

UNITED NATIONS

06639 76



SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-FIRST YEAR

1972nd MEETING: 15 NOVEMBER 1976

NEW YORK

UN Doc. No. S/1972/12
JUN 23 1985
UN Doc. No. S/1972/12

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NOTE

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1972nd MEETING

Held in New York on Monday, 15 November 1976, at 3.30 p.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/1972)

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 4.25 p.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 decisions taken at previous meetings of the Council [1970 and 1971st meetings], I shall now, with the consent of the Council, invite the representatives of Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, the German Democratic Republic, Hungary, India, the Lao People's Democratic Republic, Madagascar, Malta, Mexico, Mongolia, Poland, Sri Lanka, the Syrian Arab Republic, the 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. Gurinovich (Byelorussian Soviet Socialist Republic), Mr. Alarcón (Cuba), Mr. Šmíd (Czechoslovakia), Mr. Keat Chhon (Democratic Kampuchea), Mr. Ashtal (Democratic Yemen), Mr. Florin (German Democratic Republic), Mr. Hollai (Hungary), Mr. Jaipal (India), Mr. Sourinho (Lao

People's Democratic Republic), Mr. Rabetafika (Madagascar), Mr. Gauci (Malta), Mr. Rosenzweig Diaz (Mexico), Mr. Puntsaganorov (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 wish to inform the members of the Security Council that I have received a letter from the representative of Mali asking to be invited to participate in the debate. If there is no objection, therefore, I propose to invite the representative of Mali also 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 representative of Mali to take the place reserved for him at the side of the Council chamber, on the usual understanding that he will be invited to take a place at the Council table when he wishes to address the Council.

At the invitation of the President, Mr. Kante, representative of Mali, took the place reserved for him at the side of the Council chamber.

4. The PRESIDENT (*interpretation from Spanish*): Before we resume the debate this afternoon, I wish to inform the members of the Council that I have received a letter from the Permanent Observer for the Socialist Republic of Viet Nam to the United Nations which states:

"The Security Council is discussing the application of the Socialist Republic of Viet Nam for membership in the United Nations. I wish also to participate in the debate on this matter and speak after the vote as I did last year."

5. I also wish to inform members of the Council that I have received a letter from the representatives of Benin, China, France, Guyana, the Libyan Arab Republic, Pakistan, Romania, Sweden, the United Republic of Tanzania and the Union of Soviet Socialist Republics requesting that during the present debate in the Council an opportunity be afforded to the representative of the Socialist Republic of Viet Nam to present his Government's views on the question on our agenda. If there is no objection, I propose to

invite the representative of the Socialist Republic of Viet Nam to take a place at the Council table and to make a statement after the vote is taken.

It was so decided.

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

7. Mr. ROSENZWEIG DIAZ (Mexico) (*interpretation from Spanish*): Mr. President, since this is the first time that I have addressed the Security Council, I should like to offer you my delegation's congratulations on your assumption of the presidency of the Council for this month, more especially since you represent a sister Republic with which Mexico has common purposes and goals.

8. I wish also to express my appreciation to the members of the Council for having acceded to the request of the delegation of Mexico to be allowed to speak at this time.

9. At its 2354th plenary meeting, on 19 September 1975, the General Assembly adopted resolution 3366 (XXX), in which it requested the Security Council, in strict conformity with of Article 4, paragraph 1, of the Charter of the United Nations, to reconsider the applications for admission of the then Democratic Republic of Viet Nam and the Republic of South Viet Nam in the light of the discussions held at the 1836th meeting of the Council on 11 August.

10. On 30 September, at its 1846th meeting, the Council was once again unable to recommend the admission of those two States.

11. In the meantime, however, one supremely important event has taken place which has strengthened the position adopted by all those Members of the Organization which, like Mexico, advocate the just and well-earned right of the people of Viet Nam to be part of the United Nations. That positive factor which consolidated peace in the region is the reunification of Viet Nam and the formation of a single nation, namely, the Socialist Republic of Viet Nam.

12. In the course of the debates in the General Assembly and in the Security Council held during September 1975, the then representative of Mexico and present Secretary for External Relations, Mr. Alfonso García Robles, clearly expressed the view of the Government of Mexico. In the records of the 2354th meeting of the General Assembly and of the 1846th meeting of the Council, the members of the Council will be able to read, *in extenso*, what the Foreign Minister of my country stated at the time.

13. On both occasions the representative of Mexico referred to the joint declaration of 8 June 1945¹ by

the countries that would later become permanent members of the Security Council regarding the reasons for which the questions contained in what came to be Chapters VI, VII and VIII of the Charter should be subject to the unanimity rule. At that time he said that those reasons could in the final analysis be reduced to the fact that: "as was stated in paragraph 4 of the four-Power statement to which I have referred, the decisions and measures which the Security Council would adopt in implementation of those Chapters might have 'major political consequences' which might initiate 'a chain of events which might, in the end, require the Council under its responsibilities to invoke measures of enforcement'. "Obviously, the decisions of the Council which have to do with the admission of new Members are not included in that category of decisions and therefore, the commitment entered into by the permanent members of the Security Council in their statement of 8 June 1945 is doubly applicable to those decisions. In paragraph 8 of that statement, they said that it should not be assumed that the permanent members would 'use their veto power wilfully to obstruct the operation of the Council' ".² Mention was also made of the advisory opinion of the International Court of Justice of 1948³ to the effect that, when dealing with an application for admission, the permanent members of the Security Council shall not—I repeat: shall not—have the right to adopt a position that makes the admission of a State dependent on the support or rejection of another.

14. For all the aforementioned reasons, my delegation is sure that in this case the Security Council will be in a position to recommend approval of the application for admission of the Socialist Republic of Viet Nam.

15. The PRESIDENT (*interpretation from Spanish*): The next speaker is Mr. Gurinovich, Minister for Foreign Affairs of the Byelorussian Soviet Socialist Republic. I invite him to take a place at the Council table and to make his statement.

16. Mr. GURINOVICH (Byelorussian Soviet Socialist Republic) (*interpretation from Russian*): Mr. President, first of all, allow me to congratulate you, as President of the Security Council for the month of November, a time when the Council is dealing with important problems that have considerable political significance, and to wish you success in your activities in that high office.

17. The Council is meeting, not for the first time, to deal with the question of the admission of Viet Nam to the United Nations, and each time on behalf of the Byelorussian SSR we state firmly and with determination that the Security Council must—I stress "must"—immediately open the doors of the United Nations to the heroic people of Viet Nam. The Socialist Republic of Viet Nam must be admitted as a Member of the United Nations immediately and without any procrastination.

18. The positive resolution of the question under discussion is in keeping with the interests of justice. It is a duty that we must fulfil in order to achieve the lofty and noble aims of the United Nations as proclaimed in its Charter. The right to become a Member of the United Nations has been acquired by the Socialist State of Viet Nam through the heroic struggle of its people for its independence, freedom and unity.

19. The Vietnamese patriots had to spend 30 hard years on the battlefields. Throughout the history of democratic Viet Nam, its people have been forced to repulse the armed invasions of foreign colonialists and interventionists. The firmness of the Vietnamese patriots was stronger than the aggressive armadas. Their struggle of many years was crowned by a glorious victory. The struggle of Viet Nam will remain in the memory of all peoples as a symbol of unique courage and true heroism, of solidarity and of the determined support of the fighting people by the socialist States and the progressive community of the world, which led to the failure of the strongest attempt since the Second World War by the imperialists to eradicate a socialist State by armed force and to crush a revolution of national liberation.

20. In the spring of last year all the peoples of the Soviet Socialist Republics rejoiced with the Vietnamese people at that historic victory which led to the complete liberation of the south of that country. That victory put an end to domination by the foreign interventionists and their helpers in the southern part of that country. It gave the Vietnamese people a chance to begin preparations for the practical completion of the reunification of its country. The aim of the imperialist and reactionary forces to partition Viet Nam ended in complete fiasco.

21. The General Secretary of the Central Committee of the Communist Party of the Soviet Union, Comrade Brezhnev, at the twenty-fifth Congress of the Party said the following:

“The Soviet people are proud of having given considerable assistance to Viet Nam in its struggle against the imperialist aggressors. The people of Viet Nam, which won its independence at a high price, is now faced with the difficult task of rebuilding the country. It is building a socialist victory. The victory of Viet Nam has opened up new horizons for the whole of South-East Asia. It is a glorious victory and it will forever be a part of the history of the struggle of the peoples for freedom and socialism.”

22. This year yet another glorious page was written in the history of the Vietnamese people. On the political map of the world we now see a unified Viet Nam which, in terms of population, is the third largest socialist State in the world. Our people and the whole

of progressive mankind have warmly welcomed the creation of the Socialist Republic of Viet Nam.

23. In giving its full support to the admission of the Socialist Republic of Viet Nam to membership in the United Nations, the Byelorussian Soviet Socialist Republic proceeds from the premise that that country fully meets the requirements of Article 4 of the Charter, which must be met by all Members of the Organization.

24. As indicated in the declaration of the National Assembly of the Socialist Republic of Viet Nam, which was adopted at the first meeting of its sixth session, the domestic policy of the country is designed to ensure the right of the working people to become the collective master of their country, to carry out socialist industrialization, to develop large-scale socialist production, to eliminate the exploitation of man by man and to do away with poverty and backwardness. Is this not a truly humanitarian set of domestic political measures, carried out under the slogan “everything for production, everything for the building of socialism, everything for the prosperity of the country and the happiness of the people”?

25. As regards foreign policy, the Socialist Republic of Viet Nam has declared its readiness to establish and develop relations with all countries on the basis of mutual respect, independence, sovereignty, territorial integrity, non-aggression, non-interference in each other's domestic affairs, equality, mutual benefit and peaceful coexistence, so as to strengthen solidarity with all the peoples of the world that are struggling against colonialism, neo-colonialism and racial discrimination and in favour of peace, national independence, democracy and socialism.

26. There is no doubt that the policy of the Socialist Republic of Viet Nam is entirely in keeping with the purposes and principles of the Charter of the United Nations and that it contributes to the normalization of the situation and the strengthening of peace in the South-East Asian region. It will make a considerable contribution to the struggle of the peoples of Asia and the whole world for a stable peace, national independence and social progress. The Socialist Republic of Viet Nam has also declared its readiness to assume the obligations contained in the Charter, and it has solemnly pledged to carry them out in their entirety.

27. The immediate admission of the Socialist Republic of Viet Nam to the United Nations has in fact received the general support of the membership of the Organization. That was clearly shown during the consideration of this question in the Security Council and the General Assembly in 1975 during the thirtieth session. In its resolution 3366 (XXX), the Assembly confirmed the legitimate right of Viet Nam to become a member of the United Nations and supported the immediate settlement of the question, in strict

compliance with the Charter. Not one Member State cast a vote against that resolution.

28. The immediate admission of the Socialist Republic of Viet Nam is supported by the non-aligned movement. In the Political Declaration of the Fifth Conference of Heads of State or Government of Non-Aligned Countries, an appeal was made to the Security Council to give prompt and positive consideration to the application of the Socialist Republic of Viet Nam for membership in the Organization.⁴ The development of the general debate at the current session of the General Assembly has shown very convincingly that the admission of the Socialist Republic of Viet Nam to membership in the United Nations is supported by a large majority of the Member States.

29. In supporting the right of the Socialist Republic of Viet Nam to become a member of the United Nations, the Byelorussian Soviet Socialist Republic rejects any attempts to impede the immediate settlement of this question. The artificial blocking of the admission of Viet Nam to membership in the United Nations is indeed a violation of the Charter and of the principle of the universality of the Organization, and such actions are contrary to the provisions of the Final Act of the Conference on Security and Co-operation in Europe, which was signed by the leaders of 35 States in August last year at Helsinki.

30. The arguments which were put forward as the main pretexts for procrastination in this matter have no relation whatsoever to the admission of new members to the United Nations. They deal with problems of the bilateral relations between the United States and the Socialist Republic of Viet Nam. It must be stressed here that, at every stage of the discussions in the Council on the question of the admission of Viet Nam to the United Nations, new and groundless pretexts have been put forward. It must also be pointed out that the Government of the Socialist Republic of Viet Nam has repeatedly stated its readiness to normalize relations with the United States and to resolve all outstanding problems on the basis of the Paris Agreement of 1973.⁵ All the concrete steps that have been undertaken by the Socialist Republic of Viet Nam in that connexion indicate that it has followed a consistent and constructive position.

31. The Byelorussian Soviet Socialist Republic believes that all attempts to delay a positive settlement of the question of the admission of the Socialist Republic of Viet Nam to the United Nations by actions which are incompatible with the purposes and principles of the United Nations and which ignore the existing reality in the world are contrary to the further democratization of international relations.

32. As pointed out in the declaration of 8 September issued by the Co-ordinating Bureau of the Non-

Aligned Countries, concerning the application for admission to the United Nations submitted by the Socialist Republic of Viet Nam,

“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 representing the widest possible spectrum of international opinion” [S/12198, annex].

It is also stressed in that communiqué that the admission of the Socialist Republic of Viet Nam to the United Nations would be in complete conformity with the provisions of the Charter and would enable the Government of the Socialist Republic of Viet Nam to make a valuable contribution, as a peace-loving country, to the cause of international co-operation.

33. The delegation of the Byelorussian SSR expresses its conviction that the just cause of the Vietnamese people will triumph and that the Socialist Republic of Viet Nam will take its legitimate place in the United Nations. This is dictated by the objective course of history, which no subjective considerations can impede.

34. Mr. CHALE (United Republic of Tanzania): Mr. President, you will recall that, during this month of your tenure of the presidency of the Security Council, the Tanzania delegation already expressed its sincere appreciation and gratitude for the most efficient manner in which your predecessor, Mr. Akhund of Pakistan, conducted the deliberations of the Council during the month of October. At the same time, we warmly congratulated you on your assumption of the presidency. However, speaking as I do for the first time under your presidency, I feel that it is my pleasant duty to underline the good wishes we expressed then to both of you. It is therefore our wish first to convey once again to the representative of Pakistan our gratitude for the skill, competence and wisdom with which he so conscientiously and efficiently performed the tasks of the Council during the month of October. What shall I say next? Mr. President, my delegation is still overjoyed at seeing you at the helm of this ship, the Security Council. It is our considered view that, with your experience, tact, sense of duty, diplomatic skill, objectivity, wisdom and humility, you will put the ship on an even keel and continue to chart its course, though rough the sea may be. I recall with admiration the way you so brilliantly displayed your talents of logical reasoning and perceptive analysis last month when the question of Namibia was being debated in the Council. Your statement was replete with sparkling wit and your presentation was superb. Surely, Mr. President, Vorster found in you a tough challenger. You have demonstrated that you are an *avis rara et splendor ordinis*, a rare bird and a luminary of our order. My delegation pledges its support and

co-operation in your difficult task, wishes your country, Panama, well and hopes that our friendly relations, both personal and official, may go from strength to strength.

35. It gives my delegation great pleasure and happiness once again to welcome and support the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations. As we intimated almost a year ago when the Council was seized of the same matter, my delegation, like those of the other non-aligned members of the Council, had the privilege to be actively involved in supporting the admission to membership in the Organization of the then Republic of South Viet Nam and the Democratic Republic of Viet Nam. My delegation reiterates its unswerving support of the application for the admission of the now united and strong Socialist Republic of Viet Nam.

36. The Fifth Summit Conference of the Non-Aligned Countries, held at Colombo in August 1976, gave its full support to the Socialist Republic of Viet Nam, as expressed in its Political Declaration which, *inter alia*, stated that

“the commitment entered into by the United States under article 21, chapter VIII, of the ‘Agreement on ending the war and restoring peace in Viet Nam’, signed on 27 January 1973, should be honoured and called upon the United Nations Security Council to give prompt and positive consideration to the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations, in accordance with resolution 3366 (XXX) adopted by the United Nations General Assembly at its thirtieth session.”⁴

This call was reaffirmed by the Co-ordinating Bureau of the Non-Aligned Countries, which met in New York at ambassadorial level, in a declaration of 8 September, which stated, *inter alia*:

“The admission of the Socialist Republic of Viet Nam to the United Nations would be in complete conformity with the Charter and would enable the Government of the Socialist Republic of Viet Nam to make a valuable contribution, as a peace-loving country, to the cause of international co-operation to which the non-aligned movement as a whole is committed. The Co-ordinating Bureau calls on all non-aligned countries and all nations dedicated to peace and justice, to give their unqualified support to the admission of Viet Nam to the United Nations and is confident that the justice of their cause will receive wider recognition than ever before.

“The Co-ordinating Bureau considers 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 representing the widest possible spectrum of international opinion.” [S/12198, annex.]

37. In September 1975, Tanzania had the honour, together with other delegations, to sponsor two draft resolutions through which the Assembly recommended the admission of the Republic of South Viet Nam [S/11832] and the Democratic Republic of Viet Nam [S/11833] to membership in the United Nations. My delegation vividly remembers that fateful day when the tyranny of the minority was at work in the Security Council and the draft resolutions were vetoed by the United States on very irrelevant and flimsy pretexts. The current session of the Council would have been superfluous had rationality prevailed over emotions.

38. In supporting the admission of the Socialist Republic of Viet Nam to membership in the United Nations, we are not merely exercising our solidarity with a non-aligned State or a member of the third world. It is more than that. The Socialist Republic of Viet Nam has the legitimate right to membership and fully qualifies in terms of the principles of the Charter and the conditions laid down in the Charter’s relevant provisions. Furthermore, the wishes of the majority have been explicitly expressed in General Assembly resolution 3366 (XXX), which received 123 votes in favour and none against, with only 9 abstentions.

39. The Vietnamese are a determined people. Their determination to regain their freedom and human dignity from the clutches of imperialism and colonialism is something that Tanzania has always admired and respected. The war in Viet Nam was unique in contemporary history. The people of Viet Nam were confronted with enormous military power of the United States, with all the sophistication of modern times, and yet they came out victorious. The untold sorrow and misery inflicted upon the Vietnamese people in the years of bitter fighting against the forces of imperialism and United States aggression made history in our century. The mighty military power and the continuous flow of American military personnel into Viet Nam did not deter the Vietnamese people from their heroic struggle; rather, they continued to fight to the bitter end, when victory was on their side. It took great courage and determination, for the enemy was far superior in strength. Surely, their inspirational battle cry must have been similar to that famous rallying cry: “Victory at all costs, victory in spite of all terror, victory however long and hard the road may be. For without victory there is no survival”.

40. Providence and logic provide that wars of liberation must be won. In this respect, the achievements and victories of the Vietnamese people are a source of inspiration to all other peoples still

striving to free themselves from the yoke of colonialism, imperialism, racism and *apartheid* and from the yoke of oppression, suppression and exploitation. For there can be no peace in the world where there is no justice or respect for human dignity and where there is no humanity to man.

41. Having emerged victorious against foreign domination, the Vietnamese people elected to become one peace-loving and unified non-aligned State. As an independent and sovereign State, the Socialist Republic of Viet Nam deserves all the support that we can give to its admission to membership in the United Nations—all the support of all the members of the Council. We firmly believe that the admission of the Socialist Republic of Viet Nam Organization would make a positive contribution to the endeavours of the Council to promote peace, security and justice in the world.

42. Mr. KIKHIA (Libyan Arab Republic): First, I should like to congratulate you, Mr. President, on your accession to this high office of President of the Security Council. You have been conducting the Council's deliberations with the traditional wisdom and vigour of your great people, and we have no doubt that the Council will benefit greatly from your enormous skill and diplomatic experience. Our two countries, though on separate continents, have common historic and cultural affinities. Also, they are both committed to common ideals of liberation, brotherhood, peace and justice. Our two peoples have always struggled against the forces of imperialism and colonial domination. I take this occasion to assure you, Mr. President, and through you the noble country which you represent, of the support of the Libyan Arab Republic in all your just causes. I take this occasion also to assure you of the utmost co-operation of the delegation of the Libyan Arab Republic as you carry out your important duties as President of the Council.

43. I should like also to congratulate your predecessor in this high office, Mr. Akhund of Pakistan, who displayed his usual wisdom, deep sense of responsibility and devotion to his duties. I need not emphasize here the long-standing and very extensive relations between Pakistan and the Libyan Arab Republic, as well as the Arab nation in general. I should like, too, to express my heartfelt condolences to Mr. Akhund on the loss of his father, and I would ask the representative of Pakistan to convey to him the sincere sympathy of the delegation of the Libyan Arab Republic.

44. The Security Council has once again convened to discuss and decide upon the admission of the Socialist Republic of Viet Nam to the United Nations. This question has been discussed by the Council and by other organs of the United Nations for two years now, and, in the opinion of my delegation, the time has come to take, without further delay or hindrance,

a positive and decisive stand on this matter, especially as discussion of the matter by the Security Council has already been delayed once this year. Members of the Council will recall that in our decision of 14 September [S/12200], it was agreed, upon the initiative of the representative of France, to postpone consideration of the candidature of the Socialist Republic of Viet Nam until a date in November. The Permanent Observer for the Socialist Republic of Viet Nam to the United Nations generously complied with that agreement, despite the fact that Viet Nam has for many years been awaiting membership in the Organization and despite the overwhelming support given their admission by peoples and countries from the six continents of the world.

45. The record of the armed struggle of the Vietnamese people to achieve their liberation, unity and right to self-determination and their struggle to expel the foreign aggressor need not be repeated here. That record is well known to all. It should not surprise us, therefore, if the people and Government of the Socialist Republic of Viet Nam, to achieve their unquestionable right to become a Member with us here in the international community, display the same sense of commitment and determination that they so valiantly displayed on the battlefields of national liberation and unification.

46. We are confident that the people of Viet Nam, through the exercise of their determination and their own patient commitment to their righteous objectives, will ultimately achieve all their aspirations, both within their country for the benefit of their people and in the context of the international community, for the benefit of all peoples that are struggling or have similarly struggled for national liberation and unification.

47. In fact, the people of the Socialist Republic of Viet Nam are already significant members of our world community, for in a real sense and in a spiritual sense they have always been part of our international ethos. They have made significant contributions to the development and victory of twentieth-century ideals, especially those so nobly pursued here at the United Nations.

48. The valiant people of Viet Nam have been struggling for more than 30 years. They struggled under the renowned visionary leadership of Ho Chi Minh to achieve independence from the colonial Powers. They continued the struggle to achieve unity, territorial integrity and self-determination. Their ultimate and triumphal victory against the forces of imperialism has given a new dimension to all the liberation movements throughout the world and has caught the imagination and won the respect of all the peoples of the world, including the people of the United States. The people of Viet Nam have proved that the tenacious will of a people is more effective than all the sophisticated murderous armaments of the

United States war machine. In so doing they have enhanced the determination, confidence and idealism of many other national liberation movements, especially those of southern Africa and Palestine.

49. It is no wonder, therefore, that the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations has received the whole-hearted support and encouragement of the overwhelming majority of nations and peoples in the six continents of the world.

50. Last year, at its thirtieth session, the General Assembly [resolution 3366 (XXX)], without a single opposing vote, requested of the Security Council that Viet Nam be immediately admitted to membership in the United Nations. This year, in the general debate at the thirty-first session of the General Assembly, more than 90 speakers, many of them heads of Government or Foreign Ministers representing countries in every corner of the world and holding all shades of political opinion, specifically called for the immediate admission of the Socialist Republic of Viet Nam to membership in the United Nations. This opinion has also been frequently stated in other international and regional organizations and forums. Among those I should like especially to draw the attention of members of the Council to the Political Declaration agreed upon at the recent Summit Conference of Non-Aligned Countries, which called upon the Security Council to discharge its high responsibility in a spirit of unswerving fidelity to the principles of the Charter "and to give prompt and positive consideration to the application of the Socialist Republic of Viet Nam for admission to membership in the United Nations".⁴

51. It is the firm belief of the Libyan Arab Republic that the whole-hearted and overwhelming support for the admission of the Socialist Republic of Viet Nam to membership in the United Nations is due in part only to our profound admiration for the Vietnamese people and our respect for the causes for which they have struggled and will continue to struggle. Another significant factor that causes us to take this position without any reservations is that the application for admission of the Socialist Republic of Viet Nam complies in every respect with the Charter, and especially Article 4, which stipulates that membership is open to all peace-loving States which accept the obligations contained in the Charter. This surely applies to the case of the Socialist Republic of Viet Nam and emphasizes once more the noble objective so long pursued by the United Nations: to achieve universality of membership.

52. Finally, the Libyan Arab Republic would like on this occasion to pay tribute to the people of the Socialist Republic of Viet Nam and to the noble cause for which they fought so valiantly. We proudly hail the victory they have achieved over their imperialist aggressors, and we are gratified to see the entire

people of Viet Nam united and free in the Socialist Republic of Viet Nam.

53. Mr. RYDBECK (Sweden): Sweden considers that the upholding of the principle of universality is one of the most important elements in the efforts to strengthen the role of the United Nations as the central organ in the common endeavours to create peaceful and harmonious relations between States. The United Nations offers its Members unique opportunities not only to present their views and ideas in a world-wide forum but also to participate in international co-operative efforts to find solutions to the tremendous problems facing the world today. Sweden does not believe it to be in the common interest of the Members to exclude any nation from joining the United Nations. Membership in the United Nations is of special importance in cases where serious political differences and tensions exist between States. The United Nations system offers practical, procedural and political possibilities in the search for the peaceful settlement of disputes.

54. Thus, Sweden, as a matter of principle, already strongly supports the application for admission to membership in the United Nations presented by the Socialist Republic of Viet Nam. The Swedish delegation has found the application to be in full accordance with the requirements of the Charter and has joined with other Members in sponsoring the draft resolution [S/12226] recommending to the General Assembly the admission of the Socialist Republic of Viet Nam as a Member of the United Nations.

55. The entry of the Socialist Republic of Viet Nam into the United Nations would signify the end of a long struggle for liberation and national independence, and it would also serve as definite confirmation of full international recognition of that independence. As a Member, the Socialist Republic of Viet Nam would have an important role to play within the United Nations and would undoubtedly make important contributions to the work of the Organization.

56. The Socialist Republic of Viet Nam has been recognized by almost all Members of the United Nations and, with one exception, by all the members of the Council. Sweden appeals to the United States not to prevent the admission of Viet Nam to the United Nations. Certainly, there are several outstanding problems as a consequence of the war in Viet Nam that need to be solved. The solution of those problems can, however, only be facilitated by the admission to the United Nations of the Socialist Republic of Viet Nam.

57. The Swedish people, which followed the struggle for independence of Viet Nam with great sympathy, warmly welcomes the fact that the new State, the Socialist Republic of Viet Nam, has chosen to apply for membership in the United Nations. Refusal to let the Vietnamese people be represented in the United

Nations would be harmful both to the United Nations and to international co-operation in general.

58. From the point of view of principle, Sweden seriously questions the linking of the question of membership to outstanding bilateral problems between a Member State with veto power on the one side and an applicant State on the other. It is very doubtful indeed whether to establish such a link is compatible with the letter and the spirit of the Charter. Therefore, my delegation sincerely hopes that the Council will be able unanimously to agree to recommend the admission of the Socialist Republic of Viet Nam to the United Nations.

59. Mr. LECOMPT (France) (*interpretation from French*): Mr. President, may I first of all congratulate you whole-heartedly on your assumption of the presidency of the Council, and express to you my delegation's pleasure at seeing one of Panama's most brilliant diplomats, a great friend of France, so capably presiding over this month's meetings, which, in all likelihood, will be numerous and complex.

60. May I also ask the delegation of Pakistan to convey to Mr. Akhund the gratitude and admiration of my delegation for the just, clear and smilingly authoritative way in which he guided our meetings in the month of October.

61. Everybody knows that for some time the destinies of France and Viet Nam were interwoven. This allows my delegation to bear witness, without wishing to be presumptuous, I assure the Council, to the fact that the Vietnamese people, throughout its long history, has always had an acute sense of its own personality and unity. Truly, no one here would dream of denying the existence of the Vietnamese nation, or of denying that it lives in a territory which is its own and has organized itself as a sovereign State fully master of its own destiny.

62. The great majority among us, particularly its Asian neighbours, have established diplomatic ties with the Socialist Republic of Viet Nam. As far as France is concerned, we have long since passed the stage of formal recognition and have developed and multiplied our relations with a people which, despite the vicissitudes of history, we have never ceased to admire. Suffice it, in this connexion, to recall the visit to Paris a short while ago of the Deputy Foreign Minister of the Socialist Republic of Viet Nam, Mr. Nguyen Co Tach.

63. France has suffered too much from wars of all kinds not to have learned the virtues of dialogue. It was in that spirit that, tirelessly advocating political solutions, we offered Paris as the site for the Conference that would bring together the protagonists of a conflict that had lasted too long.

64. It was also in that spirit that, last September, we proposed the postponement of the debate which

we are now renewing to some time in November, in the hope that the delay would be sufficient to allow the remaining differences between Viet Nam and one among us to be settled. Should this hope be disappointed, it goes without saying that France would be one of the first to deplore it.

65. In the last decades the Vietnamese people has suffered tragedies that have moved the entire world. It is now high time for us to come to the aid of a country that has been sorely tried, and the first gesture that the international community should make towards Viet Nam is to give it comfort and sympathy by allowing it to take its legitimate place in the United Nations. Whatever may be said, the United Nations is the most suitable place for the settlement of conflicts that at times emerge and divide us. Would the United Nations exist if everything in the world were in harmony?

66. As a founding Member of the Organization, France considers, in principle, that there can be no lasting reason to keep outside the United Nations a sovereign State that declares itself ready to respect the Charter and the obligations flowing from it. My delegation has sufficiently regretted the difficulties that surrounded the candidacy of certain States. It has given sufficient proof of the understanding that has imbued its attitude in particularly complex cases, and it can therefore voice the hope that the Council will unanimously permit Viet Nam to present itself to the Assembly this year and to become a Member. My delegation wishes to stress once again that the admission of a new State in no way signifies that those which do not oppose it have no bilateral disagreement with the candidate. It is by no means necessary that we have diplomatic relations with one another in order to meet here in our quest for peace and co-operation. All that our Charter calls for is that disputes between us be solved by peaceful means. It would be rather difficult for us to understand how a great country, with which France has ties of friendship and a very close alliance, and with which generally we have so many views in common, could become a prisoner of a concept by which a single bone of contention, however painful it might be, could lead to consequences out of all proportion to the cause of the dispute.

67. Perhaps I might also be allowed to hope that, apart from reasons of policy, there is also the question of the economic will to give Viet Nam the means of becoming an increasingly active partner in world relations. The reconstruction of a country so sorely tried but which has shown itself to be so industrious, whose people seems desirous of developing peacefully, with the assistance of the most varied partners, is a task in which the Organization is called upon to play an important role. For its part, France is ready to participate in bilateral and multilateral assistance so that the new Viet Nam may stanch the wounds of war and establish ties of fruitful co-operation with all parties concerned.

68. The historic and friendly ties that bind Viet Nam and France, our Organization's mission of universality, our desire to see that international disputes do not become an obstacle to that universality, and our wish to encourage mutual assistance, co-operation and the development of the various countries of the world—these are the important reasons which, after leading us to sponsor the draft resolution now before the Council, will cause us to vote in favour of the admission of the Socialist Republic of Viet Nam to the United Nations.

69. Mr. ABE (Japan): The Japanese delegation has studied the application for membership in the United Nations of the Socialist Republic of Viet Nam and its declaration accepting the obligations under the Charter [S/12183]. In the judgement of my delegation, the applicant is able and willing to carry out those obligations, and qualifies for membership under Article 4 of the Charter. My delegation, therefore, will vote in favour of draft resolution S/12226, which recommends to the General Assembly that the Socialist Republic of Viet Nam be admitted to membership in the United Nations.

70. I would recall that my delegation voted for the admission of both the Democratic Republic of Viet Nam and the Republic of South Viet Nam when their applications were being considered by the Council on 11 August 1975 [1836th meeting] and again on 30 September 1975 [1846th meeting].

71. The Government of Japan believes that the admission of the Socialist Republic of Viet Nam to membership in the United Nations will be in full conformity with the principle of universality, which constitutes one of the main objectives of the Organization. My Government is confident that the admission of the Socialist Republic of Viet Nam, a peace-loving State, will prove a very positive element in the maintenance of international peace and security and in the promotion of international co-operation.

72. The Government of Japan established diplomatic relations with the Democratic Republic of Viet Nam on 21 September 1973 and recognized the Provisional Revolutionary Government of the Republic of South Viet Nam on 7 May 1975. On 3 July 1976, the day that the reunification of Viet Nam was proclaimed, my Government took a further step to promote the friendly ties between the two countries by redesignating its embassy in Hanoi as the Japanese Embassy to the Socialist Republic of Viet Nam.

73. Japan, a fellow Asian country, reaffirms its traditional warm friendship with Viet Nam. The Government and people of Japan extend their best wishes to the Government and people of Viet Nam, with congratulations on their zealous efforts to achieve the reconstruction and development of their country. We look forward to increasing co-operation with them, both within and outside the United Nations.

74. Mr. VINCI (Italy): Mr. President, I should like, first, to convey to you the satisfaction of the Italian delegation at seeing the task of presiding over the work of the Council for the current month entrusted to your enlightened guidance. This satisfaction is the greater as there is a long tradition of friendly and close relations between our two countries, a tradition that has been constantly enhanced by our common cultural background. I am sure that your long experience and your well-known diplomatic skills will be of great help to all of us, and I wish to assure you of the full co-operation of my delegation.

75. I should also like to thank your predecessor, Mr. Iqbal Akhund of Pakistan, for the quite constructive and inspiring way in which he exercised the presidency during the past month of October. His outstanding qualities of leadership came once again into full evidence in the course of the difficult debates we had during his term of office.

76. The Italian Government has constantly believed that the universality of the United Nations is an essential condition for the complete fulfilment of the vital role of the Organization in the various fields in which it is called upon to operate, and particularly in the strengthening of international peace and security. We are firmly convinced that every State has an essential contribution of its own to make to the success of the United Nations. We believe, at the same time, that all States, regardless of their political, economic or ideological systems, should be part of the Organization in so far as they abide by the conditions set out in Article 4 of the Charter.

77. We therefore fully supported all along the candidatures for membership of the two Vietnamese States when they were put forward last year in the first stage, and afterwards the candidature of the unified Socialist Republic of Viet Nam. In the case of the Vietnamese application, our support was and is strengthened by a number of other considerations. The Socialist Republic of Viet Nam has emerged as a unified entity out of one of the longest and most tragic struggles of our times. That country, relying mainly on its own strength, has also succeeded in achieving in a short time remarkable results in its material and moral rehabilitation.

78. Italy has already established friendly and mutually advantageous relations with the new unified State. This bilateral experience has confirmed us in the belief that the Socialist Republic of Viet Nam is fully qualified for membership in the United Nations and has a significant contribution to make to the Organization on both the regional and the world plane.

79. We are, of course, aware of the difficulties which have so far prevented Viet Nam from joining the United Nations. We are well aware also of the underlying emotions and human expectations

apparently still standing in the way. We hope, none the less, that it will be possible to remove these remaining obstacles, and we find further reason for hope in the starting of a dialogue which in our view, should, lead—it is hoped, very soon—to a satisfactory solution of the problems standing between the parties concerned.

80. In the light of what I have said, my delegation will vote in favour of the 11-Power draft resolution [S/12226]. In so doing, we feel that we will be working in the direction pointed out by history and by the growing need in our present world for international understanding and co-operation.

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

82. Mr. JAIPAL (India): Mr. President, may I extend to you my delegation's felicitations on your assumption of the office of President of the Security Council for this month and wish you all success. May I also express my delegation's thanks to the members of the Security Council for giving us this opportunity to place before it our views on the important question of the admission to the United Nations of the Socialist Republic of Viet Nam, a question which has been before the Security Council on two previous occasions. This is, in fact, the third occasion on which my delegation has reiterated its position on this same question.

83. No national liberation struggle has left such a painful wound on the conscience of mankind as the prolonged war of the Vietnamese people for their independence. That wound is all the more painful because of the inability of the United Nations to do anything in the matter. In spite of this impotence of the United Nations, one of the first acts of the independent State of Viet Nam was to apply for membership in the Organization. It seems that the least that the United Nations can do in the circumstances is to admit Viet Nam without any further fuss or delay.

84. The conditions for admission of Member States are laid down in Article 4 of the Charter. The Socialist Republic of Viet Nam meets all those conditions, and no one disputes this fact. Viet Nam is willing to accept the obligations in the Charter of the United Nations. It is certainly as able to carry out those obligations as any other State Member of the United Nations. It is a peace-loving State, and of this there can be no question. There are no other requirements for its admission to membership in the United Nations. There is, in fact, an advisory opinion of 1948 of the International Court of Justice³ which supports the view that no requirement other than those stipulated in Article 4 may be imposed on States applying for admission to the United Nations.

85. In the interests of the universality of the membership of the United Nations and also in the interest of the maintenance of international peace and security and because the Socialist Republic of Viet Nam fulfils the conditions for membership laid down in Article 4 of the Charter, my delegation is of the opinion that the United Nations is obliged to admit it.

86. It would be tragic indeed to deny Viet Nam admission to the United Nations for reasons unconnected with the conditions for membership specified in the Charter. There are, of course, some precedents for denying membership to applicant States for other reasons, but such cases have not added to the glory of the Organization. Since then we have moved on to a new phase in international relations when it would seem strange to use the veto procedure for extraneous reasons to deny admission to a State that fulfilled all the conditions laid down in the Charter.

87. We suggest that the occasion calls for a voluntary act of self-denial on the part of the permanent members of the Security Council whereby they would not use the veto in this case. The General Assembly has already expressed its opinion in its resolution 3366 (XXX), when it declared, without a single negative vote, that Viet Nam should be admitted to the United Nations. In the Security Council in September 1975, the admission of the two Vietnamese States was linked, unfortunately, to the question of the reunification of Korea so as to reject their applications. The two Vietnamese States have since become unified, but we hear that other reasons are now given for vetoing the admission of the unified State of the Socialist Republic of Viet Nam.

88. We reiterate that, in deciding for or against applications for membership, it would be contrary to the Charter to go beyond the conditions for membership set out in Article 4 of the Charter. In the present case of the application of the Socialist Republic of Viet Nam, a voluntary self-denying decision on the part of one permanent member of the Security Council not to cast a negative vote would serve not only to increase its stature but also to enhance the prestige of the United Nations. We feel sure that by such action the Council would be able to live up to the expectations of the overwhelming majority of the Member States of the United Nations and to facilitate the admission of Viet Nam.

89. The PRESIDENT (*interpretation from Spanish*): The next speaker is the representative of Mali, whom I invite to take a place at the Council table and to make a statement.

90. Mr. KANTE (Mali) (*interpretation from French*): Mr. President, my first words will be to thank the members of the Council through you for having allowed my delegation to participate in this important debate. I should like also to take this opportunity to express my warm congratulations to you on your accession to

the presidency of the Security Council. The delegation of Mali is happy to see a worthy representative of Latin America and of the third world guiding the work of the Council at a time when it has before it such an important question as the admission of the Socialist Republic of Viet Nam to the United Nations.

91. My delegation welcomes the presence among us of the representative of heroic Viet Nam, and we pay tribute to his courageous people, which for more than a quarter of a century opposed the most infernal imperialist-colonialist war-machine of all time. No other people has paid such a high price for its independence. Its courage and determination compel admiration and respect. We reverently salute the memory of its martyrs. Their sacrifice was not in vain, because today the Vietnamese people, reunified, has fully assumed its destiny.

92. The Socialist Republic of Viet Nam is at the same time a symbol and an accomplishment. It is a symbol of the resistance of a people confronted with the forces of imperialist and colonialist domination. It is the accomplishment of the revolution of August 1945 and of the testament of its prestigious leader, President Ho Chi Minh, whose thinking has guided the struggle for the liberation of all the peoples on all continents.

93. After having vanquished its aggressors and freed its country from the puppets, the Vietnamese people, in a generous gesture worthy of heroes, was able to forgive those who had assaulted it so bitterly during that long struggle of colonial reconquest, and today, with its neighbours of South-East Asia, to whom it has extended the hand of friendship, it is building true peace founded on the principles of peaceful coexistence.

94. The Prime Minister of the Socialist Republic of Viet Nam, Mr. Pham Van Dong, has reaffirmed that policy of peace with his programme statement of 3 September 1976

95. That is why, in its wisdom, the General Assembly at its thirtieth session adopted, by an overwhelming 123 votes, a resolution [*resolution 3366 (XXX)*] which recommended to the Security Council the admission of that State. However, the Government of the United States did not pay any attention to that, and in less than one year it used its right of veto three times to prevent the entry of Viet Nam into the United Nations. The reasons invoked were specious and varied from vote to vote.

96. The first time the United States Government tried to justify its veto by arguing that the Vietnamese Governments lacked authority and did not have complete control over their territories. The second time it used the pretext that the Council had refused to consider the question of the admission of the Seoul Government to the United Nations, so as to block by its veto the admission of the two Vietnamese

States. After the reunification of those two States, the problem of the admission of the Socialist Republic of Viet Nam could no longer be linked to the question of divided Korea. To justify its third veto, the United States Government has used a new argument, this time a humanitarian argument. It declares that the Vietnamese Government has "refused" to furnish information on the 800 men missing in action, that is, the United States soldiers who disappeared during the war. It charges that the Vietnamese Government shows "a lack of attachment to the cause of peace and a lack of humanity, which are indispensable qualities for a Member of the United Nations". Under the Charter, none of these three reasons can be used to oppose the admission of a State as a Member of the United Nations.

97. Indeed, in the advisory opinion that it issued on 28 May 1948,³ the International Court of Justice declared:

"A Member of the United Nations which is called upon, in virtue of Article 4 of the Charter, to pronounce itself by its vote, ... in the Security Council... 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; and that, in particular, a Member of the Organization cannot, while it recognizes the conditions set forth in that provision to be fulfilled... subject its... vote to the additional condition that other States be admitted to membership in the United Nations together with that State."

That opinion, which is authoritative, destroys all the arguments put forward by the United States Government to justify its three vetoes. In addition, the United Nations guarantees the unity and territorial integrity of Korea and, therefore, it could not support attempts made to consecrate the division of that country. With respect to the Americans missing in action during the aggressive war against Viet Nam, the Vietnamese Government has reaffirmed, as recently as 12 November, that it is prepared to fulfil its obligations with regard to "the restitution of persons and soldiers missing in action" in accordance with the provisions of article 8 (b) of the Paris Agreements.⁵

98. Since its victory over its aggressors, Viet Nam has made many gestures of good will, thus it has freed all prisoners. As recently as September of this year, the Government of the Socialist Republic of Viet Nam communicated to the Government of the United States a list of 12 names of Americans missing in action; through the good offices of members of the United States Senate it has repatriated to the United States the remains of two soldiers missing in action.

99. On 3 September 1976, the Department of State declared that the publication by the Government of the Socialist Republic of Viet Nam of that list was a

positive and constructive step—to use the very language of Mr. Brown, the spokesman of the State Department.

100. *The New York Times* of 4 September commenting on the good will gestures of the Vietnamese Government, wrote the following in conclusion:

“Washington should not oppose the admission of Viet Nam by its veto, simply to show that the United States subscribes to the principles of the Charter of the United Nations and approves the admission of any legitimate Government.”

101. We sympathize with the grief of the families of the Americans missing in action and we share their anxiety. The responsibility for their anguish cannot, however, be attributed to the Government of the Socialist Republic of Viet Nam, which also has its own missing in action numbering hundreds of thousands, not to say millions. The parties truly responsible for their grief are the Kys, the Thieus and the puppets with bloody hands who, since their defeat, are living in luxury in royal exile in palaces in the United States and the United Kingdom.

102. So far as we are concerned, we feel that it is through co-operation, as proposed to the United States by Viet Nam, within the framework of the resumption of their bilateral relations, that the distressing problem of the missing in action can be resolved—because certainly not all of them fell within the lines of the National Liberation Front of Viet Nam.

103. Already all the restrictions have been lifted on the movement of United States citizens who reside in Viet Nam. They can, therefore, leave that country whenever they wish to do so.

104. The spokesman for the Embassy of the Socialist Republic of Viet Nam in Paris declared on 12 November that “Viet Nam is prepared to undertake discussions to normalize relations between it and the United States in the interests of both parties”;

105. While the Vietnamese side wants to assume its obligations arising out of article 8 (b) of the Paris Agreements of 1973, that is not the case so far as the United States side is concerned. Under article 21 of that document, the United States side should contribute to healing the wounds of the war and to the post-war reconstruction of Viet Nam. That contribution was evaluated by the Joint United States-Vietnamese Economic Commission which met in Paris in 1973. As the Prime Minister of the Republic of Viet Nam in recalling the obligations of the United States said, “this is not only a question of right, but also a question of honour, responsibility and conscience”.

106. The world fails to understand the hostility of the United States Government *vis-à-vis* the heroic

people of Viet Nam. It is high time that the burden which weighs so unjustly on that country should be lifted. The respect which the United States Government owes to the great family of non-aligned countries, of which the Socialist Republic of Viet Nam is a member, should encourage it to reconsider its position. It cannot continue to ignore a country of 50 million inhabitants which maintains diplomatic relations with at least 100 States and, in addition, is a member of United Nations specialized agencies and the International Monetary Fund.

107. The United States must overcome its hostile feelings and yield to the pressing insistence of various American circles in favour of the normalization of relations between it and the Socialist Republic of Viet Nam. The isolation in which it finds itself in the Council hurts its prestige and authority, because it cannot qualify as automatic the majority which emerges here in favour of the Socialist Republic of Viet Nam, since it includes its closest allies. My delegation therefore joins with those who have spoken before us in appealing to the representative of the United States to remove the obstacle so unfairly placed in the way of the admission of the Socialist Republic of Viet Nam to the United Nations. The credibility of the Organization, which has been severely shaken by the abusive use of the veto by certain permanent members of the Security Council, will definitely benefit therefrom.

108. The Socialist Republic of Viet Nam is now a reality and it cannot be ignored. The United States Government must somehow live with this reality and must, without any delay, begin constructive negotiations with the Government of Viet Nam to settle the disputes which still exist between them.

109. The Paris Agreements of 1973 which must be applied in all their provisions are the framework within which that can be done. The principle of universality which constitutes the strength and wealth of the Organization would thus be safeguarded.

110. As the Minister for Foreign Affairs of Mali, my country, Colonel Charles Samba Cissokho, said so well in his toast in reply to Mr. Henry Kissinger, United States Secretary of State: “America of the pioneers and the trappers of whose temerity and courage so many fascinating legends have been created cannot in this case show irascible and hostile emotions”. That is one of the best traditions of the American people which has stood the test of time. We hope that the United States Government will heed our appeal and the appeals of its own citizens and its press.

111. The communiqués published on 13 November by both the United States Department of State and the Embassy of the Socialist Republic of Viet Nam in France at the end of the first round of negotiations between the United States and Viet Nam in Paris allow us to hope that this will happen and that the

vote will be favourable. At any rate, the veto is incompatible with the optimism expressed in those communiqués.

112. The PRESIDENT (*interpretation from Spanish*): I wish to inform the Council that I have received a letter from the representative of Guinea in which he asks to be invited to participate in the Council's debate, in accordance with the relevant articles of the Charter, without the right to vote.

113. In accordance with the provisions of rule 37 of the provisional rules of procedure and the Council's practice, and if there are no objections, I propose to invite the aforementioned representative to participate in the discussion without the right to vote.

At the invitation of the President, Mr. Conde (Guinea) took a place at the side of the Council chamber.

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

115. Mr. CONDE (Guinea) (*interpretation from French*): Mr. President, I should like first of all to thank you for allowing me to speak here, and, on behalf of my Government, to congratulate you on assuming the presidency of the Council for this month.

116. In his statement to the General Assembly during the thirty-first session, the Foreign Minister of the Republic of Guinea, when speaking of Viet Nam, said:

"In Asia, the liberation struggle victoriously waged by the heroic peoples of Viet Nam, Democratic Kampuchea and Laos compels the admiration of all, and constitutes an inestimable contribution to the triumph of the ideals of liberty and progress. The international community must contribute to the efforts of national reconstruction undertaken by those States.

"Our delegation wishes to take this opportunity to pay a particular tribute to the great people of the immortal Ho Chi Minh, which, after having defeated, one by one, all the imperialist armies, has just proclaimed to the world the birth of its reunified nation, the Socialist Republic of Viet Nam.

"The American veto, two years in succession, of the admission to the United Nations of this country, which has contributed so much to the liberation of peoples and to the strengthening of peace, is inadmissible and demonstrates the omnipotence of some countries in the conduct of world affairs within an Organization which seeks universality.

"Our delegation hopes that, during the upcoming discussion of this matter, reason will prevail over rancour."⁶

117. It appears that historic reason is prevailing over individual reason, and this is in the greatest interest of all.

118. The contribution of a people that has known how to gain respect can only be of benefit to the Organization. Those who yesterday felt its presence to be untimely would gain also because, as we say, it is more difficult to forget than to act. The Government and Party State of Guinea are convinced that, by recognizing the right of the Vietnamese people to participate in international activities, the Organization will be paying true tribute to the characteristic courage of that valiant nation. It is for this reason that we appeal, with the Council, to the United States to lift its veto and thus allow Viet Nam to enter the United Nations.

119. The PRESIDENT (*interpretation from Spanish*): There are no more names on the list of speakers. I shall therefore put to the vote the draft resolution sponsored by Benin, China, France, Guyana, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics and United Republic of Tanzania contained in document S/12226.

A vote was taken by show of hands.

In favour: 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.

Against: United States of America.

The result of the vote was 14 in favour and 1 against.

The draft resolution was not adopted, the negative vote being that of a permanent member of the Council.

120. The PRESIDENT (*interpretation from Spanish*): I would request the Secretariat to prepare a special report in accordance with the provisions of the third paragraph of rule 60 of the provisional rules of procedure.

121. I shall now call on those members who wish to explain their vote after the vote.

122. Mr. SCRANTON (United States of America): The United States voted against the application for membership in the United Nations by the Socialist Republic of Viet Nam, not because we doubt that the Socialist Republic of Viet Nam is able to carry out the obligations of the United Nations Charter but rather, because the United States has serious doubts

about the willingness of Viet Nam to do so. It is this lack of demonstrated will which leads the United States to conclude that the Socialist Republic of Viet Nam does not meet the standards established by Article 4 of the Charter.

123. Let me be specific. The Socialist Republic of Viet Nam has failed so far to manifest satisfactory humanitarian or practical concern regarding American servicemen missing in action. It has failed, despite the information available to it, to account satisfactorily for Americans missing in action and to return the remains of those killed in the recent conflict in Indo-China, despite repeated efforts by the United States to persuade it to do so. We cannot help but conclude from the Vietnamese refusal to provide a fuller accounting that the Socialist Republic of Viet Nam persists in its attempts to play upon the deep anguish and the uncertainty of the families of those missing men in order to obtain economic and political advantage.

124. Through its record and policies, the Socialist Republic of Viet Nam has convinced my Government that it is not willing to carry out obligations of the Charter. As we all know, these obligations embrace not only the maintenance of international peace and security but also observance of human rights.

125. Should the Socialist Republic of Viet Nam, by its actions, demonstrate its willingness to carry out fully the Charter obligations, the United States for its part would reconsider its position in regard to a renewed application for entry into the United Nations.

126. I should like to take the opportunity to use just a moment more to comment on some of the views that have been expressed by a number of representatives during the course of this debate. Some have spoken with great seriousness and evident preoccupation; some have reacted angrily; and still others have exuded virtuous indignation in very strong terms.

127. My delegation acknowledges the genuine concern of some among us over the present situation. What we cannot accept is the cynical posturing represented in many of the statements we have heard in the Council's debate on the issue. For instance, it shows a singular lack of grace for that Power which has cast 110 vetoes in the Council to lecture us in self-righteous tones on proper behaviour. Fifty-one of those 110 vetoes—51 of them—were applied to membership applications.

128. As I look around this table, I see among the present members of the Council one whose application was vetoed six times before that country was finally admitted. Another now at this table suffered four such vetoes.

129. An Asian permanent member did not hesitate not so long ago to veto the application of an emerging

Asian State because it did not like the way that State had come to independence. Later, it relented and allowed the application to be accepted.

130. Numerous members of the non-aligned group on the Council and among the general membership of the Organization have spoken with fervour on the rights of the current applicant. However, as recently as a year ago, the members of the non-aligned group on the Council could not bring themselves even to consider the application of a well-qualified Asian State—a State whose population is greater than that of 124 Members of the United Nations and whose gross national product exceeds that of 107 of the current membership. And yet the non-aligned talk of an unflinching commitment to the principle of universality.

131. I do not seek here to be contentious. I merely wish to recall some facts in the Council's record. Those who make accusations—whether pious or ill-tempered—might be well advised to examine the reflecting mirror for examples of their actions in times past and times recent. I speak directly to the point. I appeal to the current applicant to give attention to the human rights provisions of the Charter, to abandon trading on the sorrow of families to attain its ends. Normalization of relations could then flow very swiftly.

132. Mr. LAI Ya-li (China) (*interpretation from Chinese*): In August and September last year when the Security Council was considering the applications of the Democratic Republic of Viet Nam and the Republic of South Viet Nam for membership in the United Nations, the United States tried to make a so-called package deal by linking them with the so-called application of South Korea and used this as a pretext to obstruct the admission of the Democratic Republic of Viet Nam and the Republic of South Viet Nam into the United Nations.

133. This time, when the Security Council is considering the application of the unified Socialist Republic of Viet Nam for membership in the United Nations, the United States, under the unjustifiable pretext of demanding an "accounting for those missing in action", once again used the veto to obstruct the Socialist Republic of Viet Nam from being admitted into the United Nations. Such a practice on the part of the United States is in complete violation of the relevant provisions of the Charter on the admission of new members. The Chinese delegation expresses serious regret at such a crude and unwarranted act of the United States. Such an arbitrary practice on the part of the United States, far from doing any harm to the Vietnamese people, can only land the United States itself in isolation.

134. Mr. BOYA (Benin) (*interpretation from French*): The Security Council has just concluded its debate on the application for admission of the Socialist Republic of Viet Nam to membership in the United

Nations. Of the 15 members of the Council, 14 voted in favour of the admission of the Socialist Republic of Viet Nam, and yet the representatives of the heroic people of Viet Nam will not be able to occupy the place which common sense recognizes as theirs. The numerous appeals to reason that were made by many representatives who spoke in the debate have fallen on deaf ears and have not shaken the position of the United States Government. That Government has categorically rejected the demand of the overwhelming majority of the Organization, coldly using its power of veto.

135. However, what we do know and what encourages us is that the people of Viet Nam is a great people. It has been seasoned by dozens of years of armed struggle and political struggle. That is why the delegation of the People's Republic of Benin is convinced that the people of Viet Nam will persevere in its struggle until its triumphant entry into the United Nations

136. Mr. KHARLAMOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): Today the Security Council could have adopted a good, just and legitimate decision on the admission of the Socialist Republic of Viet Nam to the United Nations. The people and the Government of that country have long ago deserved to take their place with us as Members of the United Nations. It is a great pity that they were not able to achieve this today.

137. Only one argument against this was not put forward, one that it is very difficult to consider seriously. Doubt was cast on the ability of the Socialist Republic of Viet Nam to comply with that part of the Charter dealing with humanitarian concerns. The response to this had already been given by the Government of the Socialist Republic of Viet Nam. It was very convincing and very thorough.

138. Those who raised this question only unilaterally and think that it applies only in one direction are very much mistaken. The Socialist Republic of Viet Nam is absolutely entitled to ask this question in return: where are the thousands of Vietnamese who have disappeared and whose fate is unknown to anyone? Nobody is prepared to say anything about their fate to the Government of the unified State of Viet Nam. Has that question no foundation? It has exactly the same foundations as the argument which was put forward today by the representative of the United States.

139. We are very sorry that so many of the families of those who are missing in action know nothing about their fate, but they did not go to Viet Nam at Viet Nam's request. War is war. Our country too was very badly shaken and many disasters were inflicted on it during the Second World War. Many families in our country still do not know what happened to their children, their sons, their fathers, and no

information at all has ever been given to us on this. Yet our State wishes to establish relations with all Governments and all States, and we are firmly adhering to this policy. We have good relations with all, even with those who are somehow related to the war of the past and to its beginning.

140. The representative of the United States said—I am sorry that he has left the chamber, because I hold him in very high esteem—that it was not very appropriate for some States here to say that it was not legitimate, and so on, to exercise the veto at this time. To this I would reply very simply that Mr. Scranton should not refer to the history of the United Nations. He knows very well why the veto was used; it was because the United States and those who supported the United States impede the admission of socialist States to the United Nations. There is absolutely no need at all now to study what happened in the 1950s. We are not now in the 1950s; we are in the 1970s, and the world is completely different.

141. Therefore, if today the United States tried to restore the practices which it used in the past, we can say that those practices are not valid at this time. They cannot be justified by anyone.

142. We want to say this to our Vietnamese friends: You have a good country. You are a good people. You have many friends both within the United Nations and outside it. They will help you. They will give you assistance and support so that the wounds of war may be healed as quickly as possible, so that you may make your country strong, so that your country may develop economically and culturally. You can rely on these friends. And, among these friends, the Soviet Union will be at the forefront in giving you assistance. We helped you during the hard war you had to fight, and we shall help you now that the war is over. I want to voice the firm conviction that one day you will be here in the United Nations, despite the artificial, invented reasons for procrastination and despite any artificial motives for votes against your country's admission to the United Nations.

143. Mr. KIKHIA (Libyan Arab Republic): Once again the Security Council has failed to take a decision on the application of the Socialist Republic of Viet Nam. It has been prevented from admitting the Socialist Republic of Viet Nam to membership of the United Nations. Once again this has been because of the negative vote of the United States of America, because of the use, or rather the abuse, of the privilege of the veto by the United States.

144. My delegation deplores the United States action, which resulted in preventing peoples that have struggled against imperialism, oppression and exploitation from exercising their right to membership of the United Nations, from participating, as they have every right to do, in the international community.

145. The United States claims that it defends the principle of the universality of the United Nations. It defends that principle especially when the racist régimes in South Africa and in Palestine are involved. But it denies the application of that principle when it comes to the rights of free peoples like those in Viet Nam or Angola.

146. The delegation of the Libyan Arab Republic believes that it is most unfortunate that the policies that brought so much tragedy in the past to the people of Viet Nam should have been resurrected by the United States in this body, in this fashion and at this time, and at the sacrifice of democratic, just, humanitarian principles. This policy of obstructionism and abuse of the veto privilege on a question of the admission of a new Member to the United Nations has already been applied three times this year. It gives rise to very considerable concern. The policy was applied once in June, when the United States was alone in opposing the admission of the People's Republic of Angola to the United Nations. It was applied for the second time last September, when, because of United States obstructionism, it was decided to postpone consideration of the question of the admission of the Socialist Republic of Viet Nam to the United Nations. Its third application was today, when the United States, in complete opposition to the views and desires of the vast majority of world opinion and the vast majority of the opinion in the Council, vetoed for the second time the admission of Viet Nam to the United Nations.

147. It is obvious to all the members of the Security Council, to the United Nations as a whole and to the world community that the United States is now, as in the past, abusing its veto privilege for the sole purpose of blackmailing the Socialist Republic of Viet Nam in the current dispute between the two countries. Whereas our Charter stipulates that United Nations membership is open to all peace-loving States, the United States, flaunting its veto privilege, has added another condition—namely, that the applicant should first solve all disputes with the United States.

148. It is incumbent upon the Council, which is entrusted with the maintenance of world peace and security, to consider what steps are appropriate to remedy this abuse of the veto. My delegation questions whether the veto privilege can rightfully be exercised, particularly on the question of admission to membership in the United Nations. We are greatly concerned when the abuse of the veto privilege results in frustrating the achievement of universality, an objective that has long been pursued by the United Nations.

149. This behaviour not only is contrary to the letter and spirit of the Charter, but also serves to exclude the United Nations from assisting in an effective manner in settling disputes in which it is justly concerned.

150. Such a reconsideration of the veto privilege might result in the elimination of the failings of the present situation, whereby a permanent member can unfairly use its veto privilege to blackmail the applicant or demand the applicant's co-operation on issues or disputes totally unrelated to the justice of its application for membership.

151. This futile, anti-Charter policy will not deter the Vietnamese and other peace-loving peoples all over the world from their will to continue their struggle for freedom, progress, international co-operation and brotherhood.

152. Mr. CHALE (United Republic of Tanzania): It is truly very disappointing that so many appeals made today have been rejected. I wonder what Cicero would have said had he been with us today. He no doubt would have addressed the United States delegation in the way he addressed Catilina: "*Quousque tandem abutere, Catilina, patientia nostra?*"—"How long, Catilina, will you abuse our patience?". He would have turned to this Council and thundered: "*Quousque tandem patientimini, fortissimi viri?*"—"How long, honourable gentlemen, will you be patient?". History repeats itself. I can just see Cicero here, faced with Catilina.

153. I would, then, say to Mr. Sherer, the United States representative in the Committee on the Admission of New Members, that this is indeed a lost opportunity—a lost opportunity to regain the friendly consideration of the world community. Look at the many appeals that have been made. And we are told that they were lectures and accusations. This was a lost opportunity to erase what was not palatable in the past, a lost opportunity for the outgoing Administration to leave the house to the new Administration without debit. It has been said that it would perhaps be better to leave this question to the incoming Administration. Although we may have full expectations, let us not forget the wise warning of President Woodrow Wilson when he entered office. He was the twenty-eighth President of the United States. What did he say? He remarked, "When a man takes office in Washington, he either grows or swells". There is a world of difference, I would tell Mr. Sherer. We would have liked the outgoing Administration to leave a clean slate behind it.

154. It is with great consternation, therefore, that we look upon the veto just cast by the United States. This is another very sad occasion for my delegation. Once again the will of the majority is being trampled down by the tyranny of the minority—indeed, the absolute minority. This is only one of the numerous occasions that have seen the continued misuse of the veto power by the United States. Many lame excuses are used to block the admission of the Socialist Republic of Viet Nam to membership in the Organization. This is a disservice to the Vietnamese people and disrespect for the sovereignty of the Socialist

Republic of Viet Nam. There can be no justification whatsoever for denying the people of Viet Nam representation in the Organization.

155. The use of the veto by the United States comes to my delegation both as a surprise and as no surprise. It is a surprise because the Socialist Republic of Viet Nam has the legitimate right and is fully qualified to become a Member of the United Nations in terms of the principles and conditions of the Charter and its relevant provisions. Furthermore, the wishes of the majority have been expressed in General Assembly resolution 3366 (XXX), which received 123 votes in favour, none against and nine abstentions.

156. It is no surprise because on numerous occasions in the recent past the veto power has been used to maintain the outdated and discredited policies of imperialism, colonialism and *apartheid*. The more we witness the abuse of the veto, the more we are vindicated in our view that this privilege, this extraordinary and obsolete power, is detrimental to the work of the United Nations and calls for immediate reconsideration, together with the overall review of the Charter. It is frequently used to frustrate and trample underfoot the legitimate rights of other sovereign States and other peoples and to hamper enforcement measures required to enhance adherence to the principles of the Charter.

157. I am shocked sometimes to think that even among the permanent members there is no majority. Only one has to speak and the die is cast. We should at least have democracy among the permanent members—and an absolute majority. If the other four agreed with the fifth, that would be all right. But otherwise, it is a mockery.

158. It is not the first time the United States, using lame and irrelevant excuses has used its veto power to block the admission of other sovereign States to membership in the United Nations. Here I refer not only to the Socialist Republic of Viet Nam but also to the independent and sovereign State of Angola, whose application has been vetoed on similar pretexts, a veto that negates the principle of universality.

159. The members of the Council and the United Nations generally were made to understand that the independent and sovereign State of Angola could not become a Member of the United Nations simply because it had troops of a friendly State on its soil. We were rather puzzled and indeed dismayed to learn of this new condition for admission to membership in the United Nations. How many countries that are Members of the Organization have on their soil troops of other States—those of the United States not excluded?

160. The previous application of the Socialist Republic of Viet Nam was rejected purportedly also because of the concept of a "package deal". Is the Security

Council now expected to base its decisions on the concept of a "package deal", instead of on the recognized principle of universality and the Charter. It was obvious and legitimate, even to the United States, that the Council could not accept the application of the régime of South Korea, and yet the rejection by the Council of its application was the excuse given for denying membership to the two Vietnamese States. Now that Viet Nam is united, we encounter new manoeuvres again to deny the Vietnamese people representation in the world body.

161. The extraneous conditions imposed for the admission of the Socialist Republic of Viet Nam to membership in the United Nations are unacceptable and totally irrelevant under the Charter. The disclosure by the Vietnamese authorities of the names of those missing in action, who were involved in the war of aggression against Viet Nam, has nothing to do with Article 4 of the Charter.

162. We do not know what other lame excuses will be given in the future. What more right has Tanzania, or the United States for that matter, or any Member State represented here, to be a Member of the United Nations than the Socialist Republic of Viet Nam? The action taken by the United States only goes to confirm the suspicion of its mistaken belief that the aggressive war lost in Viet Nam could be won within the walls of the Security Council chamber. Such action can only lead to a further loss of prestige for the Power exercising the veto.

163. The United States can only restore the honour it lost with its defeat in Viet Nam by its reversing its attitude towards the Vietnamese State and people and by extending a hand of co-operation to them.

164. Shakespeare said, "O! it is excellent to have a giant's strength; but it is tyrannous to use it like a giant".

165. Mr. DATCU (Romania) (*interpretation from French*): I should like to express the profound regrets of the Romanian delegation concerning the situation created by the negative vote of a single delegation, that of the United States of America. As far as we are concerned, its attitude remains unjustifiable, as indeed it is in the eyes of the peoples of the world that have followed the Security Council's debates. The explanations advanced by the United States delegation were based particularly on past events. We sincerely believe it wise to look courageously and honestly to the future, and the future can be based only on new principles of international relations aimed at a more just world based on equality and justice for all, great and small alike and for permanent members as well as other States.

166. We remain convinced that the just cause of the Vietnamese people will triumph and that the valiant people of Viet Nam will undoubtedly, in the near

future, take its rightful place here in the United Nations, thus giving expression to the almost unanimous will of the States Members of the United Nations.

167. The PRESIDENT (*interpretation from Spanish*): As no other Council member has asked to speak after the vote, I now invite the representative of the Socialist Republic of Viet Nam, in accordance with the decision taken earlier by the Council, to take a place at the Council table and to make his statement.

168. Mr. DINH BA THI (Socialist Republic of Viet Nam) (*interpretation from French*): I wish to thank you, Mr. President, and all the members of the Security Council, for allowing me to speak. May I take this opportunity to congratulate you on your assumption of the duties of President of the Security Council for the month of November. I am particularly pleased to note that the friendly relations and mutual support between our two peoples continue to develop in the interest of our common struggle for the national independence, sovereignty and territorial integrity of our two peoples, and for international peace and security.

169. I wish, first of all, to reject categorically the unfounded allegations which the United States representative has just made in a vain attempt to justify the erroneous and indefensible policies of his Government.

170. This is the third time that the Security Council has met to consider Viet Nam's application for United Nations membership. It is perfectly clear to everyone that throughout these meetings the problem has not been whether Viet Nam is or is not qualified for United Nations membership, because at these meetings 14 members of the Security Council and a large number of other States not members of the Council have spoken in support of Viet Nam's candidacy and have criticized the unjustifiable attitude of the United States delegation, which, for the fifth time, has vetoed our candidacy.

171. It should also be pointed out that, at the two meetings of the Council in August and September 1975, the head of the United States delegation stated that he was not opposed to the admission of Viet Nam as a Member of the United Nations and that he upheld the principle of universality. Yet that same representative, on the pretext of his opposition to so-called selective universality, resorted to the veto four times to block Viet Nam's application, thereby opposing genuine universality which was defended by the other members of the Security Council as well as by 123 Members of the United Nations at the thirtieth session of the General Assembly.

172. On 10 August this year, after achieving full reunification, unified Viet Nam, represented by the

Government of the Socialist Republic of Viet Nam, submitted to the Secretary-General its application for membership [S/12183], in which it undertook to respect the duties and obligations set out in the Charter of the United Nations. Nearly all Members States expressed their support for that candidacy in the general debate at the thirty-first session of the General Assembly. Fourteen members of the Security Council also expressed support for our candidacy.

173. The President of the thirty-first session of the General Assembly, Mr. Hamilton Shirley Amerasinghe, in his opening address, said:

"After 30 years of bitter fratricidal conflict during which they were a divided nation [the two Viet Nams] have succeeded in achieving their unification through the free will of their people. This is a unique and unparalleled achievement during the post-Second World War era and by itself establishes beyond cavil their credentials. They have demonstrated clearly their intention and capacity to discharge the obligations of a Member of the United Nations."

174. The Fifth Conference of Heads of State or Government of Non-Aligned Countries, which met at Colombo last August, unanimously called upon the United Nations Security Council to give prompt and positive consideration to the application of the Socialist Republic of Viet Nam for admission to membership.⁴ As is clear from the foregoing, the Socialist Republic of Viet Nam has fulfilled all the requirements under Article 4 of the Charter, and no one can deny its legal status, desire or ability to make an active contribution to the achievement of the noble purposes of the Charter of the United Nations.

175. The pretext used by the United States Government this time to veto the admission of Viet Nam is an allegation by that Government that the Vietnamese side has not provided a complete list of Americans missing in the Viet Nam war and, consequently, is not devoted to the cause of peace and humanitarianism—indispensable qualifications for membership in the United Nations.

176. The United States delegation in the Committee on the Admission of New Members put forward at the meeting on 10 November one more pretext which took this vague form: "at this stage and considering the present circumstances, the United States Government is not in a position to support that application" [S/C.2/SR.55].

177. On 12 November, immediately following the first meeting between the Vietnamese and United States representatives in Paris, the United States State Department hurriedly stated:

"No progress in the first round of negotiations with Viet Nam in Paris was recorded that might

prompt any change in the American intention to veto the application of Viet Nam if a vote takes place next week."

178. First of all we believe that it must be stressed that the problem of Americans missing during the war in Viet Nam, like the negotiations which are taking place in Paris between Viet Nam and the United States, is part of the bilateral relations between the two countries and has absolutely nothing to do with Article 4 of the Charter. The United States Government, using various pretexts according to the circumstances and its needs of the moment—their opposition to so-called "selective universality", the problems of missing Americans, the results of negotiations at Paris, and so forth—is continuing its policy of obstruction with regard to the admission of Viet Nam to membership in the United Nations.

179. By mentioning the problem of the missing Americans and considering that as a humanitarian problem, all the while using terms that are insulting to the Vietnamese people in response to gestures of good will on the Vietnamese side—terms which are unworthy of being repeated here out of respect for this distinguished gathering—the Ford Administration has tried to strike a sensitive chord in world public opinion for political purposes that are very well known. In reality, that Administration has not shown any good will with regard to the settlement of the problem of Americans listed as missing in the war in Viet Nam.

180. All those who prize justice and peace, including a large segment of the American population, will surely not forget the crimes of aggression and genocide committed by the imperialist aggressors against our people, crimes which shocked the conscience of all mankind during the United States war of aggression in Viet Nam. Commenting on the position of the United States Government with regard to our application for membership in the United Nations, the French newspaper, *Le Monde*, stated in its editorial of 15 September 1976:

"And since the leaders in Washington are so anxious to invoke humanitarian questions, one might reply that they were less troubled by their consciences when it was a question of bombing cities and burning the villages of Viet Nam."

181. In keeping with humanitarian considerations, we should like to add to that remark by asking the leaders of the United States if they were at all troubled in their consciences regarding the tens of thousands of Vietnamese families which suffered because their children, two years after the end of the war, are still listed as missing? How do they feel about the hundreds of Vietnamese who continue to be killed by mines and unexploded devices which were left by the aggressors after their departure? How do they feel about the hundreds of thousands of prostitutes and orphans and

the millions of unemployed who are the direct victims of American neo-colonialism in South Viet Nam? Are their consciences troubled with regard to the entire people of Viet Nam who must now overcome enormous difficulties and accept all manner of deprivations in order to bind the wounds of war caused by 2 million American soldiers armed to the teeth, by the 15 million tons of explosives and by the tens of thousands of tons of American toxic chemical products used in the war?

182. In spite of all that, the Vietnamese Government, aware of its tradition of generosity and the humanitarianism of its people, has proved by its acts, its flexibility and willingness to settle the problem of the Americans missing in the war in Viet Nam. Furthermore, who can deny the legitimate and legal right of the Vietnamese people to demand of the United States Government that it honour the signature of its representatives and that it respect its commitment to contribute to healing the wounds of war and to the reconstruction of Viet Nam after the war?

183. As our Prime Minister, Pham Van Dong, stated at the Summit Conference of Non-Aligned Countries at Colombo: "That is a problem of conscience, of responsibility and of honour that the United States Government cannot shirk".

184. The Vietnamese people were victims of a long and barbaric war of aggression. But after the war, that people, in keeping with a foreign policy of peace and friendship with all peoples, on a number of occasions proposed talks with the United States Government in order to discuss settlement of problems outstanding since the Paris Agreements on Viet Nam⁵ and concerning the two countries in an effort to normalize relations between them. Whereas the United States Government has left no stone unturned in its attempts to delay any response to our constructive proposals, the Vietnamese Government has demonstrated its good will by giving the American side the lists and remains of those American soldiers killed in the war in Viet Nam whom we were able to identify. A special committee of experts from various competent services of Viet Nam are still hard at work in an effort to seek out and identify missing Americans.

185. We are still awaiting acts of good will and a co-operative attitude on the part of the United States Government, in the hope that these matters can be disposed of as soon as possible, but thus far that Government stubbornly clings to its unilateral policy, its intransigent and unrealizable demands and its hostile attitude towards the Vietnamese people. While talks are continuing between the two parties in Paris on the settlement of the problems concerning the two sides, including the problem of Americans missing in the war in Viet Nam, and while there are encouraging signs that it may be possible to begin serious negotiations, as *The New York Times* of 14 November last mentioned, the opposition of the United States veto to

our candidacy only proves one thing: that the policy of the Ford-Kissinger Administration is based more on rancour and vengeance than on a serious desire to settle the problem of missing Americans.

186. Pursuing that same policy, that Administration has gone even further and has done its utmost, in a desperate and unsuccessful effort, to oppose the entry of the Socialist Republic of Viet Nam to a number of international organizations, such as the World Bank, the International Monetary Fund, the Food and Agriculture Organization and, more recently, the United Nations Educational, Scientific and Cultural Organization—but there the United States Government does not have a veto. That policy will only serve to prolong the days of suffering for American families whose sons have been listed as missing in the war in Viet Nam and it will only place the United States in a state of complete isolation.

187. The lack of good will and of a co-operative attitude on the part of the United States Government are also reflected in a manoeuvre cunningly pursued by Messrs. Ford and Kissinger, who, whenever they have an opportunity to do so, are still asking the Vietnamese Government to give them a complete list of missing Americans. Everyone realizes that that is an intransigent attitude, a demand which cannot be met and a position which hardly does anything but obstruct a settlement of the problem.

188. The history of modern wars shows that in general terms the problem of those listed as missing in war is a difficult and complicated problem. Of the 6,000 Americans listed as missing in the Second World War, 2,000 are still listed as not having been found. Of the 5,000 Americans listed as missing in the Korean war, 1,000 have never been found.

189. The situation is even more difficult and complicated in wars such as the war in Viet Nam, where the most sophisticated weapons from the war arsenal of the United States were used to destroy and to kill, where the terrain is a long narrow strip of land with a coastline of more than 3,000 kilometres, where a dense jungle covers three fifths of the country and where 80 per cent of the United States military personnel listed as missing were aircraft pilots who were shot down over the sea or over the dense jungle. In the report presented by the Foreign Affairs Committee of the United States Senate, Mr. Roger Shield, Assistant to the United States Secretary of Defense, said:

“We never promised the families of the missing that we would be able to give them complete statistics in the sense that we would be able to specify everything that happened in each individual case. That is something that is impossible. There are quite a few cases in connexion with which we do not expect to be able to obtain pertinent details, even if we were to go to the scene to establish what happened.”

190. From the foregoing, we believe that a few useful conclusions may be drawn.

191. First of all, the Vietnamese people, after 30 years of struggle, was able to recover its independence and its freedom and has played an active part in the common struggle for international peace and security and for the independence and the sovereignty of the peoples of the world. The Socialist Republic of Viet Nam pursues a foreign policy of peace and friendship with all peoples, has diplomatic relations with more than 100 countries and is a member of almost every international organization within the United Nations system. Our people is fully qualified for membership in the United Nations and should be allowed to play its rightful role in the international community. That also seems to be the desire of nearly all the Member States.

192. Secondly, the United States Government's attempt to use arbitrary pretexts for crudely violating the provisions of the Charter to veto Viet Nam's application for admission to membership in the United Nations only confirms the position of the Co-ordinating Bureau of the Non-Aligned Countries as set forth in its statement of 8 September 1976:

“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 representing the widest possible spectrum of international opinion.” [S/12198, annex.]

193. Thirdly, in the long-term interests of the Vietnamese and American peoples, the Government of the Socialist Republic of Viet Nam on several occasions has stated and has shown by concrete actions that it is prepared to discuss with the United States Government the settlement of problems held over from the war concerning both sides and, in so doing, to endeavour to establish normal relations between the two countries. The United States Government, for its part, must end its hostile policies towards the Vietnamese people and must prove by its actions that it is moved by good will and a sincere desire to settle the problems held over from the war between Viet Nam and the United States, including the problem of missing Americans. If it stubbornly continues to cling to its unilateral and intransigent attitude, if it continues to pursue policies hostile to the Vietnamese people and to obstruct our admission to the United Nations, it must realize that it bears full responsibility for these erroneous actions.

194. Fourthly, the Ford Administration has vetoed for the fourth time in one year important resolutions pertaining to the national and international interests of the peoples of the world that are fighting against colonialism, racism and *apartheid*, thereby preventing

the Council from performing its functions under the Charter. It has opposed the admission of Angola and Viet Nam, two independent and sovereign countries fully qualified for membership in the United Nations; it has opposed resolutions relating to the struggle of the South African people and of other peace-loving and justice-loving peoples against colonialism, racism and *apartheid*; and opposed a resolution on the struggle of the Palestinian people for its fundamental national rights. Those were unjustifiable abuses of the veto power and a serious blow to the prestige of the United Nations. Those abuses have aroused widespread indignation within the Organization and annoy the world's public and they will doubtless inspire a more vigorous struggle on the part of the Members of the United Nations, which will require of the United States Government that it put an end immediately to these arbitrary practices.

195. On behalf of the Government of the Socialist Republic of Viet Nam, I wish to express our most sincere thanks to the representatives of the 14 States members of the Security Council that have taken part in this debate and supported our application. We are confident that nearly all the other Members of the United Nations which have not participated in this debate will also give us their support when the matter is placed before the General Assembly.

196. Consistent with our tradition, we shall continue to fight for international peace and security, for the safeguarding of our independence and the sovereignty of peoples, and we shall continue to make an active contribution to the achievement of the goals set out in the Charter of the United Nations.

197. The PRESIDENT (*interpretation from Spanish*): With the Council's permission, I shall now make a statement as the representative of PANAMA.

198. In the long struggle of peoples for freedom, territorial integrity and sovereignty, the people of Viet Nam has written one of the most brilliant and memorable pages in history.

199. Panama, like the vast majority of the Members of the Organization, wishes to see the representatives of the heroic Vietnamese people occupying their rightful place within the community of nations.

200. It is a people and nation today involved in the difficult task of clearing the rubble left by a 30-year war, a people whose name is greeted with respect and admiration by all contemporary witnesses of its struggle. None the less, obstacles are placed in the way of its entry into the United Nations; arguments are put forward which have nothing to do with the conditions laid down in the Charter and our rules of procedure; mention is made of hundreds of soldiers and officers missing in action and the Vietnamese Government is required to submit, as a condition of its admission, a list of their names—a few hundred

names. What if the Vietnamese were to require instead the names of their hundreds of thousands, perhaps millions, of citizens who were killed by bullets or who languished in the darkness of cells? Were not the children, women, old men and soldiers who died on the side of Viet Nam human beings? Can their untold sufferings be described? Can the martyrdom of the Vietnamese people ever be represented by figures?

201. It is obvious that the opposition to the entry of the Socialist Republic of Viet Nam is based on a unilateral attitude which derives from a bilateral controversy between two States and that it certainly does not fall within the clear text of Article 4 of the Charter of the United Nations, under which the Socialist Republic of Viet Nam has a perfect right to become a Member State of our Organization. In this connexion, the conclusion to which the International Court of Justice came in its advisory opinion of 28 May 1948³ categorically repudiates the pretexts adduced to veto the admission of Viet Nam. Indeed the International Court found that a Member of the United Nations which has to take a stand on an application for membership "is not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of the said Article"—Article 4.

202. Over and above diplomatic disputes, political posturing and specious arguments, there is a fact that history will reflect, and it is that after the heroic and epoch-making struggle of the Vietnamese people, the word dignity is still spelled as before, but it is pronounced "Viet Nam".

203. In the pages of the *Oxford Shakespeare Apochrypha* there are a few lines which, by way of conclusion, I should like to offer as food for thought to those who oppose the entry of the Republic of Viet Nam to the United Nations:

"Great Achilles' spear could heal the wounds it made; The moral is: what mighty men misdo, they can amend."

That was all I wanted to say on behalf of the delegation of Panama.

204. In my capacity as PRESIDENT, I should like to remind the members of the Council that, as the Security Council did not adopt the draft resolution which is before it, in conformity with the provisions of paragraph 3 of rule 60 of the provisional rules of procedure, the Council should submit a special report on this item to the General Assembly. Consequently, immediately after the vote on the draft resolution, I requested the Secretariat to prepare a brief factual report. The draft report is now being distributed to the members of the Council.

205. I should like to express the hope that the draft report will be rapidly adopted by the Council, to

enable it to make an early report on this matter to the General Assembly in accordance with the usual practice.

206. If there are no objections and if no member of the Council wish to comment on the draft report, I shall take it that the Council adopts the special report to the General Assembly provided for in rule 60 of the provisional rules of procedure.

*It was so decided.*⁸

The meeting rose at 7.20 p.m.

Notes

¹ United Nations Conference on International Organization, III/1/37.

² *Official Records of the General Assembly, Thirtieth Session, Plenary Meetings*, 2354th meeting.

³ *Admission of a State to the United Nations (Charter, Art. 4), Advisory Opinion: I.C.J. Reports 1948*, p. 57.

⁴ A/31/197, annex I, para. 101.

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

⁶ *Official Records of the General Assembly, Thirty-first Session, Plenary Meetings*, 16th meeting, paras. 272 to 275.

⁷ *Ibid.*, 1st meeting, para. 64.

⁸ *Ibid.*, *Thirty-first Session, Annexes*, agenda item 26, document A/31/330.

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