the veto; on the other hand, those States against which no veto has been cast have not succeeded in obtaining the necessary majority for a favourable recommendation.

3. Ever since its own admission into the United Nations, Sweden has made known, over and over again, the reasons why it favours a generous attitude to the question of the admission of new Members. I am not going to repeat our arguments all over again, but I beg leave to ask whether it is not high time that the Security Council should take the necessary steps to bring about a change in a state of affairs which has become almost untenable?

4. Quite apart from the substantive arguments, which speak loudly for a prompt and satisfactory solution of this impasse, I should like to mention a psychological argument. The whole world is looking for a break in the deadlock between the great Powers. It seems to me that we have here a matter of disagreement between East and West which could easily be approached and solved and which, if settled, could—at least in some degree—contribute to the easing of the tension in the world today.

5. I cannot sum up our position in this vital matter better and more eloquently than by quoting from a recently published book written by a prominent member of the United States delegation. Speaking about the problem we are now discussing, the author expresses his personal opinion in the following terms:

"I have now come to believe that the United Nations will best serve the cause of peace if its Assembly is representative of what the world actually is, and not merely representative of the parts which we like. Therefore, we ought to be willing that all the nations should be Members without attempting to appraise closely those which are 'good' and those which are 'bad'. Already that distinction is obliterated by the present membership of the United Nations."¹

6. The Swedish delegation invites the Members of the General Assembly to vote in favour of the draft resolution of which Sweden is one of the five sponsors [A/1571].

7. Mr. LAPOINTE (Canada): My government has studied with great care the advisory opinion of the International Court of Justice [A/1353]. This opinion confirms the interpretation of the Charter to which the United Nations had previously conformed and to which my government had subscribed. In view of this opinion, it is clear that no step can be taken by the General Assembly to admit new Members in the absence of a recommendation by the Security Council.

¹ See Dulles, J. F., *War or Peace*, New York, The Macmillan Co., 1950, page 190.

8. Unfortunately, the Security Council has been unable to make certain recommendations for reasons which are well known. While my delegation accepts this situation, it must once more express its profound regret that so many countries which could make a substantial contribution to the work of the United Nations are being excluded by the action of the Soviet Union for reasons which have nothing to do with the Charter and are not in conformity with the interpretation of Article 4 of the Charter given by the International Court of Justice. This is a situation which cannot continue indefinitely.

9. The present moment, we must recognize, is perhaps not propitious for a general review of the question of membership. I know that there are some delegations which consider that membership in the Organization should now be based on the principle of universality without the qualifications on that principle which are embodied in Article 4 of the Charter. My delegation hopes that as soon as circumstances permit, it will be possible to examine the whole question of membership, in the General Assembly, with particular reference to the relationship between Article 4 and the desire for universality of membership.

10. With these considerations in mind, in company with the delegations of Brazil, the Philippines, Sweden and Syria, my delegation has sponsored the draft resolution submitted in document A/1571. This draft resolution accepts the situation in which the General Assembly finds itself in the absence of any recommendations from the Security Council. It also reaffirms the positive recommendations which were made a year ago by the General Assembly [296 (IV)] in regard to the membership of certain States, recommendations upon which the Security Council, unhappily, has been unable to act. I do not see how the General Assembly could possibly do less this year than to reaffirm these recommendations.

11. This draft resolution also reaffirms the request by the General Assembly to the Security Council to keep under review the applications of all States which have indicated a desire for membership. You will notice, therefore, that the five-Power resolution includes the request to the Security Council contained in the Soviet Union draft resolution [A/1577] for a review of all applications, but it also reaffirms previous recommendations of the General Assembly which is not done in the Soviet Union draft resolution; and it includes the application of Korea, which has been omitted from the list given in the draft submitted by the USSR.

12. As for the draft resolution submitted last Saturday, 2 December 1950, by the delegation of El Salvador, my delegation considers that this involves important changes in the structure of the United Nations which should not be adopted hastily. We are by no means certain that the proposals contained in the operative parts of that draft are compatible with the Charter and we would not wish, therefore, to support these proposals.

13. We are not at all sure, furthermore, that the suggestion of observer status for the applicant countries is compatible with their dignity or in any sense adequate for sovereign States and we have doubts, therefore, whether the proposal would be acceptable to the countries whose interests it is intended to serve. My

delegation, therefore, will not support the draft resolution proposal by El Salvador.

14. For these reasons I commend to representatives in the General Assembly the five-Power draft resolution as the more adequate and comprehensive form in which to record our views on this subject.

15. Faris EL-KHOURI Bey (Syria): As my delegation is a co-sponsor of one of the draft resolutions which are now before the General Assembly for discussion, I should like to make a few remarks on the subject in connexion with a principle which I have advocated ever since I represented my country in the Security Council, namely, the principle of universality.

16. My opinion is that the United Nations was established for the purpose of comprising all the nations of the world. If there are some objections to the admission of one country or another, these objections should be surmounted. For instance, I believe the Security Council now has fourteen applications for membership waiting for its recommendation of admission. Of these fourteen applications eight have obtained seven affirmative votes, but because of the Soviet Union use of the veto, the Council has been unable to adopt a favourable decision. It appears that the fourteen applications can be divided into two sections, one comprising eight States which are friends or adherents of the western bloc, the other five friends or adherents of the eastern bloc, the Soviet Union and its allies.

17. We understand from the Soviet Union that it will never consent to admission of any one of the other eight applicants unless the five which they support are also admitted. The Soviet Union advocates the adoption of one resolution covering the admission of all fourteen applicants, which would mean that it would be impossible to admit Italy, Ireland, Portugal, Austria, Finland, the Hashimite Kingdom of the Jordan, Ceylon and Nepal unless we admitted at the same time Albania, the Mongolian People's Republic, Bulgaria, Romania, and Hungary. In other words, the admission of the former group of nations would depend on the admission of the latter.

18. Some members of the General Assembly, whose view I did not share, thought that we should be able to find a way out which would enable us to admit applicants which obtained seven votes in the Security Council if we sought a legal opinion from the International Court of Justice. The International Court of Justice was asked whether, if a majority of any seven votes in the Security Council was obtained in favour of recommending the admission of an applicant, the General Assembly could take a stand and decide to admit the applicant despite the absence of a normal recommendation by the Security Council owing to the imposition of the veto by one of the permanent members.

19. We have received the reply of the International Court of Justice, which has been distributed to all Members, and I have a copy here. Unfortunately, the Court does not confirm the hopes of those who sponsored the transmission of the question to it, but says, "No, so long as the Security Council does not agree to make the recommendation by seven votes, including the concurring affirmative votes of the permanent members, the General Assembly can do nothing".

20. What is the result of this reply? The result is clearly that the door is closed for ever to the applicants concerned and that the General Assembly will not be able to take any action under the Charter as it now exists or while the Security Council is constructed as it is at present. Unless the permanent members agree on a particular recommendation we shall be paralysed and shall not be able to do anything about it, and those nations which have been applying for membership for a period of years now and are still awaiting replies to their applications will continue to wait for ever. They cannot receive a reply unless a compromise is reached by the permanent members of the Security Council so as to make a solution possible.

21. I consider that it is very important that this problem should be solved. In my view, the non-admission of these applicant States and the failure to recognize the new Government of China in this Assembly has given rise to—or has helped to give rise to—the present strained situation in the world. It is high time that strong steps should be taken towards the solution of this matter. It is not difficult: on the contrary, it is very easy. If we do not wish to admit Bulgaria or Romania what prevents us from admitting Italy, Ireland, Austria and the other applicant States who are suffering as a result? Why do we not want to admit Bulgaria, Romania and the others? What have they done? Is it that they do not submit to or carry out the principles of the Charter? How can we make them submissive, and how can we make them yield to those principles? Article 2, paragraph 6 of the Charter says:

“The Organization shall ensure that States which are not Members of the United Nations act in accordance with these Principles . . .”

22. Thus it is our duty to try to make States which are not members of the United Nations act in accordance with the principles of the Charter. Would it not be much easier to do this if those States were here with us as Members instead of being applicants whose requests for membership have been rejected? This is a matter which touches upon the dignity of the States which have been awaiting an affirmative reply to their applications.

23. You all know what the effect would be if one of you were to ask to be admitted to the membership of a certain club, and you had to wait for a reply for a month or two or even longer. What would your position be in such circumstances? What would you feel like? You would undoubtedly consider it an insult.

24. There are now fourteen States which have applied for membership; they have waited months and years and no reply has even been given to them except a negative reply. That certainly must have hurt their feelings, and may even have made them enemies instead of friends of the Organization. That kind of thing is likely to increase animosity and hostility amongst nations.

25. We are here to establish and strengthen friendly relations among the peoples of the world and between nations. Why should we erect barriers in order to create enemies? I do not see any sense or any justification for the attitude we are taking. By doing so, we are not serving the principles of the United Nations in any way; we are just going against the principles

to which we are all pledged, namely that we should be loyal to and act in accordance with the principles and purposes of the Charter. We should be very careful about that and find some solution or way out of this situation in which we find ourselves. Are we going to leave this question aside and not find any solution to it? What is the meaning behind it all and why?

26. I advocated the principle of universality. The proposal which I sponsored, together with some other representatives, does not refer to universality. It simply keeps the applications which are mentioned in the resolution [296 (IV)] of the General Assembly of 22 November 1949 on record, and keeps them on the agenda of the Security Council whose duty it is to consider them. It narrows the request from the General Assembly to the Security Council to those eight or nine applications, while alienating the others.

27. The draft resolution submitted by El Salvador also attempts to do the same thing. It confines the request or the recommendation of the General Assembly to those eight or nine States who adhere to the principles of the Western Powers, and it excludes the others.

28. But my dear friends, what is the result of that? Suppose the General Assembly were now to ask the Security Council, or any member in the Security Council, to place these applications on the agenda and have them voted upon. The result would be to add eight or nine vetoes to the vetoes which already exist and have been exercised by the Soviet Union. One application after the other would be vetoed, vetoed, vetoed. Thus, the nine applications would be vetoed. Therefore, instead of forty vetoes, there would be forty-nine vetoes. What would be the result? Nothing. We would be in the same position.

29. The only way out of this situation is to have the permanent members of the Security Council adopt the principle of universality. Let us admit all these applicants. We have fourteen applicants now; they should be recommended for membership by the Security Council all together.

30. Let this General Assembly, at this session, before we adjourn, finish with this subject. After that, let the Security Council meet tomorrow and do as I have suggested, if they wish peace and harmony for the world. They would soften, they would attenuate the present tension. This would be a step which would certainly postpone this tension, at least for a considerable period of time.

31. We should not be obstinate. We should be tolerant. We should take a step forward. What harm would there be in that?

32. What have Romania and Bulgaria done for which they can be blamed? These two countries were oppressed by Hitler. They were attacked and came under Nazi domination. Now, they have adopted the communist doctrine; they are communist States. What harm is there in that? Why should we not allow them to have the form of government which they want? But let us admit them into the United Nations.

33. What difference can it make to the Western Powers? At present, the Eastern bloc has five votes. If we were to admit these five other States, that would make ten votes. The other side now has fifty-five votes.

If we were to admit the applicants which they support, that would give them sixty-four votes. The balance would be sixty-four to ten; there would still be a majority. Why, therefore, oppose these applications and cause this animosity and hostility in the world? Why obstruct the development of the United Nations in this respect? In what respect are Italy, Ireland, Portugal, Austria, Finland, the Hashimite Kingdom of the Jordan, Ceylon and the other States guilty that they should be prevented in this way from entering through this door? Why are they not admitted? Because we do not wish to admit Bulgaria, Romania, Hungary and the others at the same time. But is that their fault? Is it right or just? If it is possible to admit them without admitting the others, let us do so. We have been trying, however, for years and have not succeeded in doing anything. We shall not be able to do anything so long as we are under the rule of this Charter. The Charter is a tyrant in this case; we cannot move.

34. The Assembly resorted to requesting an opinion of the International Court of Justice. We were defeated there too. The Court told us, "No, you cannot effect the admission of a State to membership of the United Nations in the absence of a recommendation by the Security Council. You must abide by the rule of the Charter. You must do nothing until you have a recommendation from the five permanent members of the Security Council." What can we do? Are we to ignore the Charter and the opinion of the International Court of Justice? It is true that there was a minority of two judges in the Court who said, "Yes, the General Assembly can do something", and that they presented arguments in support of their opinion? This minority, however, represented two out of fourteen judges. The other twelve agreed on the contrary opinion. The two judges presented their revolutionary idea as a minority opinion, but the General Assembly certainly cannot adopt the opinion of two judges when the contrary opinion has been expressed by twelve judges. After all, the General Assembly established the International Court of Justice, and it cannot now reject its opinions. The Court is our consultative body, and we should follow its advice. The Assembly is, therefore, condemned to do nothing unless the permanent members of the Security Council agree on a compromise solution.

35. Another matter which is similar to but not exactly the same as the case I have been discussing concerns the recognition of the new Government of China. We must be realistic. Who can maintain that the present Government of China does not exercise *de facto* authority over the whole of China, with the except of the Island of Formosa? The status of Formosa has not yet been determined; we do not know whether it is Chinese or international territory. Authority over the bulk of China, however, is exercised by a certain government, which has proved its capacity to carry out its international obligations. It is taking action just like any other government. At the present time it is attacking in Korea. If that government were with us in the United Nations, however, the General Assembly could judge its actions. If we were to admit that government and allow it to take a seat in the General Assembly, we could deal with its actions. If they are

guilty, we could tell them so and ask them to rectify their errors.

36. These things ought to be settled. Now we do not know what is being thought or what is being done throughout the world because of this tension and because of the international situation. All people are afraid. Fear of a general war now dominates the whole world. Do we have to have a general war? We must attenuate the causes that have brought about this tension in the world. We have no right to act in this way. We have no interest in war. I do not believe that any State really wants war or wants to go to war. War would be destructive and detrimental to our entire civilization. It might be that, after many decades have passed and those who have suffered in the last war are dead, a new generation will appear which, not knowing the misery of war, might attempt it. But we have seen two wars, and we know the horrors of war. Do you expect us to vote for a war or accept a third world war now, after all the terrible experiences we have had in the very recent past? We cannot do it.

37. I think the world would be very happy to hear of an understanding being reached among the great Powers. A few days ago, this General Assembly unanimously adopted² a resolution [A/1481]—even the five permanent members of the Security Council voted for it, and pledged themselves to do as the resolution suggested and meet together in an effort to find a solution to these difficulties. But let us understand these things. Have they met? Did they execute their promise and their pledge which was made before the whole world and all the delegations of the sixty nations represented here? I do not know; I have not heard that they have met or that they have started discussions. Were those promises only a matter of form? Was it simply a matter of having it in black and white that a resolution was unanimously adopted? Was it adopted only to be neglected and thrown into a corner, to be shelved without further attention? That is not in accordance with the principles of the United Nations. If resolutions are adopted here, they should be implemented in some way.

38. Perhaps I have gone too far, but I think the situation compels me, you and everybody to tackle this matter. We cannot be silent now; we cannot be quiet and listen to what is being said, to get our news from here and there, and from the Press. We have to deal with the matter and find a remedy for it. All the aspirations and hopes of the world are directed here. All the peoples hope that this great Organization of the United Nations will be able to secure peace and avoid a general world war. If we cannot do that, why are we sitting here? Is it simply to make speeches and adopt resolutions? It is shameful for us to continue to make speeches and declarations for the movies, television and radio. We do not want to speak, we do not want our figures shown on television and our voices heard on the radio or anywhere, if we are not able to produce results. What would be the use of that?

39. I apologize to the President. I have gone too far on the subject, but I think he will pardon me.

² See *Official Records of the General Assembly, Fifth Session, Plenary Meetings*, 302nd meeting.

40. The PRESIDENT (*translated from French*): Not at all. I quite agree with you.

41. Mr. MUNIZ (Brazil): The question of the admission of new Members constitutes one of the saddest chapters on the history of the United Nations. Year after year, the General Assembly is confronted with the impossibility of admitting into our midst countries which fulfil the requirements set forth in the Charter and whose presence here would add great prestige to our deliberations.

42. It is simply incredible that the United Nations should shut its door to so many countries and thus deprive itself of their collaboration. We feel particularly sorry that this happened to two Latin nations, Italy and Portugal, not only because we are closely bound to these countries by cultural ties and economic tradition, but especially because no one can dispute that both Italy and Portugal, having a great deal of experience in the international field, would in every way make invaluable contributions to our meetings.

43. The General Assembly has already passed its judgment concerning several applicants and expressed the opinion that they should be admitted to the United Nations. In the light of the advisory opinion of the International Court of Justice, it seems to my delegation that we can do no more than to ask the Security Council to reconsider its obligations. Accordingly, we have sponsored a proposal in this respect together with four other delegations. Let us hope that these new reconsiderations by the Security Council may, at least, bear some satisfactory results.

44. The delegation of El Salvador deemed it fitting to submit to the General Assembly a new proposal, the aim of which, as we see it, is to give some satisfaction to those applicants which have received seven or more votes in the Security Council. We fully realize the motives behind this proposal, and we appreciate the reasons which prompted the delegation of El Salvador to introduce it in the General Assembly. Although we have no fundamental objection to its adoption, the Brazilian delegation is not prepared to give its support to that proposal. It seems to us that the practice which has been followed by the General Assembly in the discussion of questions involving the interests of countries which are not members of the United Nations fully covers the point expressed in paragraph 2 of the draft resolution. A permanent invitation extended by the Secretary-General would add very little, if anything, to our established practice.

45. For these reasons, the Brazilian delegation intends to abstain when the draft resolution of El Salvador is put to the vote.

46. Mr. COULSON (United Kingdom): I propose to deal briefly with the three draft resolutions which are now before the General Assembly. The United Kingdom delegation has consistently held the view, now confirmed by the International Court of Justice, that each new admission should be considered separately on its own merits and on the basis of the criteria of membership described in Article 4 of the Charter. Of the three draft resolutions now before the General Assembly, the draft resolution presented by Brazil, Canada, the Philippines, Sweden and Syria [A/1571]

is, in our opinion, objective and comprehensive. My delegation therefore intends to vote in favour of it.

47. If, as I hope, this draft resolution is adopted, I see no reason for the General Assembly to consider the Soviet Union draft resolution [A/1577] which ostensibly covers the same ground. I say "ostensibly" because, in fact, it does so in a much less satisfactory way. To our mind, it is neither objective nor indeed complete. It purports to invite everyone to the United Nations, when we all know that it is the Soviet Union veto which has so far prevented recommendations being made by the Security Council to the General Assembly in respect to nine of the applicants. Moreover, one of the applicants, namely Korea, has even been omitted from the draft resolution.

48. I now turn to the latest draft resolution, which has been circulated by the delegation of El Salvador [A/1585]. My delegation appreciates the spirit in which the delegation of El Salvador has taken a new approach to this difficult problem, but we do not at first sight feel that this approach is satisfactory, and we think that any proposal on these lines would require at least mature reflection and full consideration of what it implies in the light of the Charter and the rules of procedure of the General Assembly. What it seems to do is to confer a sort of half-way United Nations status on certain countries. Would this be acceptable to those countries? I confess that at this moment I cannot say, and I must at least feel considerable doubt. For these reasons, my delegation feels impelled to vote against paragraph 2 of the operative part of the draft resolution of El Salvador and against paragraph 4 of the preamble.

49. While at first sight we have no objection to the remainder of the draft resolution, it must be admitted that without the parts I have mentioned it loses most of its force. If, therefore, these parts are voted down, my delegation hopes that the delegation of El Salvador will see its way to withdraw the rest of the draft resolution.

50. To sum up, therefore, my delegation fully supports only the joint draft resolution presented by Brazil and the four other co-sponsoring delegations. We hope that, if this is adopted, the Security Council will be able not only to reconsider each existing application for membership, but also to make positive recommendations to this General Assembly in respect of those States which fulfil the requirements of the Charter but which, so far, have been unable to assume their right and duties as Members because of the veto.

51. Mahmoud FAWZI Bey (Egypt): The delegations present will recall that this question has been before the General Assembly since 1946. At that date, even the right of the General Assembly to deal in the way in which it dealt with the question of applications for membership in the United Nations later on was challenged. Some delegations, fortunately very few of them, thought that all the General Assembly could do in the absence of a recommendation from the Security Council to accept an application for membership was simply to take note of that. If I recall rightly—and I am not saying this with any sense of self-justification—my delegation was the first to oppose such an assertion. It was the first to uphold the right of the General Assembly to scrutinize

the work of the Security Council in connexion with applications for membership, and to state that the General Assembly had the right to ask for a review of those applications by the Security Council.

52. With that end in view, my delegation submitted a draft resolution,³ and simultaneously with that, according to what I remember, the delegations of Panama and the Philippines presented similar draft resolutions.⁴ These draft resolutions were the beginning of what later on became the advisory opinion of the International Court of Justice and the constant opinion since then expressed by the General Assembly.

53. In connexion with the draft resolution we now have before us, my delegation will vote favourably on all of them. Those draft resolutions are inter-complementary and they all tend towards the overcoming of the obstacles which until now have barred many worthy applicants from admission to the United Nations.

54. These obstacles have no relation whatsoever to the Charter, but are inspired exclusively by unwholesome and short-sighted considerations of opportunism. I do not need to dwell at any length on this element in part of the work—of course I cannot say in all of the work, nor even in most of the work, I repeat, opportunism in part of the work—of the United Nations. This element of opportunism has marred a part of our work and has shown how short-sighted some of the delegations have been in maintaining one stand or other according to the dictates of the moment, and not according to the real dictates of peace and its requirements.

55. On those occasions it was obvious that the inspiring factor was not the object before us, it was not the interest of peace, it was not the Charter of the United Nations and its dictates, but quite different things derived from the self-interest of one or more countries, and not from the interest of world peace and security.

56. My delegation wishes to trust that when the applications for membership come before the Security Council for reconsideration, the Council and its members will consider them and act upon them in conformity with the advisory opinion of the International Court of Justice which, in this respect, has given what we believe to be the correct opinion and which, in the view of my delegation and other delegations—with the exception of a few—represents the real sense and intent of the Charter.

57. Indeed we are entitled to expect that the Security Council and its members will consider all applications for membership in the United Nations, inspired not by opportunism and not with the idea of striking a bargain, but objectively, according to the merits of each application and keeping in mind the idea of universality of the United Nations.

58. By universality we do not mean the indiscriminate or wholesale admission to the United Nations of all applicants, even though they may be unworthy of membership in the United Nations. We mean, however, that each and every applicant who, humanly and relatively speaking, is worthy of membership, according to the yardstick of the Charter, should be admitted.

59. These have been the considerations which governed the vote of my delegation concerning the applications for membership of the countries which are still being kept on the waiting list. My delegation did not vote against the acceptance of any of these applicants, although for reasons on which I do not need to dwell at this time, it abstained on the applications of two of them.

60. However, it voted in favour of the other applicants which came before the Security Council. My delegation will always be in favour of admitting all worthy applicants to membership in the United Nations. This stand is inspired not only by the theory of the universality of the United Nations but also by the impelling requisites of international peace and security, and of adding to the values of the United Nations the undoubtedly great contributions which all the worthy applicants for membership are expected to make toward the objective of world peace, security and prosperity.

61. Parallel to this, it can reasonably be hoped that the admission of all worthy applicants to membership will help at least to alleviate some of the present international tensions and to instill a very much needed element of mellowness in the present over-strained international atmosphere. With this in mind, my delegation particularly appreciates the intent of the last two paragraphs of the operative part of the El Salvadorean draft resolution. They tend to create an interim relationship of co-operation and mutual benefit between the United Nations and many of the applicants who have so far been unjustly excluded from membership in the United Nations.

62. In the meanwhile, I should like to express the hope that this interim arrangement will soon be superseded by the complete answer to the whole question of membership in the United Nations, namely, the admission of all worthy applicants to membership in this Organization.

63. Mr. TSARAPKIN (Union of Soviet Socialist Republics) (*translated from Russian*): The advisory opinion given by the International Court of Justice on 3 March 1950 concerning the competence of the General Assembly for the admission of a State to the United Nations, in response to the request of the General Assembly contained in its resolution [296 J (IV)] of 22 November 1949 which was adopted on the initiative of the Argentine delegation, cannot be considered out of the context of all the events which preceded the adoption of that resolution.

64. For the last three years, since 1947, each session of the General Assembly has been the scene of highly aggressive but unsuccessful attempts to grossly distort the perfectly clear provisions of Article 4, paragraph 2, of the Charter which states that "the admission of any such State to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council".

65. There is no doubt that these attempts reflected the desire of the Anglo-American bloc to dictate its will and impose its policy with regard to the admission of new Members into the United Nations.

66. There is no need to dwell upon the unfounded arguments which were resorted to by a number of delegations in their desire to give some semblance at

³ See *Official Records of the General Assembly, second part of the first session, First Committee, annex 6c.*

⁴ *Ibid.*, annex 6b and annex 6d.

least of legal justification to their attempts to exclude the Security Council from participation in the question of the admission of new Members.

67. The opponents of these principles did not rest after their frontal attack against the principles of the Charter was defeated, and they endeavoured to drag the International Court of Justice into the case, with the obvious intention of exploiting its authority to buttress their own efforts, in defiance of the Charter, to exclude the Security Council from the solution of such questions as the admission of new Members to the United Nations.

68. As a result, they succeeded in obtaining the adoption at the last session of the General Assembly of a resolution which placed the following question before the International Court of Justice:

"Can the admission of a State to membership in the United Nations, pursuant to Article 4, paragraph 2, of the Charter, be effected by a decision of the General Assembly when the Security Council has made no recommendation for admission by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent Member upon a resolution so to recommend?"

69. This question makes it obvious that its authors do not clearly understand Article 4, paragraph 2, of the Charter. A glance at this text, however, will show that the paragraph contains a perfectly clear and unequivocal provision which leaves no room for doubt or alternative interpretation. It states: "the admission of any such State to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council". I am quoting from the Charter.

70. Hence, the answer to the question placed before the Court can only be in the negative.

71. In view of the wholly unequivocal character of Article 4, paragraph 2, of the Charter, the USSR delegation, at the fourth session of the General Assembly [252nd meeting], opposed the proposal to refer the question to the International Court of Justice for an advisory opinion, and pointed out that the provisions of the Charter relating to the admission of new Members were perfectly clear and required no interpretation.

72. It was pointed out that the interpretation of the Charter in general could not be the subject of examination and of an advisory opinion by the International Court of Justice, whose terms of reference in this regard are defined in Article 65 of the Statute of the Court, which states that the Court may give an advisory opinion on legal questions only. The same thing is stated in Article 96 of the Charter which states that the General Assembly "... may request the International Court of Justice to give an advisory opinion on any legal question".

73. These Articles of the Charter and the Statute of the Court make it clear that no question relating to the procedure for the admission of new Members to the United Nations can be the object of scrutiny by the International Court, inasmuch as that question is political in character, as can be seen from the discussions which have taken place in the General Assembly.

74. Despite these indisputable provisions, the majority of the General Assembly nevertheless adopted a resolution last year requesting the International Court of Justice to give an advisory opinion.

75. When the Belgian delegation proposed,⁵ as long ago as the second session of the General Assembly, that the question of the interpretation of Article 4, paragraph 2, of the Charter should be referred to the International Court of Justice, the delegation of the Soviet Union opposed such a step, pointing out that the question was so clear that there was no justification for asking the Court for an opinion [117th meeting].

76. This should be remembered at the present moment, when the International Court of Justice, in its advisory opinion, reproduces the perfectly clear provisions of the Charter and categorically disproves the attempts to upset those provisions.

77. The delegation of the Soviet Union still considers that the International Court is not competent to give an advisory opinion on this question for the reasons I have already stated. Nevertheless, the advisory opinion of the International Court of Justice of 3 March 1950 is of undoubted interest. In it, the International Court states that it "is of opinion that the admission of a State to membership in the United Nations, pursuant to paragraph 2 of Article 4 of the Charter, cannot be effected by a decision of the General Assembly when the Security Council has made no recommendation for admission, by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent Member upon a resolution so to recommend".⁶

78. The Court has explained its opinion in detail. It states, with regard to Article 4, paragraph 2, of the Charter, that:

"The Court has no doubt as to the meaning of this text. It requires two things to effect admission: a 'recommendation' of the Security Council and a 'decision' of the General Assembly. It is in the nature of things that the recommendation should come before the decision. The word 'recommendation', and the word 'upon' preceding it, imply the idea that the recommendation is the foundation of the decision to admit, and that the latter rests upon the recommendation. Both these acts are indispensable to form the judgment of the Organization to which the previous paragraph of Article 4 refers. The text under consideration means that the General Assembly can only decide to admit upon the recommendation of the Security Council; it determines the respective roles of the two organs whose combined action is required before admission can be effected: in other words, the recommendation of the Security Council is the condition precedent to the decision of the Assembly by which the admission is effected."

79. Such is the conclusion of the International Court of Justice. The Court lays particular stress upon the fact that the text of Article 4, paragraph 2, of the Charter is fully confirmed by the structure of the Charter, and particularly by the relation established

⁵ *Ibid.*, Second Session, First Committee, annex 14j.

⁶ See *Competence of Assembly regarding admission to the United Nations, Advisory Opinion: I.C.J. Reports 1950, page 10.*

by it between the General Assembly and the Security Council. The Court states that:

"The General Assembly and the Security Council are both principal organs of the United Nations. The Charter does not place the Security Council in a subordinate position. Article 24 confers upon it 'primary responsibility for the maintenance of international peace and security'."

80. In support of its argument that the Charter does not subordinate the Security Council to the General Assembly, the Court concludes this section of its advisory opinion with the following words:

"To hold that the General Assembly has power to admit a State to membership in the absence of a recommendation of the Security Council would be to deprive the Security Council of an important power which has been entrusted to it by the Charter. It would almost nullify the role of the Security Council in the exercise of one of the essential functions of the Organization. It would mean that the Security Council would have merely to study the case, present a report, give advice, and express an opinion. This is not what Article 4, paragraph 2, says."

81. The Court also rejected the false allegation of a number of governments, to the effect that the General Assembly could treat the absence of a recommendation as equivalent to an unfavourable recommendation.

82. This utterly baseless and absurd allegation served the purpose of those who wish to minimize the role of the Security Council. They tried to argue on the basis of this allegation, that a decision of the Security Council to recommend to the General Assembly the admission of a State to membership in the United Nations meant that the General Assembly received from the Security Council a favourable recommendation; but if the Security Council failed to reach agreement or to take a decision, and consequently did not submit any recommendation to the General Assembly, this should be regarded as an unfavourable recommendation of the Security Council but nevertheless a recommendation.

83. Thus it appears that in either case there has been a Security Council recommendation and that the provisions of Article 4, paragraph 2 of the Charter have apparently been complied with and that consequently the General Assembly can, on its own initiative, take a decision on the admission of a Member to the United Nations.

84. In communicating their views to the International Court of Justice some governments tried to justify this fallacious assertion by referring—and I might add incorrectly—to the preparatory work on the text of the United Nations Charter. In this connexion the International Court of Justice pointed out the following:

"Some of the written statements submitted to the Court have invited it to investigate the *travaux préparatoires* of the Charter. Having regard, however, to the considerations above stated, the Court is of the opinion that it is not permissible, in this case, to resort to *travaux préparatoires*."

85. The Court also noted further on that: "Reference has also been made to a document of the San Francisco Conference, in order to put the possible case of an unfavourable recommendation being voted by the Se-

curity Council: such a recommendation has never been made in practice. In the opinion of the Court, Article 4, paragraph 2, envisages a favourable recommendation of the Security Council and that only." Article 4, paragraph 2 does not account for any unfavourable recommendation.

86. The International Court further points out in its advisory opinion, that:

"Nowhere has the General Assembly received the power to change, to the point of revising, the meaning of a vote of the Security Council. In consequence, it is impossible to admit that the General Assembly has the power to attribute to a vote of the Security Council the character of a recommendation when the Council itself considers that no such recommendation has been made."

87. For these reasons, and in accordance with the provisions of the United Nations Charter, the Court is of the opinion that:

"The admission of a State to membership in the United Nations, pursuant to paragraph 2 of Article 4 of the Charter, cannot be effected by a decision of the General Assembly when the Security Council has made no recommendation for admission, by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent Member upon a resolution so to recommend."

88. Thus, in its advisory opinion of 3 March 1950, the Court literally reproduces all the arguments repeatedly put forward by the USSR delegation in its defence of the principles of the Charter.

89. Such was the ignominious end of the attempt to use the authority of the International Court of Justice in order to bolster positions which are based on an obvious misinterpretation of the provisions of the Charter.

90. The attempt to by-pass the Security Council in the matter of the admission of new Members, and thus openly to violate the provisions of the Charter has met with complete failure. It follows that the question of the admission of new Members can and must be decided only in strict accordance with the United Nations Charter and in the manner laid down therein.

91. Item 19 of the General Assembly's agenda refers not only to the advisory opinion of the International Court of Justice, but also to the question of the admission of new Members.

92. On this question we have before us for consideration a draft resolution submitted by the Soviet Union delegation, which proposes that the General Assembly should recommend the Security Council to review the applications for admission to membership of the United Nations submitted by thirteen States, namely: Albania, the Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, the Hashimite Kingdom of the Jordan, Austria, Ceylon and Nepal.

93. There is also a joint draft resolution submitted by the delegations of Brazil, Canada, the Philippines, Syria, and Sweden. It should be noted that this draft resolution is devoid of content and represents an attempt to avoid a decision on the question by leaving matters in their present unsatisfactory state. This draft refers to

the resolution [294 (IV)] adopted by the General Assembly on 22 November 1949 which expressed the view that the nine States whose admission was sought by the United States and the United Kingdom, should be admitted to the United Nations, these nine States included even the South Korean puppet of the United States, the blood-stained anti-democratic régime of Syngman Rhee.

94. On the question of the admission of new Members there is also a draft resolution submitted by the delegation of El Salvador. With regard to this draft, it should be stated that the proposal it contains—that the States not members of the United Nations should send representatives to sessions of the General Assembly—is so entirely in conflict with the Charter and so openly leads to a flagrant violation of the Charter that it is unnecessary to demonstrate its harmful nature. Even the representative of Canada has been unable to agree to this proposal of El Salvador. That in itself is sufficient comment.

95. The delegation of the Soviet Union will, of course, vote against the draft resolution submitted by the delegation of El Salvador.

96. The substance of the joint draft resolution and that of the draft resolution submitted by El Salvador provide evidence that an attempt is being made also at this session of the General Assembly to continue the policy of favouritism, the policy of discriminating in favour of some States which have applied for membership in the United Nations and of discriminating against other States which have made similar applications.

97. The delegation of the Soviet Union pointed out at the last session of the General Assembly that such proposals were not likely to facilitate a solution of the problem of the admission of new Members to the United Nations. As is known, the Security Council has before it thirteen applications for membership. Nevertheless, the sponsors of the joint draft resolution and the delegation of El Salvador have picked out merely eight States from this list and are urging their admission to the United Nations. I disregarded the ninth nomination, since it concerns the South Korean puppet régime of Syngman Rhee.

98. The delegation of the Soviet Union cannot agree to this approach to the question of the admission of new Members. It is an approach which cannot give any positive results, any more than it has been able to do in the past, and it will not help to solve the problem of the admission of new Members.

99. For these reasons the delegation of the Soviet Union will vote against both the joint draft resolution and the draft resolution submitted by El Salvador.

100. The USSR delegation has pointed out both at previous sessions of the General Assembly and in the Security Council that discrimination in the question of the admission of new Members is inadmissible, and that the United Nations must be guided on this question exclusively by Article 4 of the Charter, which states that:

“Membership in the United Nations is open to all other peace-loving States which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.”

101. The Charter contains no other criteria with regard to the admission of new Members. In conformity with this provision of the Charter, the delegation of the Soviet Union has already proposed in the past that the thirteen States which have applied for membership in the United Nations should be admitted simultaneously. Hence, the Soviet Union is by no means to blame for the fact that these thirteen States have not been admitted to membership in the United Nations, and the references to the Soviet Union veto which have been made in this Assembly by the representative of the United Kingdom, and the references which have been made here by the representative of Canada, to the fact that the question of the admission of new Members remains unsolved because of the attitude adopted by the USSR, are slanderous assertions designed to lead public opinion astray and to misrepresent the real state of affairs.

102. When submitting its proposal for the admission of all thirteen States to the United Nations, the delegation of the Soviet Union pointed out that the USSR had serious grounds for opposing the admission to the United Nations of a number of those thirteen States: in order, however, to facilitate a solution of the problem, the Soviet Union was prepared to withdraw its opposition to the admission of those countries, provided, of course, that there would be no discrimination against Albania, the Mongolian People's Republic, Bulgaria, Hungary and Romania, which had every qualification for admission to the United Nations, since they met all the requirements of the United Nations Charter.

103. The delegation of the Soviet Union continues to adhere to this position on the question of the admission of new Members and is convinced that if the United Nations acted in this way it would easily find its way out of the impasse into which it has been led by the policy of the United States and the United Kingdom on this question.

104. Statements have already been made in this Assembly by a number of representatives who have pointed out precisely this aspect of the problem, namely, that the General Assembly can easily find a way out of its present difficult position on the question of the admission of new Members, provided that no discrimination is practised and that all thirteen States are admitted to the United Nations.

105. The delegation of the Soviet Union wishes to bring these views to the notice of the delegations of the United States and the United Kingdom, so that they should not ignore and disregard them, and should cease to insist on the position which they have maintained hitherto, namely, selective admission to the United Nations, whereby only those States which enjoyed the protection of the United States and the United Kingdom would be admitted to the United Nations, and whereby the People's Democracies would not be admitted. This position has led the United Nations into an impasse from which it will not escape until the United States and the United Kingdom renounce this policy which is harmful to the cause of the United Nations.

106. With a view to resolving this deadlock on the admission of new Members, the delegation of the Soviet Union has submitted a draft resolution designed to

insure the simultaneous admission to the United Nations of the aforementioned thirteen States, many of which have now been awaiting admission to the Organization for many years.

107. The adoption of the Soviet Union proposal by the General Assembly would help to increase the prestige and influence of the United Nations and would strengthen the principle of friendly co-operation between all peace-loving nations, great and small, irrespective of their political structure and their social and economic systems.

108. Mr. HOFFMEISTER (Czechoslovakia): Once again, as at every previous session of the General Assembly, we are faced with the question of the admission of new Members. I should therefore like at the very outset of my remarks to restate the opinion of the Czechoslovak delegation.

109. We consider that the greater the number of States and differing political concepts which make up the membership of the United Nations, the stronger the Organization will be. From this standpoint and from the standpoint of being just to the applicant States, the question is of primary importance to the United Nations. The gravity and importance of the problem will increase as new applications are put on the waiting list, as the United Nations itself creates new States and as the people's liberation movements continue to grow.

110. So far as the juridical aspect of the question and the advisory opinion rendered by the International Court of Justice are concerned, we expressed our surprise last year at the decision of the General Assembly to request the venerable judges at The Hague to give their opinion on a sentence whose meaning must be clear even to a child. This attempt to shift a political question onto legal grounds was without any real basis; it represented an escape into law.

111. The sponsors of that resolution received a clear answer. The Court had no doubts that under Article 4, paragraph 2, of the Charter two things are required to effect admission: a recommendation of the Security Council and a decision of the General Assembly. Moreover, the provision requires combined action by the two bodies: the recommendation must precede the decision; it must form the foundation of the decision. By twelve votes to two—those of Judges Alvarez and Azevedo—the Court was of the opinion that the admission of a State to membership of the United Nations could not be effected by a decision of the General Assembly in the absence of a recommendation for admission from the Security Council.

112. Now that the wording of the Charter has been made clear to those who voted for putting the question to the International Court of Justice, it would be logical for them to base themselves on the Charter and the interests of the United Nations and to abandon their policy of discrimination.

113. On 9 September 1949, the Soviet Union submitted a draft resolution demanding the admission of all the States applying for membership.⁷ This circumstance in itself proves that the Soviet Union did not and does not exercise discrimination toward any State,

while the majority did exercise such discrimination toward five of the thirteen applicants.

114. This year, the USSR reaffirms its recommendation to the Security Council and asks for a review of the applications of Albania, the Mongolian People's Republic, Bulgaria, Hungary, Romania, Finland, Italy, Portugal, Ireland, the Hashimite Kingdom of the Jordan, Austria, Ceylon and Nepal. Further, we have before us a short draft resolution which merely requests the Security Council to keep the applications under consideration, in accordance with last year's resolution which was also unacceptable to our delegation.

115. The draft resolution presented by El Salvador fits in with the discriminatory methods which have taken root here in previous years. El Salvador wishes to play host to observers of one category of States, excluding others, contrary to the letter and the spirit of the Charter, and, in this way, prejudicing their invitation at any given time at the request of one of the bodies of the United Nations or by decision of the General Assembly following upon a recommendation of the Security Council. It must be rejected.

116. The Czechoslovak delegation is of the opinion that the United Nations should be fully representative of all countries, regardless of their social, political or economic structures. That majority which treats the provisions of the Charter in accordance with its political and vested interests, of course, favours States in the measure of their adaptability. Those States not capable of enlarging the artificial majority in this Assembly and, because of this, not fitting in with the political calculations of the United States and its supporters, are barred from the Organization. But no one can succeed in convincing world public opinion that those countries which stand in the full strength of the world peace movement are not peace-loving States or are not willing and able to carry out the obligations of the Charter.

117. Last year, from this same rostrum, I stated:

"Why the United States decided stubbornly not to admit five People's Democracies and, by this political attitude, prevent the admission of such important States as, for instance, Italy into the union of the United Nations remains the secret of the American under-developed foreign policy".⁸

118. I think, and I heard today that I am not the only one, that the voting balance in this Assembly would not be greatly changed by the addition of new Members. But we note that the balance of world power has been greatly upset by the historic events of the past year, and I think it is in complete accord with Mr. Albert Einstein's theory if we say that, during the ever accelerating speed of developments, certain big phrases are losing their weight. It is now up to the individual representatives and the majority in the Security Council to change their views.

119. The Czechoslovak delegation has not changed its attitude and is always ready to reaffirm it. It will support the Soviet Union proposal.

120. Mr. CASTRO (El Salvador) (*translated from Spanish*): It seems that special circumstances make it

⁷ See *Official Records of the Security Council, Fourth Year, No. 40.*

⁸ See *Official Records of the General Assembly, Fourth Session, Plenary Meetings, 251st meeting.*

the lot of my delegation to put forward proposals which are to some extent novel and which are first received with an air of uncertainty, curiosity and even scepticism.

121. My delegation is used to working in this atmosphere. Nothing is more difficult than to wrest the General Assembly of the United Nations away from the well-beaten track. For example, every year we ask the Security Council to reconsider the applications of peace-loving States which fulfil the necessary conditions for membership in the United Nations, and which have failed to secure acceptance or to obtain the favourable recommendation of the Security Council by a single vote, that of the Soviet Union, which has decided to give its adverse vote the quality of a veto.

122. This is our position now. It has been explained in great detail by several delegations. We are apparently not in a position to change the present climate in the Security Council. Today's speech by the representative of the Soviet Union makes it perfectly clear that as long as the applications of the States sponsored by the Soviet Union—Albania, Romania, Bulgaria, Hungary and the People's Republic of Mongolia—are not accepted, it will never consent to the admission of, or to a favourable recommendation by the Security Council, concerning Italy, Austria, Portugal, Ireland, the Hashimite Kingdom of the Jordan and other States which the General Assembly has declared fulfil all the requirements of the Charter of the United Nations for membership in the Organization.

123. It was the Government of El Salvador which requested that the item concerning the admission of new Members should be included in the agenda of this session of the General Assembly. This of course shows the interest taken by the Government of El Salvador in this subject; it has constantly upheld the opinion that the excessive use of the veto in the Security Council, by one of its permanent members, in order to prevent the admission to membership in the United Nations of several peace-loving States willing to respect their international obligations, is a deplorable event in the history of the Organization.

124. The delegation of El Salvador has prepared a draft resolution [A/1585] which has been distributed to all delegations and which is concerned exclusively with the admission of nine States which have made known their desire to be Members of the United Nations and which in the opinion of the General Assembly, as expressed in nine resolutions [294 (IV)] adopted on 22 November 1949, are peace-loving States, within the meaning of Article 4 of the Charter, and are able and willing to carry out the obligations of Members of the United Nations and hence qualified to be admitted.

125. These States are: Austria, Ceylon, Finland, Italy, Ireland, the Hashimite Kingdom of the Jordan, Portugal, the Republic of Korea and Nepal.

126. In the voting in the Security Council, the application for admission of each of these States obtained nine votes in favour and only one against, which was cast by the Union of Soviet Socialist Republics. Because the USSR is a permanent member of the Security Council and because its opposition constitutes a veto on the admission of these States to membership in the Organization, the Security Council has been prevented

from making the favourable recommendation referred to in Article 4 of the Charter of the United Nations.

127. Against this background, my delegation's draft resolution first contemplates the necessity of recommending the Security Council to reconsider the requests for admission of these nine States, in the light of Article 4 of the Charter, for the purpose of making to the General Assembly the favourable recommendation mentioned in that Article.

128. At the same time I should like to consider, for purposes of comparison, on the one hand the situation devolving from our proposal and on the other hand the situation which would result from the adoption of the joint proposal of Brazil and several other States and the proposal of the USSR.

129. My delegation's proposal requests the Security Council to reconsider the applications for admission of only those States which obtained nine favourable votes in the Security Council and only one unfavourable vote, that cast by the USSR. At the same time, those nine States obtained an overwhelming majority in the General Assembly in favour of their applications for membership.

130. The draft resolution submitted by the delegations of Brazil, Sweden and three other States, including Syria, proposes that the Security Council should review all applications for admission including those of Albania, Bulgaria, Romania, Hungary and the People's Republic of Mongolia.

131. However, the General Assembly has already considered a request of this kind and has decided that it could not recommend that the Security Council should admit any of those five States. What were the reasons for this? The reasons are clearly seen in the attitude those States have adopted in international affairs.

132. Among the resolutions adopted by the General Assembly in 1949, we find resolution 288 (IV) entitled "threats to the political independence and territorial integrity of Greece". Two short paragraphs in the preamble of that resolution read as follows:

"(i) Albania and Bulgaria have continued to give moral and material assistance to the Greek guerrilla movement, Albania being the principal source of material assistance;

"(ii) There has been an increase in the support afforded to the guerrillas from certain States not bordering upon Greece, particularly Romania."

133. Can you tell me that against this background we can really recommend the reconsideration of the applications for admission of Albania, Bulgaria, and Romania, which have made it quite clear that far from being peace-loving, they are actively intervening in an attempt to stir up civil war in Greece?

134. My delegation regrets that it would be unable to join with Brazil and the other countries proposing that all the applications for admission should be reconsidered, because the General Assembly itself, for the reasons which I have indicated, has repeatedly decided that it cannot recommend the requests for admission of Albania, Bulgaria and Romania.

135. Apart from this, at the fourth session of the General Assembly and at the present session, there have

been clear condemnations of Bulgaria, Romania and Hungary, for violating fundamental human rights and freedoms, for having made an absolute mockery of the administration of justice, in that they apply severest punishments in complete intolerance and in disregard of the right of religious freedom and many others.⁹

136. Thus, these censures have been expressed, and if one of the principal duties of the General Assembly is to promote fundamental human rights, how can it recommend the reconsideration of the applications for membership of Albania, Bulgaria, Romania and Hungary? The delegation of El Salvador opposes any recommendation for the reconsideration of these applications for admission by the Security Council. It is therefore unable to vote in favour of the proposal submitted by Brazil, Sweden, Syria and two other States.

137. The proposal submitted by the Union of Soviet Socialist Republics is very similar to the draft resolution submitted by Brazil, Syria, Sweden and two other countries, since it recommends that the Security Council should reconsider all applications for admission, with the exception of one, that of the Republic of Korea. This is the only real difference between the proposal submitted by the Soviet Union and that of Brazil, Sweden, Syria and two other States. In substance they are the same: they recommend the reconsideration by the Security Council of all applications for admission, without taking into practical account the substantial difference between the applicants and their conduct in international affairs.

138. I should like to urge representatives to take into account this substantial difference when voting on the various proposals.

139. The proposal of the delegation of El Salvador is only in favour of Austria, Ceylon, Finland, Italy, Ireland, the Hashimite Kingdom of the Jordan, Portugal, the Republic of Korea and Nepal. I say again that these nine States have obtained in every vote in the Security Council during the past year, nine favourable votes and only one adverse vote, that of the Soviet Union.

140. Here in this General Assembly in previous years we have recommended that the Security Council should reconsider the applications for admission of these States, but until today we have never recommended reconsideration of the requests of Albania, Bulgaria, Romania, Hungary and the Republic of Mongolia.

141. However, the proposal of El Salvador goes still further, since it cannot be regarded as right or in accordance with the purposes of the United Nations that States which, in the opinion of the General Assembly, fulfil all the requirements needed for membership in the Organization, should be denied all possibility of co-operating with the United Nations and that this should only be so because of the opposing vote of a single one of the permanent members of the Security Council.

142. An international organization like ours, the purpose of which is—here I quote from the Charter—"to maintain international peace and security", cannot close its doors to States which fulfil all the requirements for membership in the Organization.

143. Yet, you know perfectly well that, at the present time, the doors of the United Nations are shut fast against the nine States I have mentioned.

144. The isolation which exists between our Organization and non-member States is complete. Even the letters and documents from the governments of these States which are sent to the Secretary-General for our information are never circulated. The only way in which they can be circulated in special cases is for one of the delegations of the Member States formally to request that a particular document transmitted by the government of a State which is not a member of the United Nations should be circulated. And all of you realize that in many instances our delegations find it a practical impossibility to request the circulation of important official documents transmitted by non-member States because it is not even known that those documents have reached the Secretary-General.

145. Sometimes it occurs to me that we are being treated like small children who are not allowed to read certain books. Please do not think that I am exaggerating. I tried to obtain a copy of a cablegram in which the government of an Asian nation sought the aid of the United Nations for the purpose of settling by peaceful negotiation its differences with another government, differences which had led to an act of aggression against its territory. It was only after several weeks of effort that I succeeded in obtaining a copy of this important message which I had to have in order to carry out a task my government had entrusted to me. I later asked that the text of the cablegram to which I refer should be circulated to all the delegations of the General Assembly and I have been assured that it is being circulated now. I trust that this is so.

146. I hasten to say that I am not by any means lodging a complaint against the Secretariat of the United Nations which is merely applying a measure of censorship to all correspondence which does not come from States Members of the Organization. This measure is, of course, presumably the result of a resolution adopted by a group of administrative officers or recommended by some particular committee which deemed to have special competence in the matter.

147. My only purpose is to show how sadly our General Assembly is isolated even from those States which the General Assembly itself has stated to be peace-loving nations and which meet all the conditions laid down for membership in our Organization.

148. It is to rectify this state of affairs in so far as those nine States are concerned, that our draft resolution suggests that any documents and letters sent by these nine States to the Secretary-General for the information of the United Nations should be distributed to the delegations to the General Assembly or, if the Assembly is not in session, to the foreign offices of Member States and the permanent delegations to the United Nations.

149. I cannot believe that there is anyone of us here who is not prepared even in this modest way to break that icy wall which separates our Organization from the nine peace-loving States; Austria, Ceylon, Finland, Italy, Ireland, Portugal, the Hashimite Kingdom of the Jordan, Nepal and the Republic of Korea.

⁹ See resolution 294 (IV) and *Official Records of the General Assembly, Fifth Session, Plenary Meetings*, 303rd meeting.

150. I wish to point to you that I shall ask for a vote on our draft resolution paragraph by paragraph and that I am particularly interested in seeing how the delegates will vote on the paragraph which refers to the distribution to the delegations to the General Assembly of letters and documents transmitted by the nine States to which I have been referring.

151. If even this form of communication is rejected, it is clear that the only thing we shall be doing is to pay lip service to these nine States in recommending that their applications for membership should be reconsidered.

152. There are other forms of co-operation which, without making the States concerned Members of the Organization or giving them the right to vote, can be exercised without in any way violating the United Nations Charter. These forms of co-operation would rather strengthen one true mission of the United Nations which looks towards full co-operation among States as a means to maintain international peace and security.

153. For example the nine States I have mentioned can be given an opportunity to be heard in our General Assembly and its plenary Committees on those subjects which affect the very interests which our Organization has been asked to safeguard. By granting these States such an opportunity, we would receive co-operation which would be very valuable to the United Nations.

154. I would like to draw attention to this point. Our proposal asks the nine States to which I am referring to co-operate with us by giving us their opinion when we request it. It is not fair to silence their voices by saying that we cannot offer those States too little and that we must offer them everything, when you know that it is not within our power to do so.

155. The advisory opinion of the International Court of Justice states that the General Assembly cannot give favourable consideration to the admission of any State into the United Nations, in the absence of a favourable recommendation by the Security Council. We should not deceive ourselves by saying that we are offering them much more in asking the Security Council to reconsider the applications for membership of these nine States I have mentioned when we know perfectly well that the USSR delegation will not vote in favour of their admission unless Bulgaria, Albania, Hungary, Romania, and the People's Republic of Mongolia are admitted at the same time.

156. The requests ostensibly putting all these States as on an equal footing are at odds with previous resolutions of the General Assembly which were only in favour of the nine States I have mentioned so many times.

157. In addition to the fact that, under my proposal, the voice of these States will be heard in the General Assembly, this measure also represents a cordial gesture of *rapprochement* which is not prohibited by the United Nations Charter despite the doubts which the representative of the United Kingdom mentioned here.

158. Recently¹⁰ we adopted an extremely important resolution entitled "Uniting for Peace" [A/1481]. And yet today, we are told that the very modest proposal

submitted by my delegation would be contrary to the Charter. Neither of these resolutions is a violation of the Charter. The resolution on "Uniting for Peace" was what the smaller nations wanted at San Francisco when they asked that those principles be stated explicitly in the Charter. That was not done and the interpretation which the General Assembly gave of its own powers indicates clearly that it felt that by implication it had retained those powers which the smaller nations defended at the San Francisco Conference.

159. I have said several times that the proposal submitted by my delegation is a cordial gesture of *rapprochement* which not only is not prohibited by the Charter but which is vitally necessary in the present situation which does not allow us to deny ourselves the valuable co-operation that any peace-loving State may be able to provide. It is for these reasons that our draft resolution suggests that Austria, Ceylon, Finland, Italy, Ireland, Portugal, the Hashimite Kingdom of the Jordan, Nepal, and the Republic of Korea should be given an opportunity to send observers to sessions of the General Assembly and its Committees, including the Interim Committee, in order to enable them to express their views and furnish information whenever consulted by the delegation of any Member State. It is understood that any such requests for consultation would be made by the delegation concerned during that particular meeting and that the President of the General Assembly or the Chairman of the Committee as the case might be would give that request the appropriate attention, subject to the wishes of the majority of the Assembly or the respective Committees if there are any objections.

160. There is no reason to think that a request of this kind would be denied. Members of several delegations have discussed the various points of our proposal with me and they have all expressed great interest in studying it. This is an encouraging sign which leads me to think that we recognize the great importance of the matter which I, as the representative of my government, am presenting for the consideration of the General Assembly.

161. There is one question which has been put to me and I think I ought to answer it. This question has also been raised in the arguments of some of the representatives who have spoken before me and concerns the possible impression upon these nine States if our Organization invited them to send observers to the General Assembly and its Committees. There are some representatives who think that they would be offered too little and that, in reply to their applications for membership, they would be offered something of trifling significance. But that is not so. In the first place, our proposal does not constitute a reply to the applications for membership presented by these nine States. This proposal offers them a privilege and an opportunity for co-operation which is of great importance to their governments, as it is to all the governments represented here.

162. I am going to answer this question by a logical argument, making use of the information which is available to all of us. On many occasions I have received letters, and I believe this is true of most of the delegations present, from the Italian Observer to the United Nations and also from the Permanent Observer of the Republic of Korea. You will find the address of their

¹⁰ *Ibid.*, 302nd meeting.

offices and their telephone numbers in the New York Telephone Directory. These officials have been especially appointed by their governments to follow the activities of the United Nations and to keep their governments informed. In order to attend our meetings they need a courtesy pass which is of course freely issued to them by the Secretary-General.

163. Bearing this in mind, do you think that the Governments of Italy and of the Republic of Korea would be displeased if the General Assembly were to extend a similar invitation to their observers to attend our meetings and also to express their views if consulted?

164. Now, when we are debating questions which endanger the peace of the world, do you think these nine States to which I am referring would scorn at an opportunity to come and be heard here and to answer a general appeal to collaborate towards the prevention of a war which seems imminent? Surely not. They would sit with us, they would take part in our debates and they would give us the benefit of their opinions.

165. No one can deny that the participation we offer to the nine States is limited, but, at the same time, that participation indicates the true measure of all that the General Assembly can offer at this time.

166. And if our Organization offers everything which is within its power to give, can it be said that it must do more? The General Assembly has limitations which we all recognize. These limitations have been made very clear by the advisory opinion of the Court, an opinion which is not shared by many of the delegations here. We recognize these facts. There is no doubt that our offer would give the nine States to which I have been referring eloquent proof of the fact that the General Assembly will continue to support their right to become Members of the United Nations until the difficulties which we find in our way today have been overcome.

167. The delegation of El Salvador feels that the power of appointing observers to the United Nations is a high privilege. So far we have granted this privilege to the Organization of American States and to the Arab League and it should be noted that the latter includes some States which are not members of the United Nations.

168. In any event there is no argument which can convince us that we are trying to offer something paltry to the nine States whose co-operation in international affairs would be most valuable. At least, we do not think that the governments of those nine States will feel that what we are offering them is of so little importance that it is not worth considering.

169. Nor does the last argument against our proposal carry great weight. It is said that by inviting the nine States to appoint observers we are placing upon them a certain moral obligation to do so. Nothing is further from the truth than this. The invitation which my delegation is submitting to the General Assembly is a standing invitation, which means that the States concerned will be able to appoint observers as well as withdraw them and appoint other observers when it suits them.

170. Once again, do you think that in the present state of world affairs these nine States would not hasten to

appoint observers to this fifth session of the United Nations General Assembly when their fundamental interests are as vitally affected as are the basic interests of the Members of the United Nations? It is clear that in extending the invitation, the recipient States will be interested in appointing observers when the matters to be dealt with by the General Assembly or its Committees are of special interest to them. If these matters are of interest to them, they will certainly appoint observers and if they are not interested they will obviously not do so. This makes it plain that my delegation is proposing that the nine States should be granted a right and does not in any way compel them to accept obligations.

171. I believe that my words fully express the intentions of the delegation of El Salvador in submitting the draft resolution which is to be debated and then put to the vote and the object of which is to obtain for the United Nations the valuable co-operation of nine peace-loving States. So that each delegation, by its vote, may support the degree of co-operation in the work of the General Assembly which they are prepared to offer the nine States to which I have referred, that is to say, Austria, Ceylon, Finland, Italy, Ireland, Portugal, the Hashimite Kingdom of the Jordan, Nepal and the Republic of Korea, I now ask the President to take a vote in the customary way, by a show of hands, on the proposal which I have the honour of submitting, with the exception of the two final paragraphs of the operative part, relating to the appointment of observers and the distribution of information from the nine States, on which I ask for a roll-call vote.

172. The PRESIDENT (*translated from French*): I have three more names on my list of speakers. I am hopeful that we may be able to conclude the discussion of this item tonight.

173. Mr. SPARKMAN (United States of America): The United States has consistently believed in and worked for the goal of universal membership of the United Nations. We have believed and we continue to believe that the Organization will not reach its complete fruition or effectiveness until all the States of the world become Members. Our efforts in the Security Council and in the General Assembly have been directed consistently towards this aim. Unfortunately, however, we have witnessed year after year the spectacle of States believed by the overwhelming majority of this Assembly to be qualified and deserving of membership being kept out by the arbitrary and, to our mind, improper use of the veto by the Soviet Union.

174. On the other side of the coin, may I recall statements made in the past by my government to the effect that it does not intend to permit its privileged vote to prevent the admission of any applicant State which has received seven affirmative votes in the Security Council. Indeed, this Assembly last year passed a resolution [296 K (IV)] requesting the permanent members of the Security Council to refrain from the use of the veto in connexion with membership applications. Many statements of support for the United Nations have been made during this session of the General Assembly. The representative of the Soviet Union has said this. Here is an opportunity for a small act which would contribute materially to the success of our Organization. If the Soviet Union would agree, as my government has, not to use its privileged vote to block the admission of

applicants receiving seven affirmative votes in the Security Council, a number of States determined by this Assembly to be amply qualified for membership could be admitted immediately.

175. Unfortunately, other applicants are, by their own actions, continuing to prevent their own admission. In previous years, the majority of members in the Security Council and General Assembly, including the United States, have not been able to support the admission of Albania, Bulgaria, Hungary, Romania and Outer Mongolia. This position has been taken on Charter grounds. I believe that other representatives will agree that these applicants have done nothing during the past year to improve their qualifications; their conduct has even increased the doubts about their qualifications. All of these candidates have been rendering at least moral support to aggression in Korea. Some of them, at this very moment, are waging a war of nerves against a State seated in this hall, Yugoslavia. The attitude of three of them can be judged by the fact that they have flouted the recommendations of this Assembly with respect to violations of peace treaty obligations of human rights, and have disregarded the advisory opinion of the International Court of Justice on their peaceful settlement obligations under these same treaties. One applicant, Outer Mongolia, has never demonstrated that it has the capacity to play the normal role of a State in the international community. I could cite further examples of this sorry record. My government cannot, therefore, at this time, support the admission of Albania, Bulgaria, Hungary, Romania and Outer Mongolia.

176. I express again, on behalf of my government, the hope that these States will alter their policies and their actions so as to permit my government and others to vote for their admission. The sooner this happens, the more pleased and satisfied we shall be.

177. Under present conditions it seems to us that there is no action which the Assembly can take this year, other than to reaffirm the past resolutions which express the overwhelming sentiment here, that Austria, Italy, the Hashimite Kingdom of the Jordan, Finland, Ceylon, Portugal, Ireland, Nepal and the Republic of Korea are all qualified for membership and are deserving of admission. We support the resolution before the Assembly in this sense presented by Brazil, Canada, the Philippines, Sweden and Syria [A/1571], and hope that conditions would make it possible for the Security Council to forward, in due course, affirmative recommendations on these States, as well as others if by their conduct they demonstrate their worthiness.

178. A draft resolution has been presented by the Soviet Union [A/1577]. It has one glaring defect and two other defects of lesser import. Its glaring defect is its omission of the Republic of Korea. It is really unnecessary to say more. Another serious defect is the omission of a provision relating to the elimination of the veto in connexion with questions of membership of the United Nations. A third reason for not adopting the USSR draft resolution is that the review of the other applications is covered by the joint draft resolution before the Assembly.

179. My delegation will therefore oppose the Soviet Union draft resolution.

180. As regards the draft resolution submitted by the delegation of El Salvador [A/1585], paragraphs 2 and 3 of the operative part and paragraph 4 of the preamble, which apparently relates to paragraph 2 of the operative part, are the new elements in the matter.

181. My delegation questions the desirability of adopting paragraph 2 of the operative part, providing for a formal observer status on the spur of the moment and without more careful study. While we understand and sympathize with the spirit underlying the suggestion, we feel that it has many implications which should first be considered. For instance, is it necessary? Many non-member States have observers following the proceedings of the United Nations. Furthermore, the practice has been established of inviting non-member States to the table of the United Nations when cases in which they are directly interested are under discussion. Also, we wonder whether the applicants themselves would find the proposal attractive. The nine States mentioned are all qualified for and deserve full membership. Would anything short of full membership be acceptable to them? My delegation would therefore oppose paragraph 2 of the operative part, as well as paragraph 4 of the preamble which relates thereto, although we agree completely with the sentiment expressed in that paragraph of the preamble.

182. Paragraph 1 of the operative part of the draft resolution, if slightly redrafted, would not be objectionable. It seems to us, however, to be redundant, since its objective is provided for in the joint draft resolution which my delegation supports. Hence, my delegation will abstain from voting on that paragraph.

183. Similarly, there is no objection to paragraph 3 of the operative part of the draft resolution. My delegation will vote for it although we are not convinced that it is really necessary.

184. In conclusion, I should like once again to express my conviction that a satisfactory solution to the problem of membership could be achieved today if all of the permanent members of the Security Council would abandon the use of the veto in connexion with applications for membership.

185. Mr. MICHALOWSKI (Poland) (*translated from Russian*): The question of the admission of new Members to the United Nations reappears on the agenda of every session of the General Assembly with monotonous regularity. Year after year, it becomes more and more evident that for a number of States to remain outside the Organization creates a situation which is both abnormal and harmful. Yet, all attempts to solve that question remain of no avail because of the attitude adopted by the United States and several countries which follow in its steps. Political machinations, a policy of discrimination against countries whose political and social structure is not to the liking of the United States, the violation of obligations flowing from international agreements and a prejudiced and twisted interpretation of the Charter—such are the basic elements of the policy consistently pursued by the United States in this matter. The result of this policy is that the United Nations now has in its files thirteen applications for admission to membership in the Organization, which have not received the majority provided for in the Charter.

186. I shall not now review the history of this question and repeat all the arguments advanced since 1946 to show that it was necessary to find a positive solution to the problem. I would only like to note that the Polish delegation has repeatedly stated that it is essential for the United Nations to be a universal Organization and that all States which possess the qualifications set forth in Article 4 of the Charter should be admitted to membership. At the same time, however, we are firmly opposed to the repeated attempts made to admit only a few States including the favourites of whom the United States feels sufficiently sure that they would obediently follow its policy in the Organization and that they would increase still further the organized mechanical majority of votes and blocs. We have been witnessing such attempts for four years already. While blindly and unreservedly advocating the admission of nine States, the United States at the same time is relentlessly doing its utmost to reject the applications of other countries.

187. The question of the admission of Hungary, Romania and Bulgaria into the United Nations is a particular glaring example of the way in which the Anglo-American Powers flout international obligations. The Peace Treaties concluded with those countries and signed by the United States and the United Kingdom, as well as the Potsdam Agreement, contain perfectly clear and unambiguous provisions regarding the support to be given to their applications for membership in the United Nations. Consequently, voting against their admission or even abstention can only be regarded as a gross violation of freely assumed obligations.

188. The same applies to Albania, a country which heroically resisted the fascist invaders and whose contribution to the common struggle by far exceeded its strength. The United States and the United Kingdom, however, resorted to the harshest methods and referred the case to the International Court of Justice.¹¹ It was in this particular case that Albania displayed the maximum good will as regards respect for international institutions and international law.

189. Lastly, in the case of the Mongolian People's Republic, when even the most captious could not find fault with anything, they advanced the laughable argument that a considerable number of Member States had not yet established diplomatic relations with that country.

190. The following fact illustrates the cynical attitude adopted by the Anglo-American States: while thus opposing the admission of five countries which are restoring their economy by means of tremendous efforts and doing their utmost to promote and maintain friendly relations with their neighbours, the United States and the United Kingdom tried at the same time to have the so-called Republic of Korea admitted into the United Nations. I shall not cite facts to show what this artificial so-called State and its government really were, because we have all been able to form an opinion on that during the debate on the Korean question at this session of the General Assembly.

191. During the last three years, all sorts of political and legal manoeuvres have been used to prevent the adoption of a just decision on the question of member-

ship; one of them has been to refer the case twice to the International Court of Justice. The decision adopted in 1947 [*resolution 113 B (II)*] to ask the Court for a legal opinion on an exclusively political question violated the Charter and defied common sense; its aim was to get the Court to dictate to sovereign States how they should vote on this important and political question of principle. Obviously, such an attempt only led to a complete confusion of opinion in the Court. We need only recall that out of fifteen judges, six were categorically opposed to any such interpretation of the Charter, while two others gave dissenting opinions. Thus, the majority actually turned out to be a minority. That, however, in no way dismayed the Anglo-American bloc which decided to repeat its manoeuvre at last year's session of the General Assembly. Disregarding both the rules of procedure of the Security Council and the decisions taken at San Francisco, the General Assembly again decided to refer the case to the International Court of Justice. This time the question put to the Court was worded in such a manner as to invite an opinion which would be contradictory to the Charter. However, the question was so patently absurd and illegal that, as might have been expected, the conclusion of the Court was quite clear and was adopted by a crushing majority. That opinion is correct, but it is utterly superfluous because it only confirms that white is white, and that, under the Charter, the General Assembly cannot take decisions regarding the admission of new Members without a recommendation by the Security Council and that such a recommendation cannot be made without the concurring vote of the five great Powers.

192. There is always an outcry when the Soviet Union vetoes the admission of a new Member. At the same time, shame-faced silence is maintained about all the completely unjustified vetoes repeatedly exercised by the United States, the United Kingdom, France and their friends, in order not to admit five countries which undoubtedly deserve to be Members of the United Nations. A shame-faced silence is maintained over a fact which clearly shows who really supports the principle of the universality of the United Nations: it was, in fact, the Soviet Union which in 1949 submitted a draft resolution¹² proposing the admission of all the thirteen States which had been vainly seeking admission to the United Nations for a number of years.

193. That resolution was rejected [*252nd meeting*] and a gross collective veto slammed the door in the face of those thirteen States. The responsibility rests wholly on those who flout their obligations, violate the Charter and do harm to the Organization by blindly indulging in unbridled discrimination against countries which do not obey their orders, which freely settle their own way of life and which refuse to be exploited.

194. In these circumstances, how can we speak of obstructionism by one Power, as the representative of the United States did today? It was precisely the Soviet Union which submitted a conciliatory and compromise proposal to admit all the thirteen States into membership. If there is any obstructionism, it comes from the Anglo-American bloc which refuses all compromise and agreement and continues to reject the applications of those States in a categorical and unjust manner.

¹¹ See *Official Records of the Security Council, Second Year, No. 34.*

¹² See *Official Records of the General Assembly, Fourth Session, Plenary Meetings, Annex, document A/1079.*

195. In these conditions, when the Soviet Union votes against the admission of a few States only, it is in fact doing a great service to the United Nations by not allowing discrimination and iniquity to prevail. In its endeavours to reach a compromise solution, the Soviet Union closed its eyes to the fact that some of the favourites of the United States did not possess all the necessary qualifications for membership. The application of South Korea obviously constituted too glaring a violation of the Charter to be accepted, but the Soviet Union did agree to the admission of eight other countries sponsored by the United States.

196. Consequently, the responsibility for the absence of any positive decision on the question now on our agenda and the failure to settle a number of other questions, in short, the responsibility for the impasse in which we now find ourselves falls squarely on those who, because of selfish considerations, narrow doctrines and extreme prejudice, refuse to agree to a compromise solution of international problems. The policy of the United States is responsible for the absence of thirteen States whose participation would undoubtedly have contributed to the development and strengthening of the United Nations.

197. The draft resolution submitted by El Salvador is imbued with the same spirit which characterized all the statements made on behalf of the Anglo-American bloc last year. It sets forth the same principle of discrimination against some States seeking admission to the United Nations and tries to obtain special privileges for nine States, including the so-called Republic of Korea. Furthermore, that draft resolution represents an illegal attempt, and one that is in contradiction with the Court's opinion, to impose upon the Security Council a decision regarding these nine States. Lastly, the draft resolution provides for some new form of membership for these nine States—I would say a kind of semi-membership—which not only contradicts both the spirit and the letter of the Charter but also defies elementary common sense. It is nothing else but a manoeuvre designed to drag American favourites into the United Nations through the back door.

198. Consequently the draft resolution submitted by El Salvador should be rejected as being both irregular and illegal.

199. On the other hand, we have before us a draft resolution submitted by the Soviet Union recommending that the Security Council should consider the applications submitted by thirteen States for admission into the United Nations. Thus the USSR is once again giving proof of its determination to admit all countries into the United Nations irrespective of their political structure and without any discrimination whatever.

200. The Polish delegation considers that this is the only draft resolution which is correct in substance and consistent with the Charter and the interests of the United Nations. We shall, therefore, vote in favour of it.

201. Mr. KHOMUSKO (Byelorussian Soviet Socialist Republic) (*translated from Russian*): The question of the admission of new Members to the United Nations has been on the agenda of the Security Council and the General Assembly for several years and still remains unsolved. The reason for this abnormal situation lies in the policy of the Anglo-American bloc, which

does not aim at solving the problem in accordance with the United Nations Charter and the interests of international co-operation, but aims at using it for its own purposes, which are in direct contradiction with the tasks incumbent upon the United Nations. In violation of the Charter, especially Article 4 on the admission of new Members to the United Nations, and in disregard of their own obligations, the representatives of the Anglo-American bloc began, from the very beginning of the consideration of this question, to pursue a policy of discrimination against such peace-loving countries as Albania, the Mongolian People's Republic, Bulgaria, Romania and Hungary.

202. The representatives of the Anglo-American bloc have made every effort to oppose the admission of these States to the United Nations, merely because the reactionary circles of the Anglo-American bloc do not approve of the political system in those countries. The purpose of these tactics is perfectly obvious: it is to add to the Members of the United Nations only those States which are favoured by the Anglo-American bloc.

203. As we know, on 22 November 1949 the fourth session of the General Assembly adopted a resolution [296 J (IV)] sponsored by the Argentine delegation, recommending that the International Court of Justice should be asked for another advisory opinion. The International Court of Justice was asked the following question:

“Can the admission of a State to membership in the United Nations, pursuant to Article 4, paragraph 2, of the Charter, be affected by a decision of the General Assembly when the Security Council has made no recommendation for admission by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent member upon a resolution so to recommend?”

204. In reality, there was no reason to apply to the International Court of Justice for an answer to that question, since the criteria for the admission of States to membership in the United Nations are clearly set forth in Article 4 of the United Nations Charter.

205. As we know, the International Court of Justice submitted its advisory opinion on 3 March 1950. The Court pointed out in its opinion that the text of Article 4, paragraph 2, of the United Nations Charter meant that the Assembly could only decide to admit upon the recommendation of the Security Council. The recommendation of the Security Council was thus the condition precedent to the decision of the General Assembly on the admission of States to membership in the United Nations.

206. The Argentine representative to the International Court of Justice stated, on behalf of his government, that, in the first place, the Security Council was obliged, under Article 4, paragraph 2, of the Charter to give either a favourable or an unfavourable recommendation, which had received 7 votes, and, in the second place, that the General Assembly had the right either to agree or disagree with the recommendation of the Security Council; even in the event of the Assembly's disagreement with an unfavourable recommendation of the Security Council, the Assembly could admit a State to the United Nations.

207. In other words, the Argentine representative stated that the Assembly could disregard the principle of the unanimity of the five great Powers in the Security Council. The Argentine representative to the International Court of Justice was supported by the representative of Chile.

208. The International Court of Justice, bearing in mind the attempt of the Argentine Government to attribute a different meaning to Article 4, paragraph 2, of the United Nations Charter, stated that its first duty in interpreting and applying the provisions of a treaty was to attach to words the meaning which they had in the context in which they occurred.

209. In this case, the Court found no difficulty in ascertaining the natural and ordinary meaning of Article 4, paragraph 2, of the United Nations Charter. The International Court of Justice reached the conclusion that the Security Council was not in a subordinate position with regard to the General Assembly.

210. The International Court of Justice stated that to hold that the Assembly had power to admit a State to membership in the United Nations in the absence of a recommendation of the Security Council would be to deprive the Security Council of an important power entrusted to it and would reduce its functions to submitting conclusions and opinions on candidates for membership in the United Nations.

211. In the opinion of the Court, the assertion that the absence of a recommendation by the Security Council should be regarded as an "unfavourable recommendation" would lead the General Assembly to take upon itself the power to change, to the point of reversing, the meaning of a vote of the Security Council.

212. In the opinion of the International Court of Justice, Article 4, paragraph 2, of the United Nations Charter, envisages a favourable recommendation and that only. That paragraph does not provide for a "negative recommendation". The Court concludes its opinion with the following categorical statement:

"The Court,

"By twelve votes to two,

"Is of the opinion that the admission of a State to membership in the United Nations, pursuant to paragraph 2 of Article 4 of the Charter, cannot be effected by a decision of the General Assembly when the Security Council has made no recommendation for admission, by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent Member upon a resolution so to recommend".

213. Judges Alvarez and Azevedo voted against the advisory opinion of the International Court of Justice and submitted dissenting opinions to the Court. The dissenting opinions of judges Alvarez and Azevedo do not call for extensive comment. Both judges oppose the use of the so-called rule of veto with regard to the admission of new Members to the United Nations and regard this as an "abuse of right". The Anglo-American bloc stubbornly opposed the admission to membership in the United Nations of democratic countries, whose peoples took an active part in the struggle against the armies of Hitler and Mussolini. As is known, Albania conducted a long and unrelenting struggle against fas-

cist aggression and thus gave valuable assistance to the Allies during the war. In the war against German and Italian forces, Albania, which has a population of only 1 million, put into the field 70,000 warriors, who fought heroically against the enemy and were victorious in the end.

214. From the ashes of the struggle against the fascist aggressors arose new democratic countries, such as Bulgaria, Romania, Hungary and Albania. It is these new People's Democracies that the ruling circles of the United States and the United Kingdom are opposing, and their representatives in the United Nations are illegally and without any grounds whatsoever preventing the admission of these countries to membership in the United Nations.

215. The representatives of the United States and the United Kingdom allege that the Mongolian People's Republic cannot be admitted into the United Nations on the grounds that it is not qualified to become a Member of the Organization. I should like to ask these representatives what are the qualifications of the Hashimite Kingdom of the Jordan, Portugal, Ireland and other countries which they are sponsoring for membership in the United Nations, from the point of view of their participation in the struggle against German fascism and Japanese imperialism?

216. The Mongolian People's Republic, unlike Portugal, gave considerable assistance to the Allies and the United Nations in the struggle against imperialist Japan. It sent 80,000 troops to the front, who fought with the Army of the USSR against Japanese forces. In 1939, before the Japanese attack on Pearl Harbor, Mongolia was already fighting against the Japanese Army which had invaded its territory. The Mongolian People's Republic, like Albania, Bulgaria, Hungary and Romania, is a peace-loving State which can make a valuable contribution to the common cause of peace-loving nations. They are all therefore worthy of admission to membership in the United Nations.

217. The representative of El Salvador stated in his speech here that Albania and Bulgaria were not peace-loving countries because they gave assistance to the Greek partisans. There can be no doubt that this is merely slander against Albania and Bulgaria.

218. The Soviet delegations have had several opportunities of proving that Albania and Bulgaria are peace-loving countries and that, on the contrary, Greece is pursuing an aggressive policy against Albania, in laying claim to Albanian territory.

219. The representative of El Salvador proposes in his draft resolution that we should recommend to the Security Council to reconsider only the applications of Austria, Italy, the Hashimite Kingdom of the Jordan, Ireland, Portugal, Finland, Ceylon, Nepal and Korea.

220. We consider this draft resolution to be unacceptable, in view of its discrimination against other States which have made applications for admission to membership in the United Nations. This draft is tendentious and politically biased. The delegation of the Byelorussian Soviet Socialist Republic objects to the draft resolution proposed by the delegation of El Salvador, and will vote against it. The delegation of the Byelorussian SSR urges the adoption of the draft resolution submitted by the USSR, which provides for the ad-

mission of all thirteen States to membership in the United Nations.

221. Mr. BARANOVSKY (Ukrainian Soviet Socialist Republics) (*translated from Russian*): The speeches of the representatives of the USSR, Poland and the Byelorussian SSR, with which my delegation is in complete agreement, have covered what the delegation of the Ukrainian SSR was proposing to say on the question of the admission of new Members to the United Nations. I will therefore be brief in stating my delegation's position.

222. In the first place, the delegation of the Ukrainian SSR would like to point out that the decision taken by the General Assembly at its fourth session to refer the question of the admission of new Members to the International Court of Justice for an advisory opinion was a violation of the United Nations Charter. At the plenary meeting of the General Assembly on 22 November 1949 [251st meeting], at which that illegal resolution was adopted, the delegation of the Ukrainian SSR pointed out that neither the Charter as a whole nor its several Articles can be or are subject to interpretation by the Court, because that power is not conferred on the Court by its Statute and because every organ of the United Nations is entitled, where necessary, to interpret those Articles of the Charter to which its operations give effect.

223. The procedure for the admission of new Members, as had been said, is laid down in Article 4, paragraph 2 of the Charter, under which admission must be recommended by the Security Council before the General Assembly can proceed to consider the matter. This provision of the Charter is so explicit that it calls for no further elucidation or interpretation. The resolution adopted at the fourth session of the General Assembly by which the question of the admission of new Members was referred to the Court for an advisory opinion was therefore uncalled for and directly contrary to the Charter.

224. The question of the admission of new Members has been discussed at every regular session of the General Assembly since 1947. The question had been on the Security Council's agenda throughout that period. The discussion of this question both in the Security Council and in the General Assembly has clearly indicated that the admission of new Members to the United Nations is a political question. The Court, which is required to confine itself to legal matters, was accordingly not competent to express an opinion on that question.

225. The efforts which the delegations of the United States and of certain other countries have exerted and are still exerting to prevent the admission to the United Nations of democratic States such as Albania, Hungary, Bulgaria, Romania and the Mongolian People's Republic is a particularly clear indication of the political nature of the question.

226. In his statement today, the United States representative has confirmed that the United States will continue to oppose the admission to the United Nations of the People's Democracies because it finds their political structure and economic system unacceptable.

227. The El Salvadorean delegation's draft resolution which has been submitted for the consideration of the

plenary meeting of the General Assembly is a flagrant violation of the Charter and a clear manifestation of the United States discriminatory policy towards the countries of people's democracy.

228. After considering the question of the admission of new Members to the United Nations referred to it by the General Assembly, the International Court of Justice expressed the opinion that the admission of a State to membership in the United Nations cannot be effected by a decision of the General Assembly in the absence of a recommendation by the Security Council. The Court's opinion reads as follows:

"The Court . . . is of the opinion that the admission of a State to membership in the United Nations, pursuant to paragraph 2 of Article 4 of the Charter, cannot be effected by a decision of the General Assembly when the Security Council has made no recommendation for admission, by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent member upon a resolution so to recommend."

229. The International Court of Justice has thus upheld the only possible interpretation of Article 4, paragraph 2 of the United Nations Charter, and its conclusion is a complete rebuttal of the incorrect position and unwarranted demands of the delegations of the United States and the United Kingdom, who have set themselves against one of the most important Articles of the United Nations Charter.

230. The Court's conclusion also reaffirms the indisputable fact that great-Power unanimity, which has been under fire from the Anglo-American bloc for some years, is unquestionably required for the adoption of decisions on the admission of new Members to the United Nations.

231. I need hardly say that the Court's opinion adds nothing new to the interpretation of the Charter. Confining itself to the question referred to it, the Court merely confirmed the correctness of the position taken by the delegations of the USSR, the Ukrainian SSR, the Byelorussian SSR and the People's Democracies at previous sessions of the General Assembly on the question of the admission of new Members.

232. According to Article 4, paragraph 1 of the United Nations Charter, membership in the United Nations is open to all peace-loving States which accept the obligations contained in the Charter. Contrary to the assertions of the United States representative, Albania, Bulgaria, Hungary, Romania and the Mongolian People's Republic are unquestionably peace-loving States and are undeniably entitled to membership in the United Nations.

233. It would, therefore, be improper to adopt the El Salvadorean draft resolution, which singles out from the applicants for membership in the United Nations only those States which the United States and El Salvador, its mouthpiece, count on as partners and supporters, while the question of admitting the People's Democracies remains undecided.

234. For this reason we shall vote against the El Salvadorean draft resolution and against the draft resolution submitted by Brazil and four other delegations. The delegation of the Ukrainian SSR wholeheartedly supports the draft resolution of the USSR on

the admission of new Members, because that draft does not give preferential treatment to any group of States in the matter of admission to the United Nations as does the United States in vetoing the admission of the People's Democracies. On the contrary, the USSR draft resolution is designed to ensure that the overwhelming majority of States are simultaneously admitted to membership in the United Nations.

235. The delegation of the Ukrainian SSR will accordingly vote in favour of a General Assembly recommendation to the Security Council to review the applications of Albania, the Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, the Hashimite Kingdom of the Jordan, Austria, Ceylon and Nepal for membership in the United Nations.

236. Mr. ORDONNEAU (France) (*translated from French*): The French delegation has no new arguments to put forward on this subject, which has already been debated at length at three previous sessions of the Assembly. All the possible arguments have been exhausted. We consider that it was pointless to reopen a question to which no practical solution can apparently be found at the present time. We can only do what the joint draft resolution of Brazil, Canada, the Philippines, Sweden and Syria invites us to do, namely, recall the previous resolutions of the Assembly and request the Security Council to reconsider pending applications in accordance with the advisory opinion of the International Court of Justice.

237. The French delegation will therefore vote for the five-Power joint draft resolution. It cannot, however, vote for the Soviet Union draft resolution, which has a similar purpose but ignores the resolutions adopted by the General Assembly at its 1949 session. With regard to the draft resolution submitted by El Salvador, which we were unfortunately unable to study properly because it did not reach us in sufficient time before the meeting, we shall be compelled to vote against paragraph 2.

238. We do not, as a matter of fact, believe that a decision of such magnitude can be taken lightly. Less perhaps in its wording than by implication, the El Salvadorean draft resolution contains an important and entirely new proposal that we cannot accept without thorough study.

239. Moreover, we are by no means certain that an invitation to certain countries to send observers to the General Assembly and the Interim Committee will be welcomed by all those to whom it is addressed. In any event, non-member States already have the right to accredit observers to the United Nations. Some of them have made use of that right. Are we not justified in assuming that all those desiring to make use of that right have already done so?

240. The theoretical position taken in this matter by the French delegation does not imply that we relinquish the views we have so far upheld with respect to the applications pending before the Security Council. One-third of Europe is absent from our deliberations. For five years we have deprived ourselves of the invaluable contribution that could have been made by those peoples, whose culture has had so great an influence on world civilization.

241. The French delegation feels that this is an extremely unfortunate state of affairs. It hopes that it will shortly be possible to admit to the United Nations all countries which fulfil the conditions laid down in Article 4 of the Charter.

242. Mr. MUÑOZ (Argentina) (*translated from Spanish*): The General Assembly, at its fifth regular session, is once again considering the question of the admission of new Members to the United Nations.

243. The International Court of Justice has, on two separate occasions, been requested to give an advisory opinion on the general question of admission. It gave its first opinion on 28 May 1948¹³ when, by a majority of nine to six, the judges held that, under Article 4 of the Charter, admission could not juridically be made dependent on conditions not expressly stipulated in that Article. The Court held, in particular, that the admission of a State could not be made contingent on the admission of another State.

244. The second opinion of the Court, given on 3 March 1950, deals with another general question of admission. The point was first raised by the delegation of Argentina at the fourth session of the General Assembly. Although our original proposal¹⁴ was subsequently amended by the *Ad Hoc* Political Committee, the purpose of the request made to the Court was clearly to clarify two basic points. The issue was the scope of the term "recommendation" in Article 4, that is to say the function of the General Assembly, the organ which decides upon admission, as against the part played by the Security Council, which has recommending powers.

245. The Court failed to reply to this first part of the request, possibly on account of the terms in which the General Assembly's resolution [296 (IV)] was drafted, although we feel that the records of the debates which were transmitted to the Court should clearly have shown the doubts which a number of delegations entertained concerning the scope of the word "recommendation" in Article 4.

246. With respect to the second, important part of the request—that relating to the voting procedure when the Security Council is dealing with recommendations under Article 4—the Court, by a majority of twelve to two, held that the admission of a State to membership in the United Nations cannot be effected by a decision of the General Assembly when the Security Council has made no recommendation for admission, by reason of the candidate's failure to obtain the requisite majority or by reason of the negative vote of a permanent member.

247. In other words, the majority of the Court, as the opinion expressly states, proceeded on the assumption that, as the question put by the General Assembly implied, there is no recommendation if one permanent member of the Council casts a negative vote.

248. Those of us who participated in the debates of the *Ad Hoc* Political Committee¹⁵ at the previous

¹³ See *Admission of a State to the United Nations (Charter, Article 4), Advisory Opinion: I.C.J. Reports 1948, page 57.*

¹⁴ See *Official Records of the General Assembly, Fourth Session, Ad Hoc Political Committee, Annex, Vol. I, document A/AC.31/L.18.*

¹⁵ *Ibid.*, *Ad Hoc Political Committee, 25th to 29th meetings inclusive.*

session of the General Assembly find it difficult to admit that assumption. Moreover, owing to the interpretation placed by the majority of the Court upon the request submitted to it, its opinion is so narrow in scope that the General Assembly is left where it was when it decided to apply for enlightenment concerning terms of the Charter. Its position remains unchanged in a matter of great importance; for some years a number of States have been prevented from offering their precious contribution to the Organization; their number is growing from day to day, a fact which contrasts with the inertia afflicting the United Nations.

249. As the opinion is of such strictly limited application, no light could be shed on the important arguments advanced during the debate on the question, which is so complex as to defy an oversimplified solution. We feel that in a problem such as this no rigid formula can prevail either in the interpretation of the Charter or of the resolutions of the General Assembly.

250. We do not intend to restate our attitude in detail but we do wish to emphasize our belief that it was not the purpose of the Charter to establish a system which, in the final analysis, makes the admission of a State dependent on the will of one single Member State and that this is possible even if objections were raised that are based on considerations other than those precisely stated in Article 4.

251. Our objection to such a system of interpretation is based on reasons of principle which apply to the present situation as they do to situations which might arise in the future.

252. We accept the right of veto as a temporary solution, in view of the prevailing political reality. We further agree that the Security Council should have special powers for the purpose of maintaining peace.

253. Both cases, however, represent a departure from the overriding principle of the sovereign equality of all Member States as laid down in the Charter. The exception, or privilege, should be express and whenever doubts are entertained as to its existence or legality it must be regarded as non-existent.

254. We have not thought it desirable, during the present session of the General Assembly, to take any further action toward a final solution of the problem, because we, like others, realize the gravity of the international situation. But we reserve our right to return to this delicate question of the admission of new Members, at a more suitable time.

255. Now with reference to the draft resolution submitted at this session of the Assembly, I wish to explain the attitude of my delegation with respect to those proposals.

256. The USSR proposal simply recommends to the Security Council to reconsider the applications for admission of all countries which have applied so far, with the exception of the Republic of Korea. In the draft resolution [A/1079] which it submitted at the last session of the General Assembly, the Soviet Union included a paragraph referring to the existence in the Assembly of a general feeling in favour of the admission of all the States mentioned in that proposal. The present USSR draft resolution [A/1577] does not mention such a feeling, and we shall therefore vote in favour of

it. We cannot oppose a reconsideration of such applications by the Security Council.

257. As regards the omission of the Republic of Korea from the list of States, that is remedied by the joint draft resolution of the delegations of Brazil, Canada, the Philippines, Sweden and Syria. In point of fact, the five-Power proposal, [A/1571] refers to resolution 296 (IV) adopted by the General Assembly, which stated that Austria, Ceylon, Finland, Italy, Ireland, Portugal, the Hashimite Kingdom of the Jordan, the Republic of Korea and Nepal should be admitted to membership in the United Nations, and which accordingly requested the Security Council to reconsider the applications of these countries. We cannot oppose this reconsideration requested in the five-Power draft resolution, and we shall therefore vote in favour of it also.

258. Nevertheless, we wish to make it clear that although we shall vote in favour of these two draft resolutions, we have very little hope that they will solve the problem. If our doubts are confirmed, and we do not achieve even a partial solution of the problem during the coming year, then, clearly, the Assembly will have to seek other means of arriving at a satisfactory conclusion to the affair.

259. The problem is steadily becoming more political in character, and we must solve it by applying political standards; but our solution must not be allowed to involve permanent refusal of membership to certain countries merely because we disagree with the political ideas of other States which also desire membership. If universality of membership is not considered sufficient in itself—and we admit that it is not an absolute principle—it will have to be resorted to in the end, as the only remedy for this intolerable situation.

260. The Argentine Government believes that it has made a contribution to the task of finding a solution of the problem. We have tried to demonstrate that this Assembly is the final authority in decisions relating to the admission of new Members. The opposite point of view has prevailed, and the opinion of the Court unquestionably strengthens the attitude taken thus far by the majority of the delegations. The efforts of some delegations can in no way alter that opinion, any more than the brilliant minority opinions of judges Alvarez and Azevedo were able to alter the course of events. But the fact that we respect the will of the majority does not mean that we abandon our convictions. How much longer we can allow the present situation to continue is a question which we cannot answer at the moment. What we do know is that the situation may continue indefinitely, and that accordingly several delegations have done their best to find a means whereby at least to a certain extent the countries which have not yet obtained admission to membership of the United Nations can be enabled to collaborate so that a closer relationship between those countries and the United Nations may emerge to the advantage of our work.

261. That we think is the reason behind the proposal submitted by the delegation of El Salvador as presented in document A/1585. Under the terms of this proposal, the Governments of Austria, Ceylon, Finland, Italy, Ireland, Portugal, the Hashimite Kingdom of the Jordan, the Republic of Korea and Nepal would each be invited to send an observer to attend sessions of the

General Assembly and its main Committees, so that they might express their views and furnish whatever information might be requested by the other delegations.

262. The attendance of observers is a practice laid down, in final form, by the General Assembly. On the initiative of Argentina, the Secretary-General of the Organization of American States was invited to attend the sessions of the General Assembly as an observer [151st meeting]. During the present session of the General Assembly, as a result of a proposal made originally by the Syrian Government,¹⁶ a similar invitation has been extended to the Secretary-General of the Arab League [299th meeting].

263. It is, moreover, the practice for representatives of the specialized agencies to attend meetings of the General Assembly's Committees, and also of the Economic and Social Council and the Trusteeship Council. As can be seen, the General Assembly is liberally extending the right to send observers to groups other than States.

264. A generous policy has always been followed in so far as the States are concerned, so that when a non-member State is especially interested in any item under discussion it is invited to take part in the debates of the main Committees and sub-committees. In practice the sole difference between a Member State and a non-member State invited to attend meetings is in the voting rights.

265. In the draft resolution submitted by El Salvador, the right to take part in discussions is granted to States which the General Assembly considers should be Members of the United Nations. Even if the majority of the General Assembly do not feel qualified to decide to admit those countries as Members of the Organization, there is no reason to admit those countries as Members of the Organization, there is no reason why they should not be entitled to be represented and to take part in the discussions. What the General Assembly can do in the particular cases to which I have referred—the Organization of American States and the Arab League—it can also apply generally.

266. The Charter does not make provision for any of these cases. These are cases in which the General Assembly is competent, under Article 21 of the Charter, to make its own rules of procedure. These remarks describe the powers of the General Assembly and the prevailing practice.

267. As regards the position of the States referred to in the draft resolution of El Salvador, we do not consider that this is a question of Members with a lower status. Although Article 19 of the Charter mentions at least one case where a Member has no vote—the case of arrears in the payment of contributions—it is clear that the draft resolution of El Salvador does not aim at the creation of a special category of Members. On the contrary, we understand that the draft in question has nothing to do with membership, for those States cannot become Members until the General Assembly so decides. In the meantime, if the draft submitted to us is adopted, those States will be entitled to take part in the discussions, without the right to vote, whenever they wish to do so.

268. For these reasons we shall vote in favour of the draft resolution submitted by the delegation of El Salvador.

269. Mr. SUPHAMONGKHON (Thailand): My government firmly adheres to the principle of universality of membership in the United Nations. It is with the deepest regret that we are not yet in a position to welcome as fellow Members a number of countries, such as Italy, Portugal, Ireland, Ceylon, and so on, which have all the qualifications required by Article 4 of the Charter.

270. My delegation is not very sure that, if we decide to renew our request to the Security Council for reconsideration of this matter, we will have a better chance this year, in view of the attitude adopted by a certain country with regard to those applications. However, my delegation will support the draft resolution submitted by Brazil, Canada, the Philippines, Sweden and Syria.

271. We also have greater sympathy for the draft resolution submitted by the representative of El Salvador because, in our opinion, it tends to afford an opportunity to the States whose membership in the United Nations has been prevented from participation in our work solely by the veto in the Security Council. Some doubt has however been expressed as to the desirability of adopting paragraph 2 of the operative part of that draft, which requests the Secretary-General to invite the governments concerned to send an observer to the sessions of the General Assembly and its Committees. It is feared that such an invitation might not be accepted.

272. In this connexion, I wonder whether a slight modification of wording would not render the paragraph more acceptable. Therefore, I would venture to propose an amendment, so that the paragraph would read:

"That, pending admission to membership each of the governments of the States to which this resolution applies be allowed an opportunity to send an observer to sessions of the General Assembly and its Committees, including the Interim Committee, in order to express their views and furnish information whenever consulted by the delegation of any Member State; and"

273. The PRESIDENT (*translated from French*): The debate is closed.

274. We shall now vote on the various draft resolutions before us. When we come to the draft resolution presented by the delegation of El Salvador, I shall ask the representative of El Salvador whether or not he accepts the amendment submitted by the delegation of Thailand; if so, the amendment will be considered as part of the original proposal; if not, we shall vote on the amendment separately.

275. I now put to the vote the draft resolution presented by the delegations of Brazil, Canada, the Philippines, Sweden and Syria [A/1571].

The draft resolution was adopted by 46 votes to 5, with 2 abstentions.

276. The PRESIDENT (*translated from French*): I now put to the vote the USSR draft resolution [A/1577].

¹⁶ See document A/C.6/L.113.

The draft resolution was rejected by 22 votes to 18, with 15 abstentions.

277. The PRESIDENT (*translated from French*): Does the representative of El Salvador accept the amendment submitted by the delegation of Thailand?

278. Mr. CASTRO (El Salvador): Yes.

279. The PRESIDENT (*translated from French*): In that case, we shall vote first on the preamble to the draft resolution of El Salvador, since the sponsor of the draft resolution has requested a vote on the separate parts of the proposal and a vote by roll-call on the operative part.

The preamble was rejected by 15 votes to 12, with 20 abstentions.

280. Mr. CASTRO (El Salvador): This is the first time that I cannot be in agreement with the President, because, exercising my right as a representative of a Member State, I requested that the vote be taken paragraph by paragraph on the preamble and on all parts of the operative sections. Also, I requested a nominal vote, that is to say, a vote by roll-call on the two last parts of the operative section. Either my proposal has been disregarded or there has been a mistake, and that mistake should be corrected. Otherwise, the right of a delegation would be ignored.

281. The PRESIDENT (*translated from French*): I respect the rights of all delegations; but if I misunderstood the representative of El Salvador, he also misunderstood me. I said that he had requested a separate vote on the different parts of the proposal and a vote by roll-call on the operative part; he agrees with me on that point. Now he says that he requested a vote paragraph by paragraph on the first part of the proposal also. I am now in a rather embarrassing position, since I must now put again to the vote the paragraphs of his draft resolution on which a vote has already been taken. In any event, I shall call for a vote on the operative part paragraph by paragraph and by roll-call.

282. Mr. CASTRO (El Salvador): The President may insist on his ruling and impose his right as the President, but, in fact, he has disregarded a specific request, a request which was written in the paper which I read. I requested that my draft resolution should be voted on paragraph by paragraph and that there should be a roll-call vote on the two last paragraphs of the operative part. I had reasons for that. Some representatives have stated that they have no objection to some paragraphs of the preamble, but that they have objections to the last paragraph of the preamble and to paragraph 2 of the operative part of the draft resolution. If the whole preamble is put to the vote, therefore, those representatives will naturally vote against the whole preamble because they object to the last paragraph.

283. If nothing can be done now because it is too late, I just want to place on record that, as soon as the President said he was going to put the whole preamble to the vote, I raised my hand on a point of order. Unfortunately, that was not seen, and now I do not know whether the President will try to right the wrong or whether he will let the wrong remain.

284. Mr. PRESIDENT (*translated from French*): I appeal to the members of the General Assembly: will

they agree to a new vote being taken, in order to satisfy the representative of El Salvador? This is a personal appeal on my part, and I will say immediately that if any delegation objects, the vote will stand as taken. But if Members will accede to my request, I shall be very grateful.

285. I understand that the Assembly accedes to my request, and I thank the Members. We shall now proceed to vote on the draft resolution [A/1585] paragraph by paragraph.

Paragraph 1 of the preamble was adopted by 14 votes to 8, with 22 abstentions.

Paragraph 2 of the preamble was adopted by 15 votes to 7, with 22 abstentions.

Paragraph 3 of the preamble was adopted by 14 votes to 10, with 19 abstentions.

Paragraph 4 of the preamble was rejected by 20 votes to 7, with 22 abstentions.

286. The PRESIDENT (*translated from French*): We shall now vote, paragraph by paragraph, on the three paragraphs of the operative part of the draft resolution.

Paragraph 1 of the operative part was adopted by 16 votes to 6, with 25 abstentions.

287. The PRESIDENT (*translated from French*): A roll-call vote on paragraph 2 of the operative part has been requested by the El Salvadorcan delegation.

A vote was taken by roll-call.

Denmark, having been drawn by lot by the President, was called upon to vote first.

In favour: Egypt, El Salvador, Greece, Panama, Saudi Arabia, Thailand, Uruguay, Venezuela, Argentina, Burma, Cuba.

Against: Denmark, France, Iceland, India, Iran, Israel, Luxembourg, Mexico, Netherlands, Nicaragua, Norway, Pakistan, Paraguay, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia, Australia, Belgium, Byelorussian Soviet Socialist Republic, Canada, Chile, Czechoslovakia.

Abstaining: Dominican Republic, Ecuador, Ethiopia, Haiti, Honduras, Indonesia, New Zealand, Peru, Philippines, Syria, Turkey, Afghanistan, Bolivia, Brazil, China, Colombia.

Paragraph 2 of the operative part was rejected by 27 votes to 11, with 16 abstentions.

288. The PRESIDENT (*translated from French*): We shall now vote, by roll-call, on paragraph 3 of the operative part of the draft resolution.

A vote was taken by roll-call.

Belgium, having been drawn by lot by the President, was called upon to vote first.

In favour: Bolivia, Burma, Colombia, Cuba, Dominican Republic, Egypt, El Salvador, Greece, Iran, Panama, Saudi Arabia, Syria, Thailand, Turkey, United States of America, Uruguay, Venezuela, Argentina.

Against: Belgium, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, India, Israel, Luxembourg, Norway, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Australia.

Abstaining: Brazil, Chile, China, Ecuador, Ethiopia, France, Haiti, Honduras, Iceland, Indonesia, Mexico, Netherlands, New Zealand, Nicaragua, Pakistan, Paraguay, Peru, Philippines, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Afghanistan.

The result of the vote was 18 in favour, 15 against, and 21 abstentions.

289. The PRESIDENT (*translated from French*): In my opinion, since this paragraph has financial implications, a two-thirds majority is required for its adoption.

Paragraph 3 was not adopted, having failed to obtain the required two-thirds majority.

290. The PRESIDENT (*translated from French*): We shall now vote, as a whole, on those paragraphs of

the draft resolution which have been adopted, that is, paragraphs 1, 2 and 3 of the preamble and paragraph 1 of the operative part.

The draft resolution as a whole was rejected by 19 votes to 13, with 19 abstentions.

291. The PRESIDENT (*translated from French*): I will remind the Assembly that, in two resolutions, adopted on 1 and 2 December [314th and 315th meetings], and concerning, respectively, relief and rehabilitation for Korea [A/1595] and relief for Palestine refugees [A/1603] the Assembly entrusted to the President the appointment of a negotiating committee.

292. I have appointed the following States to this Committee: Canada, Egypt, France, India, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Uruguay. I request the members of this Committee to meet as soon as possible to begin their consultations.

The meeting rose at 6.55 p.m.