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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

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1971st MEETING

Held in New York on Monday, 15 November 1976, at 11 a.m.

President: Mr. Jorge Enrique ILLUECA (Panama).

Present: The representatives of the following States: Benin, China, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America.

Provisional agenda (S/Agenda/1971)

1. Adoption of the agenda
2. Admission of new Members:
Report of the Committee on the Admission of New Members concerning the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations (S/12225)

The meeting was called to order at 11.35 a.m.

Adoption of the agenda

The agenda was adopted.

Admission of new Members:

Report of the Committee on the Admission of New Members concerning the Application of the Socialist Republic of Viet Nam for admission to membership in the United Nations (S/12225)

1. The PRESIDENT (*interpretation from Spanish*): In accordance with the decision taken at the 1970th meeting, I now, with the consent of the Council, invite the representatives of Bulgaria, Cuba, Czechoslovakia, Democratic Kampuchea, German Democratic Republic, Hungary, Lao People's Democratic Republic, Madagascar, Malta, Mongolia, Poland, Sri Lanka, Syrian Arab Republic, Ukrainian Soviet Socialist Republic and Yugoslavia to participate in the debate without the right to vote.

At the invitation of the President, Mr. Yankov (Bulgaria), Mr. Alarcón (Cuba), Mr. Šmíd (Czechoslovakia), Mr. Keat Chhon (Democratic Kampuchea), Mr. Florin (German Democratic Republic), Mr. Hollai (Hungary), Mr. Saurinho (Lao People's Democratic Republic), Mr. Rabetafika (Madagascar), Mr. Gauci (Malta), Mr. Puntsagnorov (Mongolia), Mr. Jaroszek (Poland), Mr. Kanakarathne (Sri Lanka), Mr. Allaf (Syrian Arab Republic), Mr. Shevel (Ukrainian Soviet

Socialist Republic) and Mr. Petrić (Yugoslavia) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from Spanish*): I should like to inform the members of the Security Council that I have received letters from the representatives of the Byelorussian Soviet Socialist Republic, Democratic Yemen, India and Mexico asking to be invited to participate in the Council's deliberations on the item before it. If I hear no objection, therefore, I propose to invite the representatives I have mentioned to participate in the debate without the right to vote in accordance with the provisions of Article 31 of the Charter and rule 37 of the provisional rules of procedure.

3. I invite the representatives I have mentioned to take the places reserved for them at the side of the Council chamber, on the usual understanding that they will be invited to take a place at the Council table when they wish to address the Council.

At the invitation of the President, Mr. Tchernouchchenko (Byelorussian Soviet Socialist Republic), Mr. Ashtal (Democratic Yemen), Mr. Jaipal (India) and Mr. Rosenzweig Díaz (Mexico) took the places reserved for them at the side of the Council chamber.

4. The PRESIDENT (*interpretation from Spanish*): The first speaker is the representative of Poland. I invite him to take a place at the Council table and to make his statement.

5. Mr. JAROSZEK (Poland): Mr. President, your presidency of the Security Council will go down in the annals of the United Nations as one during which the Council considered an item of great historical significance—the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations. The Polish delegation congratulates you on this occasion and is happy to see the eminent representative of friendly Panama presiding over this important debate. We are grateful both to you and to the entire Council for allowing us to offer our own contribution to further the just cause of the people of Viet Nam, which the people and Government of Poland have consistently supported for more than three decades now.

6. As we join in the Council's discussion of the subject, we wish to point to at least two important aspects of the case.

7. The first is a historical reminder. Since President Ho Chi Minh, more than 31 years ago, solemnly declared Viet Nam's independence—although the question of the plight of the Vietnamese people had as such never been inscribed as a separate item on the Organization's agenda—the name of that brave country has thousands of times been entered in the records of the United Nations. In the course of that period, the people of Viet Nam has valiantly overcome all its hardships, managed courageously to repel armed aggressions—paying as it did the greatest of prices, with the lives of its own sons and daughters. Today there is hardly a family in Viet Nam that has not mourned one or more of its missing members.

8. Having obtained its independence, the people of Viet Nam vigorously took up the enormous task of post-war reconstruction and promotion of friendly relations and co-operation with other nations on the basis of respect for national independence, sovereignty, equality, mutual benefit and peaceful coexistence, to mention only its impressive progress in the normalization of relations with Viet Nam's neighbours in South-East Asia. The free Republic has given ample testimony of its best political will and desire for accommodation with all. Nobody can deny that the developments in and around Viet Nam since its complete liberation have been a major contribution to the strengthening of international peace and security in both South-East Asia and the world at large.

9. In fact, the historic meaning of the recent unification of Viet Nam and the emergence of the Socialist Republic of Viet Nam transcend by far the significance of many a political event of recent years. In this firm conviction, we heartily welcome in our midst Mr. Dinh Ba Thi in his new capacity as the Permanent Observer for the new, united and socialist Viet Nam.

10. Second is the need to respect the purposes and principles upon which the United Nations is based.

11. Viet Nam's application for admission to United Nations membership is not new to us. Only one year ago the Security Council and the General Assembly both considered the applications of the Democratic Republic of Viet Nam and the Republic of South Viet Nam. On groundless and irrelevant pretexts, the Council was prevented from taking the only politically sound and historically just decision of recommending the two States for membership in the United Nations.

12. Consequently, last year Poland, together with more than 60 other Member States, joined in sponsoring General Assembly resolution 3366 (XXX), which fully recognized the ability and willingness of the two Vietnamese States to carry out their obliga-

tions under the Charter. Supported by 123 States, the resolution was not opposed by a single Member of the United Nations. Indeed, we take the present debate to be in conformity with, and an implementation of, that resolution, based as it was on the only valid criteria for admission to the United Nations provided for in Article 4 of the Charter. Therefore, as Poland's Minister for Foreign Affairs, Stefan Olszowski, put it in the general debate of the current session:

“We favour the prompt admission to the United Nations of the Socialist Republic of Viet Nam, which has paid dearly for its right to independent existence. This State satisfies all the requirements for membership set out in the Charter and should take its rightful place in the United Nations family.”¹

13. This year we are dealing with the case in a new form. In conformity with the will of their people, the two Vietnamese States have decided to form the Socialist Republic of Viet Nam. That fact alone has done away with last year's flimsy pretext for vetoing Viet Nam's admission to the United Nations.

14. The Socialist Republic of Viet Nam is a peace-loving State. The Socialist Republic of Viet Nam accepts the obligations contained in the Charter. The Socialist Republic of Viet Nam is able and willing to carry out those obligations. The Socialist Republic of Viet Nam needs no other credentials to become a full Member of the United Nations, as no others are constitutionally required nor have they ever been expected of any other prospective Member of the Organization.

15. It is all the more regrettable that in recent months a new “reason” has been invented and advanced to block Viet Nam's membership in the Organization, one which rests exclusively within the realm of bilateral relations and has nothing to do with the criteria for such membership. Unless one intends to undermine the very principle of sovereign equality of States, as enshrined in the Charter, it is inadmissible to set up new conditions for membership in the United Nations, especially conditions of a totally unrelated nature.

16. The Polish delegation is, therefore, in full agreement with the recent recommendations of the Fifth Conference of Heads of State or Government of Non-Aligned Countries at Colombo, on Viet Nam's admission to the United Nations,² as well as with the communiqué of 8 September by the Co-ordinating Bureau of the Non-Aligned Countries, which stressed that:

“any opposition to the admission of Viet Nam to the United Nations is legally and morally irrelevant, indefensible and unjustifiable, contrary to the Charter and an affront to the express wishes of the overwhelming majority of the Members of the United Nations.” [S/12198, annex]

17. The Polish delegation profoundly believes that the Council should take the only correct decision in spite of artificially created difficulties, to recommend to the General Assembly Viet Nam's admission to membership in the United Nations. In the present-day interrelated and interdependent world, the Socialist Republic of Viet Nam needs the United Nations as much as the Organization needs the Socialist Republic of Viet Nam.

18. Its membership will only strengthen the United Nations further and consolidate its universality; its admission will constitute an act of historical justice towards the people of Viet Nam; it will accelerate and facilitate United Nations participation in the reconstruction and development of Viet Nam; it will be an event in harmony with the processes of détente and the broadly conceived normalization of international relations.

19. Mindful of the great advantages to the international community of Viet Nam's admission to the United Nations, I pledge Poland's unreserved support for that cause and its readiness to pursue all the efforts to bring it to fruition.

20. The PRESIDENT (*interpretation from Spanish*): The speaker is the representative of Democratic Yemen. I invite the representative of Democratic Yemen to take a place at the Council table and to make his statement.

21. Mr. ASHTAL (Democratic Yemen): Mr. President, my delegation is happy to be allowed to address the Security Council under your wise leadership and to pay tribute to your outstanding qualities and to your country's energetic role in asserting its sovereignty and independence in the face of imperialist pressure.

22. The Security Council is once again dealing with the application for membership of the Socialist Republic of Viet Nam, a country which comes to the United Nations with a historically impressive record of unrelenting victorious struggle against imperialism. It is indeed an anomaly that its membership has been blocked by one permanent member of the Council, when the overwhelming majority of both the General Assembly and the Council has voted for its admission to the United Nations.

23. The Socialist Republic of Viet Nam, which proved to the world that a united people under the vanguard leadership of a progressive party can win a clear victory over highly sophisticated armies, already earned its membership in the international community when the foreign soldiers scrambled for their lives, out of Viet Nam, on board rescue ships and planes. Indeed, the Vietnamese people had been hailed and supported by the peoples of the world long before their stunning victory over imperialism; for they have in contemporary history written the most brilliant pages

of heroism and sacrifice. For that they paid a heavy price in barbaric mass destruction and plunder. What else are they asked to deliver now? If anything, they should be compensated, and with penitence, and they should be welcomed into the hall of the General Assembly with dignity.

24. The veto cast by the United States to block the admission to membership of the Socialist Republic of Viet Nam in the United Nations in no way casts a blemish on the stature and respect which the Vietnamese had earned on the battlefield. Alas, in the Security Council their own adversary poses as a judge invoking irrelevant matters to block their admission. In accordance with the principles and purposes of the Charter, and especially Article 4, there is no legal justification for depriving the Socialist Republic of Viet Nam of membership in the Organization. Viet Nam is a peace-loving State which has accepted the obligations contained in the Charter. It would be preposterous to suggest that it is either not able or not willing to carry out those obligations. If it is not for reasons of political expediency or maybe even of political extortion, why then should the Socialist Republic of Viet Nam be denied its right to membership in accordance with the Charter?

25. Bilateral issues between the United States Government and the Socialist Republic of Viet Nam should be resolved bilaterally. The United States, as a permanent member of the Security Council, is entrusted with the maintenance of international peace and security. The Security Council should not be used as a vehicle to promote the selfish interests of one of its permanent members.

26. Today, the Socialist Republic of Viet Nam is not only a full member of the non-aligned movement; it is also an elected member of its Co-ordinating Bureau. That is a tribute to its long and triumphant struggle against imperialism. It is also a tribute to its policy of peaceful coexistence and progress. We should only be honoured to welcome it to membership in the United Nations.

27. Mr. JACKSON (Guyana): In July last year, soon after Viet Nam had emerged victorious from a fierce struggle for freedom and independence, its people, then under two administrations, applied for membership in the United Nations. During those long years of struggle, the Vietnamese had confronted the most awesome and destructive explosive power ever unleashed against any people. They had withstood the onslaught with fortitude, convinced that victory was inevitable no matter how immense the sacrifices.

28. The fate of those applications is a matter of public record. On 11 August 1975 [*1836th meeting*], the legitimate aspiration of the Vietnamese people for the membership of their States in the United Nations was frustrated in the Council by the use of the veto. That result, to say the least, was unfortunate. It was

therefore not surprising that, a few weeks later, the General Assembly requested the Council to reconsider the applications. The General Assembly resolution embodying that request, resolution 3366 (XXX), was adopted without a dissenting vote. However, on 30 September 1975 [1846th meeting], the veto was once again used to deny the Vietnamese people representation in the United Nations.

29. Since then, the Vietnamese people have reunited their country and vigorously set about the reconstruction of their war-torn society. In international affairs, the Socialist Republic of Viet Nam currently maintains diplomatic relations with many Member States, and, as a member of the Co-ordinating Bureau of the Non-Aligned Countries, the Socialist Republic plays an active and constructive role in our deliberations and decisions.

30. It is the application of this peace-loving State for membership in the United Nations that the Council is now considering.

31. I suggest that it would be instructive to recall the stated reasons given last year when applications from what were then two Vietnamese States attracted vetoes in quick succession. Speaking in the Council on 11 August 1975, Mr. Daniel Patrick Moynihan, the then representative of the United States, said, *inter alia*: "But we must not apply partisan political tests to membership. The United Nations cannot work if we do". [S/PV.1836, para. 116.] Again, on 26 September 1975, it was Mr. Moynihan who stated: "It is not my Government's desire in any way to stand in the way of admission of the Democratic Republic of Viet Nam and the Republic of South Viet Nam, but my Government will continue to support in every feasible way the desire of Republic of Korea to participate as a Member in the United Nations". [S/PV.1842, para. 101.] Further, on 30 September 1975, after casting a negative vote Mr. Moynihan positively asserted: "The United States favours the admission of all qualified States desiring membership, including, I repeat, the Viet Nam". [S/PV.1846, para. 49.]

32. An ordinary reading of the full statements made on behalf of the United States in last year's debates leaves my delegation with the belief that it is not the contention of the United States that the two States were not qualified for membership of the United Nations. The United States, it appears, then based its position on other considerations—the parallel application of the Republic of Korea—which need not detain us here.

33. Suffice it to say that, to the knowledge of my delegation, such considerations are not now advanced in relation to the present application. Yet, a metamorphosis of a kind seems to have taken place. It is understood that the argument is being advanced that an issue which is intertwined with processes connected

with the normalization of relations between one State Member of the United Nations—a permanent member of the Council—and the Socialist Republic of Viet Nam should be a necessary condition of the admission of the latter Republic to the United Nations and that an absence of agreement between the two parties provides a sufficient reason for a negative vote by the former.

34. In the first place, one is entitled to enquire whether a matter essentially of bilateral concern, which derives from a prolonged military conflict involving much violence and imposed upon an applicant for membership, properly falls within the ambit of Article 4 of the Charter and should therefore influence the consideration of the application by the Security Council. My delegation thinks not. Since the issue is a bilateral one between two sovereign States seeking to adjust their relations, my delegation will refrain from commenting on the substance of the question. Guyana has never been engaged in a battle, save the battle for survival. But, in the second place, are we not entitled to ask whether wars in modern times have ever led to the full accountability for all participating personnel by the parties involved?

35. Operating strictly within the norms of international law and practice regarding relations between States, my delegation wishes both countries—the Socialist Republic of Viet Nam and the United States of America—all success in their efforts to overcome such obstacles as stand in the way of their constructing their bilateral relations on the basis of sovereign equality and mutual respect. While such endeavours are under way, however, the Council should not be deflected by them from fulfilling its responsibilities under the Charter.

36. Three decades of prolonged and violent struggle for freedom and independence have fortified the appreciation of the people of the Socialist Republic of Viet Nam of the true meaning of justice and of peace. They come to us today with the confidence of people who know what suffering is. They come to us today with an expectation that the harsh lessons of their recent experience will not be lost on the members of the Security Council and that no member of the Council will retreat from the clear principles involved and succumb to the blandishments of naked power. For the Socialist Republic of Viet Nam knows that the overwhelming majority of the international community, impelled by the precepts of equity and justice, sustained by moral conviction and convinced of the logic of history, shares its desire that it become a Member of the United Nations. Guyana is unequivocally committed to the goal of universality of membership in the United Nations, and we would support all genuine efforts designed to advance the achievement of that objective.

37. We are convinced that the Socialist Republic of Viet Nam is fully qualified for membership in the

United Nations. A positive recommendation from the Council on the application before us would be just for the Vietnamese people and would further the universality of membership in the Organization. Such a recommendation would, I am sure, be welcomed by the totality of the membership of the Organization.

38. A special responsibility therefore devolves upon the Council in this instance. The application should be assessed on its merits and an appropriate recommendation made. The Council should not be imprisoned by circumstances outside the merits of the application so that the exercise of its authority is stayed. Each and every one of us has a solemn responsibility to act within that framework. Let no one of us now by our actions open the door to the accusation that we have allowed short-term need to disfigure our perception.

39. My delegation unreservedly supports the application of the Socialist Republic of Viet Nam for membership in the United Nations. We support it on the basis of the requirements of the Charter. Let me say, however, that my delegation remains confident that, should the application be frustrated on this occasion, reason and justice will eventually triumph, for those who resist today will be swept along by the compelling tide of history.

40. In this respect, on 10 November, a number of countries—Benin, China, France, the Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, the Union of Soviet Socialist Republics, the United Republic of Tanzania and my own, Guyana—sponsored the draft resolution in document S/12226. Convinced that the Socialist Republic of Viet Nam is fully qualified for membership in the United Nations in accordance with Article 4 of the Charter, we have proposed this draft resolution. It is simple and straightforward. It needs no elaboration. The draft resolution proposes that the Security Council:

“Recommends to the General Assembly that the Socialist Republic of Viet Nam be admitted to membership in the United Nations.”

On behalf of the sponsors, I commend to the members of the Council the draft resolution in document S/12226.

41. The PRESIDENT (*interpretation from Spanish*): The speaker is the representative of the Syrian Arab Republic. I invite him to take a place at the Council table and to make his statement.

42. Mr. ALLAF (Syrian Arab Republic): If there exists a country in the world upon which an honorary membership of the United Nations should be bestowed—in addition to the ordinary membership—that country is the Socialist Republic of Viet Nam. For no people has fought as courageously and as

heroically for its freedom and self-determination, in the face of an incomparably superior power, as the people of Viet Nam. The struggle of the Vietnamese people has been and still is a source of inspiration and encouragement to every other people struggling against foreign aggression and alien occupation. The objectives of that heroic struggle of the Vietnamese people are the very objectives advocated and recognized for every people in the Charter of the United Nations.

43. The only conditions laid down in the Charter for the admission of new Members are those stated in Article 4, paragraph 1—namely, first, that the candidate should be a peace-loving State and, secondly, that it should accept the obligations contained in the Charter. There is a third condition, but it is not up to the candidate itself, but to the Organization, to prove that that condition has been met. That condition is the judgement that the candidate is able and willing to carry out the obligations contained in the Charter. A positive judgement to that effect has been repeatedly and overwhelmingly made by the United Nations. And the competence to make such a judgement is given by the Charter the Organization—and I stress the word “Organization”—and not to the Security Council. This positive judgement is evident in the resolution adopted almost unanimously by the General Assembly during the thirtieth session [*resolution 3366 (XXX)*], as well as in the special report of the Security Council to the Assembly, approved with near unanimity at the 1846th meeting of the Council, in September 1975.³

44. It is clear, then, that the Socialist Republic of Viet Nam is fully qualified to enjoy membership in the United Nations, because it fulfils the two conditions required of all applicants and because the whole Organization, minus one Member, has judged that the Socialist Republic of Viet Nam is able and willing to carry out the obligations contained in the Charter.

45. It is clear that, in the spirit of the Charter, the right of veto enjoyed by the permanent members of the Council cannot be legitimately used in order to block the admission of a new Member so long as that new Member is a peace-loving country and accepts the obligations contained in the Charter. The power to deny admission is given rather, in Article 4, paragraph 1, to the Organization as a whole, and not to the Security Council. That understanding is confirmed in the paragraph 2, of the same Article, which 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.”

It is worth noting here that the action to be taken by the Security Council is described in Article 4 as a

recommendation, while the action to be taken by the Assembly is referred to as a decision.

46. In any event, no country, not even a permanent member of the Security Council, may impose conditions additional to those contained in Article 4 of the Charter concerning the admission of new Members to the United Nations. To invoke any other irrelevant considerations—such as the one stated by the permanent member of the Council which has so far blocked the admission of the Socialist Republic of Viet Nam, is not only unjustified and unacceptable but is also a violation of the Charter and its provisions.

47. In the light of what I have stated, my delegation is deeply concerned about the isolated attitude taken by the representative of the United States at the fifty-fifth meeting of the Committee on the Admission of New Members, held on 10 November 1976. At that meeting the representative is reported to have stated that "at that stage and under current circumstances his Government was unable to acquiesce in that application" [S/12225, para. 4]. He was referring to the application of the Socialist Republic of Viet Nam.

48. My delegation sincerely hopes that the representative of the United States will take a more positive attitude at the end of the current discussion, an attitude more worthy of the prestige and responsibilities of the United States and of its role in world leadership and its obligations for the maintenance of international peace and security. If he fails to do so, the United Nations, as represented by its supreme organ, the General Assembly, will have no alternative but to act, in fulfilment of its responsibilities under the Charter and taking into account the precedents, in order to remedy the abnormal situation resulting from the abuse of the right of veto by one of the permanent members of the Council.

49. My delegation believes that the recommendation proposed to the Security Council in the draft resolution [S/12226] just presented so admirably by the representative of Guyana is the only just and reasonable recommendation the Council can make to the Assembly. The Socialist Republic of Viet Nam is a fully qualified applicant. It is a peace-loving country. It is willing and able to undertake and fulfil its obligations under the Charter. The Socialist Republic of Viet Nam is a full member of the group of non-aligned countries and one of the members of its Co-ordinating Bureau.

50. In an organization where aggressive and racist régimes such as the régimes of Israel and South Africa are still Members, it is very hard to understand that the very same super-Power which advocates the continued membership of such aggressive régimes is preventing the admission of a freedom—and peace-loving country such as the Socialist Republic of Viet Nam. It is about time that such upside-down logic was readjusted.

51. The PRESIDENT (*interpretation from Spanish*): The next speaker is the representative of Bulgaria. I invite him to take a place at the Council table and to make his statement.

52. Mr. YANKOV (Bulgaria): Mr. President, I should like to begin by thanking you and the members of the Security Council for giving me the opportunity to restate the position of the delegation of the People's Republic of Bulgaria on the admission of the Socialist Republic of Viet Nam to membership in the United Nations. I would hasten to add that this is an issue to which my Government attaches the utmost importance.

53. I feel particularly gratified also Mr. President, at being able to avail myself of this opportunity to congratulate you cordially on your accession to the presidency of the Council for the month of November. In your person we greet the representative of Panama, with which the People's Republic of Bulgaria maintains ties of friendship and co-operation and whose legitimate aspirations to independence and full national sovereignty have always enjoyed the sympathy and solidarity of the Bulgarian Government and people.

54. After 30 years of heroic struggle, in which the Vietnamese people were coerced to fight because of foreign military intervention, peace was finally triumphant in that land of suffering and valour. The final and complete victory of the national liberation revolution in Viet Nam is not only a victory of the Vietnamese people but also an important achievement in the efforts further to strengthen international peace and security, justice and social progress. This great victory is also an unequivocal confirmation of the significance of international solidarity as an enormous force today. It shows that a nation fighting selflessly against imperialism and relying on the international support of all progressive, democratic and peace-loving forces of the world will be unvanquished. As the First Secretary of the Central Committee of the Bulgarian Communist Party and President of the State Council, Todor Zhivkov, said before the Eleventh Congress of the Bulgarian Communist Party last March: "The shining victory of the heroic Vietnamese people over the imperialist intruders and reaction will go down in man's history of struggle for freedom and socialism".

55. Not long ago, the people of Viet Nam achieved a major goal of their valiant struggle: the unification of their homeland. The result was the foundation of the Socialist Republic of Viet Nam. This historic achievement of the Vietnamese people offered new prospects for the establishment of relations of good-neighbourliness and co-operation among all peoples in South-East Asia.

56. In the last hundred years the history of the nations of that part of the world has shown that without a united and independent Viet Nam there has

never been nor can there ever be lasting peace and security in that region or in Asia.

57. Judged by its economic and human potential, the Socialist Republic of Viet Nam is one of the largest States of Asia. Its international significance is increasingly being felt around the world with every passing day. At present, the Socialist Republic of Viet Nam is a powerful and stabilizing factor in Asia, a champion of peace and understanding among nations. It spares no effort to aid the promotion of international relations on the basis of strict respect for the sovereignty, independence and territorial integrity of all States and non-interference in their domestic affairs. More than a hundred States of Asia, Africa, Europe and Latin America have established diplomatic relations with the Socialist Republic of Viet Nam. The latter is also an active and respected member of the non-aligned movement. Quite a number of international organizations, including some within the United Nations system, have already admitted the Socialist Republic of Viet Nam into their ranks as a full member. All this is so because the Socialist Republic of Viet Nam is an important country in South-East Asia, a country which has captured the admiration of the world because of its exemplary courage, dignity and firm adherence to the lofty ideals of independence, liberty and national sovereignty.

58. Progressive public opinion and all people of good will have warmly welcomed the unification of the Vietnamese people and the formation of the Socialist Republic of Viet Nam as an event of paramount international significance and as a great contribution to the cause of international and universal peace.

59. By their valiant struggle for freedom, independence and social progress, the Vietnamese people have manifested to the world their adherence to the principles of the Charter. The Socialist Republic of Viet Nam has already provided ample evidence showing that it is determined to uphold those principles and to see that they are applied in practice in international relations.

60. Today nobody can deny and, for that matter, nobody doubts that the Socialist Republic of Viet Nam not only has the sincere desire but also the capacity to fulfil in good faith all obligations under the Charter.

61. The Vietnamese people have already begun to tend and heal the wounds inflicted upon them by the long and destructive war. In all its actions the Government of the Socialist Republic of Viet Nam has demonstrated its sincere determination to build the new life in peace and security. In the eyes of world public opinion Viet Nam is already a worthy and full-fledged member of the international community. And certainly this is not an overstatement. This fact was recognized at the United Nations during the thirtieth

session of the General Assembly when the admission of Viet Nam to the Organization was widely discussed in both the Security Council and the General Assembly. It was explicitly reaffirmed by Assembly resolution 3366 (XXX).

62. During the national liberation struggle and in the days of peace, despite severe ordeals and countless sacrifices, the Vietnamese people behaved with the highest degree of humaneness and magnanimity, which characterize a great nation. The Government of the Socialist Republic of Viet Nam today continues to show its good will and readiness to solve any outstanding international problems by peaceful means and through meaningful and honest negotiations. We are all witnesses to the fact that such negotiations are taking place at this moment, as we discuss this item.

63. We all remember the very recent past when the whole world witnessed the Vietnamese people struggling to defend themselves against an intervention that nothing could justify. That makes it all the more imperative for the world to recognize this manifestation of good will and to assess it according to its own merit.

64. Having in mind all these facts and considerations, we believe it could hardly be possible to advance any valid argument of a political or legal nature which could justify denial of the right of Viet Nam to occupy its lawful place in the United Nations.

65. Last year the refusal of one permanent member of the Council to join the position shared by the entire membership was veiled in ambiguous and utterly groundless pretexts with regard to the existence at that time of two Vietnamese States, though—and I should like to emphasize this—almost the entire membership of the United Nations considered that argument irrelevant and expressed the firm view that both Vietnamese States were eligible for membership in the United Nations. Today, with the existence of a united Viet Nam, any opposition to its admission to the United Nations on that ground is not only inadmissible but is also absolutely unjustifiable.

66. But now we hear, in complete isolation and against the common understanding of the entire membership of the Organization, a permanent member of the Council advancing other opposing arguments. This time, national claims and a discriminatory approach constitute the alleged basis for denying the right of the unified Socialist Republic of Viet Nam to membership in the United Nations.

67. On this point, my delegation agrees with many previous speakers that bilateral problems of any nature, and national allegations, cannot and must not determine the attitude of a Member of the United Nations in the discharge of its duties and responsibilities as a permanent member of the Security Council.

It would not only be detrimental to the United Nations but also would inevitably be harmful to its own international prestige that a Government should adopt a negative and filibustering approach to a problem of common interest to the Organization as a whole. We are, therefore, fully entitled to expect that a responsible member of the Council will in this instance rise above narrow national considerations for political bargaining in a bilateral dispute and will not create artificial obstacles to the Organization in its genuine endeavours to achieve universality and to increase its efficiency.

68. Such opposition, as the Co-ordinating Bureau of the Non-Aligned Countries stated in its declaration, "is legally and morally irrelevant, indefensible and unjustifiable, contrary to the Charter and an affront to the express wishes of the overwhelming majority of the Members of the United Nations representing the widest possible spectrum of international opinion". [S/12198, annex.] That statement of the Co-ordinating Bureau was, in fact, issued in pursuance of the Political Declaration of the Fifth Conference of Non-Aligned Countries.

69. It is, therefore, absolutely inadmissible to make admission to membership in the United Nations dependent on pre-conditions which have nothing to do with the requirements of Article 4 of the Charter. Indeed, those are the pertinent requirements that are and constitute the only valid criterion in the consideration of an application for membership. Pretexts and alleged claims cannot strengthen the arguments against the admission of Viet Nam to the United Nations, because these arguments are irrelevant from the point of view of the spirit and the explicit provisions of the Charter, and are dictated by short-term considerations of an arbitrary domestic nature which are not valid and should not be imposed on the entire membership of the United Nations.

70. The absence of the Socialist Republic of Viet Nam from the United Nations as a full Member is equally unjust and harmful to the prestige of the Organization and to its efficiency. Thus the admission of Viet Nam to membership in the United Nations will be an act of justice. At the same time, it will constitute yet another step towards the full application of the principle of universality. We would like to believe that the attempts to postpone a decision on this important question will be discontinued. The admission of the Socialist Republic of Viet Nam to full membership in the United Nations is absolutely indispensable in the interests of peace and international co-operation.

71. In our view, it is very significant that, at the current session of the General Assembly, as was the case at the previous session, almost the entire membership of the Organization is definitely in favour of the admission of the Socialist Republic of Viet Nam to the United Nations. The report of the Com-

mittee on the Admission of New Members is also very indicative about the degree of support within the membership of the Council for the admission of the Socialist Republic of Viet Nam to the United Nations. We would like to believe that justice, wisdom and a sense of collective responsibility will prevail in the Council this time.

72. The peoples of Bulgaria and the Socialist Republic of Viet Nam are closely bound by ties of brotherly friendship and solidarity. The Bulgarian people warmly greeted the victorious end of the struggle of the Vietnamese people for freedom, independence and for the unification of their country. Today our two countries are united again in their common endeavours for international co-operation, peace and socialism.

73. On behalf of the Government of the People's Republic of Bulgaria, I should like to express our full and unreserved support for the application of the Government of the Socialist Republic of Viet Nam for membership in the United Nations. I should like to voice our hope that the representatives of the heroic Vietnamese people will take their place among us at the current session of the General Assembly. I am confident that nobody has any doubt about the significant and constructive contribution which the Socialist Republic of Viet Nam will make to our common efforts in pursuit of the purposes and principles of the United Nations.

74. Before I conclude, I would like to take this opportunity to welcome most cordially the representatives of the Vietnamese people who are present in this chamber. I should like to assure them that the Bulgarian Government and people will continue, as they did in the difficult days of the struggle for freedom, to do their utmost to strengthen Bulgarian-Vietnamese friendship for the triumph of our common goals and ideals.

75. Mr. BOYA (Benin) (*interpretation from French*): Mr. President, on behalf of my delegation, I should like to offer you our sincere and heartfelt congratulations on your accession to the presidency of the Security Council for this month of November. Your eminent personality, diplomatic skill and great flexibility are well known to all in this chamber, and my delegation appreciates the high quality of your participation in the work of this Council. This indicates how happy our delegation is to see you guiding our work during this important debate on the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations.

76. The admission of the Socialist Republic of Viet Nam as a full member in the Organization would be legitimate. The overwhelming majority of Member States have enthusiastically welcomed this application. How could it be otherwise? The brave and heroic people of Viet Nam is a great people. The people of Viet Nam for decades waged an armed

struggle with the same determination, the same dedication and sense of sacrifice against the colonialist and imperialist armed aggression and the puppets—those misguided elements which were anti-national and who betrayed the just cause of the Vietnamese people.

77. Neither fighter-bombers nor the most sophisticated weapons, could not weaken the determination and courage of that people, which inflicted a bitter defeat on the most powerful and modern imperialist army of aggression of all times. That victory, won in combat, is a victory for all oppressed peoples throughout the world. The Vietnamese people triumphed because its cause was profoundly just.

78. The Vietnamese patriots reunified their country and since then have launched a vast programme of national reconstruction. The whole of the Vietnamese people, a people of peace, is now working to eradicate the consequences of the imperialist war. The authorities of the Socialist Republic of Viet Nam have followed since that time a policy of non-alignment and openness which show their desire for frank and sincere co-operation. The Socialist Republic of Viet Nam has now been recognized by more than 100 States, and it maintains excellent relations with numerous countries throughout the world.

79. Why, then, should the Socialist Republic of Viet Nam be kept to this day outside the Organization, which wants to be universal? The fundamental reason is the United States veto. The abuse of the right of veto, of which certain permanent members have unfortunately become the champions in the Council is based on political short-sightedness the consequences of which threaten to become catastrophic for the Organization. The repeated use of its right of veto by the United States Government, particularly with regard to the application for admission of the Socialist Republic of Viet Nam, is based on a political analysis which is in no way in keeping with the present and future interests of the people of the United States.

80. The problem of the missing in action during the imperialist aggression that was imposed on the Vietnamese people cannot be used as an argument to block the admission of the Socialist Republic of Viet Nam to membership in the United Nations. All the representatives who have spoken here before me have without difficulty refuted the arguments of the United States Government, which are comprehensible only within the logic of the law of the jungle. My delegation feels that this problem can be resolved by a fruitful co-operation within a framework of sincere and honest bilateral dialogue between the United States and the Socialist Republic of Viet Nam.

81. The Socialist Republic of Viet Nam has already proved to the world by many gestures of good will

its profound wish to co-operate with the United States so as to resolve all the problems that resulted from the imperialist war in Viet Nam.

82. The use of the veto to block the admission of a country to membership in the United Nations is inadmissible. In the present case, the argument about the missing in action—a lost argument about a lost war—is a form of blackmail for which the American strategists alone will be held responsible by history. The United States authorities, which have for decades failed so pitifully in their imperialist attempt to bring the Vietnamese people to its knees must now know better than anybody that the Socialist Republic of Viet Nam will certainly not yield to blackmail.

83. The United Nations is not the proper framework for this blackmail by the United States. The United Nations is a vast international house where the great family of all the peoples gathers to strengthen their solidarity and their co-operation so as to safeguard peace and collective security. Therefore, no Member State has the right to consider this common property of all the peoples as its own exclusive property. This international forum that is the United Nations should serve as a catalyst to help bring peoples closer and not for the development of intrigues detrimental to international understanding.

84. In the view of my delegation, the Socialist Republic of Viet Nam meets all the political and legal requirements laid down in the Charter for admission to membership in the Organization. My delegation, therefore, hopes that there will be a unanimous decision in favour of draft resolution S/12226, recommending the admission of the Socialist Republic of Viet Nam to membership in the United Nations so that at last the representatives of the courageous people of Viet Nam can take their rightful place here.

85. The PRESIDENT (*interpretation from Spanish*): The next speaker is the representative of Czechoslovakia. Accordingly, I invite him to take a seat at the Council table and to make his statement.

86. Mr. ŠMÍD (Czechoslovakia): Mr. President, let me first express to you and to the other members of the Council my delegation's appreciation of your having acted positively on our request to address the Council on a subject that is so important to all of us, namely, the admission to the United Nations of the Socialist Republic of Viet Nam. At the same time, may I congratulate you on discharging the high responsibilities of President of the Council for this month. I do so with particular pleasure, conscious of the friendly relations that have long existed between our two countries.

87. The admission to the United Nations of the Socialist Republic of Viet Nam is a matter to which my Government attaches the utmost importance. The Government and people of the Czechoslovak

Socialist Republic are linked with the Socialist Republic of Viet Nam by ties of long and deep friendship. Czechoslovakia, together with other States of the socialist community, has always stood squarely on the side of the Vietnamese people and has given them full and active support in their just struggle. We hail the great victory of the Vietnamese people over the forces of imperialism and reaction. We hail with great satisfaction and joy the outstanding achievements already registered in the course of the present period in overcoming the grave consequences of decades of war and in the building of a new, independent, prosperous and united socialist Viet Nam. The significance of these victories far transcends national boundaries; they are, indeed, a historic contribution to the consolidation of peace and security in South-East Asia and in the entire world.

88. Before achieving their historic success, the Vietnamese people had to experience 30 long and unbelievably hard years. By the revolution of August 1945, the people of Viet Nam broke the chains of colonial dependence and established the Democratic Republic of Viet Nam. The foundation of the Republic, however, did not mark an end of the struggle. On the contrary, it was a beginning of a further struggle for the freedom and independence of the Vietnamese nation.

89. For the whole period of the existence of the Democratic Republic of Viet Nam, the Vietnamese people have had to fight in a self-sacrificing way for their independence. Both French colonialism and American imperialism suffered defeat in Viet Nam. Viet Nam has become a symbol for the national liberation struggle in Asia, Africa and Latin America. There is no need to stress here the fact that their heroism and their proven love of independence have won for the Vietnamese people friends all over the world.

90. My delegation has frequently explained the position of Czechoslovakia on the question of the admission of Viet Nam to membership in the United Nations. Recently, this position was reiterated in the statement by the Minister for Foreign Affairs of Czechoslovakia, Mr. Chňoupek, in the general debate in the current session of the General Assembly:

"We firmly believe that already in the course of the present session of the General Assembly the Socialist Republic of Viet Nam will become a Member of the United Nations. The historic contribution of that country to the strengthening of peace and security in South-East Asia is generally recognized. This new State which plays an important role in the affairs of the Asian continent meets all requirements of the Charter for United Nations membership."⁴

91. Our position is also documented by the fact that, at the thirtieth session of the General Assembly,

Czechoslovakia was one of the sponsors of the draft resolution that was adopted [*resolution 3366 (XXX)*] recommending the admission of the then existing two Vietnamese States.

92. It would seem that the admission of the Socialist Republic of Viet Nam to membership in the United Nations should be a matter of course. What we have witnessed, however, is that the representatives of the very country which until recently had been waging a long aggressive war against Viet Nam have also been preventing its admission to the United Nations through the improper exercise of the right of veto, linking matters of a bilateral and a multilateral character. Thus, we are told, for instance, that a full report on the missing Americans in Viet Nam is to be a precondition of a change in the United States attitude to the question of the membership of the Socialist Republic of Viet Nam in the United Nations. Concerning that unprecedented position, one can only repeat what has already been said by the representative of the Lao People's Democratic Republic [*1970th meeting*], and ask: who will compile the list of those missing Vietnamese men and women—old men, women and children—who became victims of American aggression?

93. The same arrogance and chauvinism and the same claim to the right to interfere in the fate of other countries are manifested here as could be seen and felt in the behaviour of the United States aggressors in Viet Nam, not merely by a friend of the Vietnamese people but also by any reasonable observer.

94. Concerning the United States position on the question of the admission of the Socialist Republic of Viet Nam to membership in the United Nations, it is only possible to declare that what has been lost in an aggressive war cannot be gained at a diplomatic table. At such a table there can only be achieved the normalization of relations between the Vietnamese and the American peoples and the opening of a new peaceful era in relations between the two countries—the Socialist Republic of Viet Nam and the United States of America—on the bases of the Paris Agreement ending the war and restoring peace in Viet Nam, signed in January 1973.⁵

95. The admission of the Socialist Republic of Viet Nam to the United Nations is expected by the people of the whole world. It is not demanded by the socialist countries alone. The non-aligned group of countries, comprising States having a variety of political systems, unanimously requested, at their recent conference in Colombo, that one of their important members—the Socialist Republic of Viet Nam—should be admitted without delay to the United Nations.² Such an act is quite logical, since Socialist Viet Nam was one of the first countries to deal a blow to colonialism.

96. The admission of Viet Nam to the United Nations is an unambiguous and mater-of-course question for the overwhelming majority of Member States, irrespective of their political systems, and not merely an issue for those countries that had their embassies in Hanoi at the time when American bombs were falling there.

97. The admission of this great country, the Socialist Republic of Viet Nam, to United Nations membership is a political, moral and juridical imperative of our time. The admission of the Socialist Republic of Viet Nam to the United Nations would undoubtedly promote the strengthening of the effectiveness of what is being done by the United Nations by way of preserving international peace and security and would further enhance the prestige of the Organization.

98. The PRESIDENT (*interpretation from Spanish*): I now invite the representative of Madagascar to take a place at the Council table and to make a statement.

99. Mr. RABETAFIKA (Madagascar) (*interpretation from French*): Mr. President, permit me on behalf of the delegation of Madagascar to express to you our profound satisfaction at the fact that you are presiding over a debate to which the States members of the non-aligned movement, of which your country is one, attach particular importance. Your objectivity and skill encourage us in the belief that our cause will triumph, since it has received the support of most of the Members of the United Nations.

100. Last year, the Minister for Foreign Affairs of Madagascar spoke before the Council to support the double candidacy of the Republic of South Viet Nam and the Democratic Republic of Viet Nam for membership in the United Nations. Speaking today to indicate our support for the single candidacy of the Socialist Republic of Viet Nam, for my part and with the Council's permission, I should like to emphasize first of all the political importance of the completion of the process that has led to the restoration of unity in Viet Nam.

101. There is no doubt that that reunification, which was democratically and quite independently accepted by the entire Vietnamese nation, has become an example and symbol for all peoples whose countries are still artificially divided or forcibly dismembered. This new historic success won by the Vietnamese people—and we must congratulate all those instrumental in that success—has rendered politically untenable the argument used against us last year when the Government of Washington wanted us to get backing for its theory of two Koreas under cover of the Council's consideration of the applications of the two parts of Viet Nam. We are therefore pleased that the maturity and political wisdom evinced by the Vietnamese people have forced the Government of Washington to abandon an attempt which, at best,

could only have led to an artificial universality, legitimizing and rewarding the American policy of intervention and aggression in Korea, a universality that would then be unacceptable to us because it would not have reflected universal support for the purposes and principles of the Charter.

102. In a similar concern to remain consistent with the letter and spirit of that Charter, my second remark consists in reaffirming the message contained in General Assembly resolution 3366 (XXX) of 19 September 1975, whereby the General Assembly pronounced itself, without a dissenting voice, in favour of the admission to the United Nations of the two components of what is now the Socialist Republic of Viet Nam and called on the Security Council to re-examine the question in the light of the will thus expressed by the overwhelming majority of Member States.

103. Today as then our position is that the admission of the Socialist Republic of Viet Nam to the Organization would be of benefit to it and to the Vietnamese people themselves. We wish to state that the Socialist Republic of Viet Nam, recognized *de facto* and *de jure* internationally and admitted as a member of several specialized agencies, fulfils all the conditions required for admission as a Member of the Organization. Need I recall that our position is based on the faith that we have always had in the determination of the Vietnamese people unreservedly to adhere to the principles and purposes of the Charter and to uphold them vigorously when they are challenged. It would have been difficult to understand the deep meaning of the struggle waged by that people for three decades had we for a second doubted that that struggle was carried on in defence of the principles and objectives of the Charter, in particular the principles relating to freedom, progress, social justice for all men, national independence and self-determination for all peoples. The Vietnamese fighters made sacrifices to prove that they rejected oppression, imperialist exploitation and foreign intervention. Were not those sacrifices in fact made so that the ideals of the Organization might triumph? How can we then fail to recognize that the United Nations, which was not able to use its influence to hasten a settlement of the Vietnamese conflict or lessen the sufferings of its people, has a debt to pay that people and that justice must be done? Moreover, how can we fail to admit that the Socialist Republic of Viet Nam, owing to its experience, has a positive role to play in the Organization?

104. The ideological pluralism which, depending on the case, makes the strength or the weakness of the Organization, but which is certainly the source of its prestige, has accustomed us to see the most contradictory tendencies revealed within it: those of the protagonists of the cold war, those of the former colonial Powers and the formerly colonized countries, those of countries with different economic and

social systems, those which advocate the old order and those which are in favour of a more democratic new international order. The Organization has been able to survive every adversity presented by the continual interplay of these trends.

105. Within the perspective of such divisions, the problems which seem to subsist between the Governments of the United States and Viet Nam of necessity appear limited in scope. They can in no way be considered to be insurmountable or insoluble, since the principles and the framework for their settlement have already been agreed to by the parties a long time ago in the Paris Agreements.⁵ The fact that representatives of the two parties have been in Paris since Friday to negotiate the implementation of those Agreements is in itself a positive factor. Also the fact that the Vietnamese side acquiesced in the postponement of the consideration of its candidacy from September to November, and in addition agreed not to exclude from the new talks the humanitarian problems of the missing in action is another positive factor which is as important, if not more important, than the first, because it bears witness to the good will of that country to settle pending problems.

106. In view of those gestures of good will, coming after so many others—among them those mentioned by the representative of the Lao People's Democratic Republic in his statement last Friday [*ibid.*]
—how can we not be astonished at the continued opposition of the Government of the United States to the candidacy that is before the Council.

107. At best that opposition constitutes a manoeuvre by one of the parties intended to gain from the other advantages which it cannot obtain by normal negotiations or an exchange of mutually acceptable concessions. Such a manoeuvre, which could only be employed by a party which has a right of veto, would, if we allow it to succeed, consecrate a renunciation on our part of the principle of the sovereign equality of States and would thereby mean our endorsement of arbitrariness and injustice.

108. Taken to its extreme, that opposition could be interpreted as a refusal to normalize United States-Vietnamese relations, as the reaction of bad losers who cannot resign themselves to defeat or accept that their erstwhile adversaries have acquired the right to adopt the ideology and form of Government they choose. The logic of such an attitude at the level of the United Nations could be translated into a narrow, partisan and selective conception of universality, in an obstinate opposition to and retrograde rejection of the strengthening of the progressive camp and, ultimately, lead to a negation of the ideological pluralism to which I referred earlier.

109. We can understand and accept that the United States Government may have obligations towards the missing in action and their families, with whom we

sympathize. On the other hand, we cannot accept or excuse the fact that that problem is being removed from its bilateral context, where it belongs, and being made an instrument of blackmail at the United Nations. That is all the more unacceptable since we have all subscribed to the commitment to serve the Organization and not to make the Organization serve us in our national policies.

110. However emotionally charged the problem of the missing in action may be, we cannot accept or excuse the manifest attempt to give it more importance than it has, to make us forget the My Lai incident and the other massacres that have been passed over in silence, to put in watertight compartments the two subjects of the purpose behind the mission of those persons and the uncertainty of their present fate; and, finally and above all, to promote the idea that that is the only clause of the Paris Agreement which has not been implemented. The obligation of the United States of America to contribute to the economic restoration of Viet Nam is another such clause.

111. Since there is a specific legal and political framework for the solution of the problem of those missing in action, since the Vietnamese side has agreed to discuss the problem in that framework as well as through normal diplomatic channels or United States congressional missions, the United States Government, it seems to us, has no grounds for introducing this question into the present proceedings of the Council.

112. To see in this attitude of willingness to engage in dialogue an intention on the part of the Vietnamese Government to neglect its humanitarian obligations and to conclude that it is not prepared to comply with the obligations of the Charter is both arbitrary and fantastic. We can only categorically reject such a unilateral interpretation of the Charter, an interpretation which furthermore leads us to put the following questions: Which of the two countries defies the principle of the sovereign equality of States, the small State of Viet Nam or the super-Power which wishes to impose its will in the United Nations and elsewhere? Which of the two countries has endangered international peace and security during these last 30 years, Viet Nam, the victim of aggression, or the country which waged the war directly or through the puppets it set up? Which of the two countries has had recourse to the use of force or the threat of force against the political independence of another State, outside any collective operation and for its own ends? Which of the two countries directly or indirectly gives its assistance to a so-called State against which the Organization has decreed sanctions?

113. All these questions enable us to decide which of the two parties is in a better position to defend its respect for and devotion to the obligations deriving from the Charter.

114. It is not fitting for any Member the United Nations, not even a permanent member of the Security Council, to proceed to a trial of intent against a country which presents its candidacy for membership, particularly when such a trial of intent could be held against that Member itself. If any judgement is to be pronounced on the willingness or unwillingness of a State to respect the obligations of the Charter, it is the United Nations which must pronounce itself and not a single Member.

115. That specification is in accordance with the determination of the founders to submit the admission of new Members not to a procedure of total consensus such as is used by the "closed" clubs of certain countries, but to a democratic procedure giving the power of decision to the General Assembly. So that it may retain its full value, this democratic procedure is subject only to the conditions of Article 4, paragraph 1, of the Charter to the exclusion of all other conditions. This has been confirmed by the International Court of Justice in its advisory opinion of 28 May 1948,⁶ when it stated

"that a Member of the United Nations which is called upon, in virtue of Article 4 of the Charter, to pronounce itself by its vote, either in the Security Council or in the General Assembly, on the admission of a State to membership in the United Nations, is not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of the said Article."

116. In consistency with the preceding statement, we maintain that with regard to the procedures for admission, the Security Council is only competent to make recommendations. The question, therefore, is what is the legal value of a veto cast in the exercise of that power which has been differentiated from the power of decision. Is it not also true that the special

responsibility of the Council for the maintenance of international peace and security, which alone justifies the existence of the right of veto, is limited to Chapters VI, VII, VIII and XII, and excludes Chapter II, which covers the procedure for the admission of new Members?

117. It is time, it seems to use, to remove this last-named procedure from the legal limbo it is now in, so that the interplay of political and legal considerations cannot serve as an excuse for a small group of States to frustrate the express wish of the majority, thus creating situations of injustice for which there is no recourse to remedy the manifest abuse of power.

118. The obstinacy of a single State to use its veto right as an instrument of national policy has meant that the Council has had to examine the Vietnamese candidacy three times in less than 15 months. That is unfair to the Vietnamese people and to the Council. But experience has shown that such a policy of unjustified obstruction ultimately leads nowhere and is detrimental to those who support it. We are convinced that the cause of the Socialist Republic of Viet Nam will finally triumph, because that it the only valid outcome, the only result that will benefit the Vietnamese people and the United Nations.

The meeting rose at 1.20 p.m.

Notes

¹ *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings, 5th meeting, para. 36.*

² A/31/197, annex I, para. 101.

³ *Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 22, document A/10273.*

⁴ *Ibid., Thirty-first Session, Plenary Meetings, 19th meeting, para. 4.*

⁵ *United Nations, Treaty Series, vol. 935, No. 13295, p. 2.*

⁶ *Admission of a State to the United Nations (Charter, Art. 4), Advisory Opinion; I.C.J. Reports 1948, p. 57.*

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