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MEETING**

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Chairman: Mr. Víctor A. BELAUNDE (Peru).

Organization of the fourteenth session of the General Assembly: memorandum by the Secretary-General (A/BUR/150)

1. The CHAIRMAN drew attention to the Secretary-General's memorandum (A/BUR/150) on the organization of the fourteenth session of the General Assembly. The Committee would note the Secretary-General's proposal that 5 December 1959 should be the closing date of the session.

The Committee decided to recommend the adoption of the Secretary-General's proposals, including 5 December 1959 as the closing date of the fourteenth session.

Consideration of the agenda of the fourteenth session and allocation of items: memorandum by the Secretary-General (A/BUR/151)

2. The CHAIRMAN invited the Committee to consider the agenda of the fourteenth session, as set out in the Secretary-General's memorandum (A/BUR/151). Items 1 to 6 having already been taken up by the General Assembly, the Committee would consider the inclusion in the agenda of item 7 and the following items.

ITEMS 7 TO 59

The Committee decided to recommend to the General Assembly the inclusion in the agenda of items 7 to 59.

ITEM 60

At the invitation of the Chairman, Mr. Krishna Menon (India) took a place at the Committee table.

3. Mr. Krishna MENON (India) said that his country had already proposed the inclusion of the question of the representation of China at several earlier sessions of the General Assembly, and as the reasons it had previously advanced still held good, it had decided to resubmit the proposal at the present session. Those reasons were set forth in the explanatory memo-

randum (A/4139) to the Secretary-General from the Permanent Representative of India to the United Nations.

4. Mr. WADSWORTH (United States of America) considered that it was particularly inappropriate to consider the representation of China in the United Nations in view of the present happenings in Asia, which constituted a threat to the peace over widespread areas. His delegation therefore believed that the Assembly should reject the Indian proposal, as it had done at previous sessions. The United States consequently proposed that the General Committee should recommend for adoption by the General Assembly the following draft resolution, couched in the same terms as the resolution adopted at the thirteenth session:

"The General Assembly

"1. Decides to reject the request of India for the inclusion in the agenda of its fourteenth regular session of the item entitled 'Question of the representation of China in the United Nations';

"2. Decides not to consider, at its fourteenth regular session, any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China."

5. Mr. TSIANG (China) said that the question of the representation of Communist China should not be considered by the General Assembly, in view of the atrocities now being committed in that country. In that connexion, he referred to the testimony of Mr. Sripati Chandrasekhar, a great Indian scholar, who on his return from a journey in China had condemned the inhuman commune system, which reduced men to the level of brute beasts. He also cited a report by the International Commission of Jurists, "The Question of Tibet and the Rule of Law", in which it was stated that the Chinese Communists were guilty of genocide against the Chinese people. It would be more appropriate to look into that question than to take up the representation of Communist China in the United Nations. The effect of such representation would be to

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increase the prestige of the Communist regime, and to call into question the status of the Government of the Republic of China, something that no State Member of the United Nations had the right to do. It would, on the contrary, be more in accordance with the principles of the Charter to free the Chinese people from the oppression under which they suffered. That would also benefit the neighbouring countries, which for their part should try to avoid creating additional problems. In any case, there could be no question of considering the representation of Communist China, and the General Assembly must reject the Indian proposal.

6. Mr. KUZNETSOV (Union of Soviet Socialist Republics) said that his delegation fully supported the Indian proposal to include the question of the representation of China in the United Nations in the agenda of the fourteenth session of the General Assembly.

7. It was not for the first time that that question was being proposed, and it was high time that it should be debated and should be solved by allowing the legitimate representative of the Chinese people to occupy his rightful place on United Nations bodies. The Government of the People's Republic of China had now existed for ten years. Its achievements in every field of activity had been extraordinary. Its international relations were continually expanding; it had now been recognized by thirty-three Governments, and had cultural and trade relations with many others. There was no justification for the United States representative's statement that certain recent events in Asia made it inappropriate to examine the question of the representation of China. The People's Republic of China was following a peaceful policy, exemplified in Korea and Indochina. Problems of capital importance, of the closest concern to the United Nations, had arisen in the Far East, and they could not be solved without the People's Republic of China. It had become essential for that country to be represented in the United Nations, and the time had come to replace the representatives of the puppet Government of Chiang Kai-shek by the legitimate representatives of China, whose absence prejudiced the cause of peace and created difficulties in international relations.

8. The United States draft resolution only complicated the question further. Moreover, it was contrary to the United Nations Charter and to the General Assembly's rules of procedure. Rule 40 of the rules of procedure precluded the General Committee from taking decisions of a political nature, such as that envisaged by the United States. Such a decision would be particularly unfortunate at a time when there were encouraging signs of a relaxation of international tension. The Committee should contribute to the improvement of international relations by recommending to the General Assembly the inclusion in the agenda of the item proposed by India.

9. Mr. PALAR (Indonesia) said that his delegation's position with regard to the inclusion in the agenda of the question of the representation of China was well known. The question was of the greatest importance and the General Assembly must examine it at the present session. The fact that Member States were deeply divided on the issue made its discussion all the more necessary. Moreover, the General Assembly, in its resolution 396 (V), had recommended that whenever more than one authority claimed to be the Government entitled to represent a Member State

in the United Nations, that question should be considered by the General Assembly, or by the Interim Committee if the General Assembly was not in session. The question of the representation of China affected not only the peace and stability of one area, but the effectiveness of the United Nations itself. As stated in the explanatory memorandum by the Government of India, attached to the request for the inclusion of the item, if a country like China was not properly represented in the United Nations, the work and worth of that most important organization was certain to be ineffective in many important fields. Although Member States were divided on the question of the representation of China, they all recognized its importance. The difficulties of the situation would be only increased by postponing the discussion of the question.

10. The Indonesian delegation supported the request for inclusion in the agenda of the question of the representation of China, and opposed the United States draft resolution.

11. Mr. BRUCAN (Romania) said that all the arguments put forward during the discussion showed the need for the inclusion of the item in the agenda. The United States representative's argument that it would be inadvisable to discuss the matter in view of recent events in Asia was, in fact, an argument for its inclusion. If there was disturbance in Asia, the United Nations ought to take the necessary measures to restore peace, and it could not do that in the absence of the legitimate representative of the greatest Asian power.

12. Romania supported the proposal to include the question of the representation of China in the agenda because it considered that the way in which the question would be examined and resolved would be a test of the effectiveness of the United Nations. It was not simply a matter of the representation of a Member State. It was a matter of ascertaining whether the United Nations was true to its principles. The members of the Security Council had very special responsibilities, especially the great Powers which were the permanent members of that Council, but it could not escape notice that in fact there were only four such Powers, since the person at present occupying the seat of China could not be considered the representative of a great Power. The Disarmament Commission, meeting recently, had, in endorsing the four-Power communiqué, left it to those four Powers alone to find a solution to the disarmament problem. It was also instructive to note the attitude adopted recently by the International Olympic Games Committee with regard to the representation of China on it. It had unanimously decided that its Chinese member could no longer claim to represent Chinese sport. Even more interesting, perhaps, was the recent decision of the United States Olympic Games Committee; it had informed its Chinese member that he could no longer continue to sit on it as the representative of China but that the Committee was nevertheless prepared to retain him in office as the representative of another authority.

13. The United States draft resolution amounted in effect to a veto on the consideration of the question of the representation of China and accordingly bore a political character. The General Committee was not competent to take a decision of that kind, for it would be tantamount to prohibiting the General As-

sembly from discussing the question. It would be only wise for it to recommend that the General Assembly should include that question in the agenda for the present session.

14. Mr. NOSEK (Czechoslovakia) said it was intolerable that the legitimate representatives of a country of 600 million inhabitants were still being kept out of the United Nations. The course of international affairs in recent years showed that the People's Republic of China had become an important political factor not only in the Far East but indeed in the entire world. Discussion of the question of the representation of China was steadily deferred from year to year in defiance of the Charter and to the detriment of the prestige of the United Nations. Czechoslovakia believed that it was high time to put an end to that situation and to do away with the consequences of the cold war. The representative of the puppet Government of Chiang Kai-shek should yield his seat to the representative of the People's Republic of China, the only legitimate representative of China. Only then could the United Nations properly carry out its task. The United States draft resolution violated rules 40 and 41 of the rules of procedure of the General Assembly. Under those rules the General Committee could make recommendations to the Assembly concerning the inclusion of items proposed in the agenda and concerning the closing date of the session. It could not, however, take any decision of a political kind such as that urged by the United States. If it adopted the United States proposal the Committee would be exceeding its competence. The Czechoslovak delegation would therefore vote for the inclusion in the agenda of the item proposed by India and against the draft resolution submitted by the United States.

15. Sir Pierson DIXON (United Kingdom) said that his Government had given careful thought to the attitude which it should adopt towards the proposed inclusion of the question of the representation of China in the agenda. Despite the fact that it recognized the Government of the People's Republic of China, it had concluded that the situation had not altered in such a way since the thirteenth session as to justify a change in the United Kingdom position. The United Kingdom Government considered that the examination of a question which so deeply divided Member States could only embitter the Assembly's proceedings and reduce hopes of a fruitful session. Consequently, his delegation would vote for the United States draft resolution.

16. Mr. HERRARTE (Guatemala) recalled that his delegation had always upheld the right of Member States to request the inclusion of an item in the agenda of the General Assembly, the final decision lying with the Assembly. But the situation was somewhat different as regards the question of the representation of China. The General Assembly had already discussed that question several times and had adopted in that connexion resolutions similar to the draft resolution just put before the Committee by the United States representative. Since circumstances had not changed since the last session, the Guatemalan delegation would do as it had done in previous years: it would vote in favour of the United States draft resolution, but would abstain on the second part, which went beyond the powers conferred on the Committee under rule 40 of the rules of procedure.

17. Mr. DELGADO (Philippines) said that his Government's attitude towards Communist China was too well known to require restatement. Moreover, his delegation which, like the President of the General Assembly, hoped that peace would be the keynote of the present session, wanted to avoid any discussion of a kind likely to prevent the harmonious conduct of the Assembly's work. That was why it would vote against the inclusion in the agenda of the question of the representation of China.

18. Mr. ESIN (Turkey) recalled that, for reasons of principle to which it attached the highest importance, Turkey had always opposed the inclusion in the Assembly's agenda of the question of the representation of China. Recent events in continental China, flagrantly violating the principles of the United Nations Charter, had proved the soundness of that position, which his delegation intended to maintain.

19. Mr. TAMAYO (Bolivia) said that since the main criterion for the admission of States to the United Nations was their sincere desire for peace and international co-operation, his delegation was compelled to oppose the discussion by the General Assembly of the question of the representation of the People's Republic of China.

20. Mr. Krishna MENON (India) hoped that in objecting to the timing of the Indian delegation's request the United States representative was not questioning the judgement of the Indian Government, which had carefully weighed the consequences of its move. The request for the inclusion of the item in the agenda had been made after the incidents to which reference had been made. It had been based on reasons of principle which remained valid despite recent developments. Furthermore, if the United Nations considered that those developments complicated the international situation that was one more reason for the representation in the United Nations of the People's Republic of China. His delegation hoped that the members of the Committee would support its proposal which it was determined to maintain, as it had done in the past, after taking due account of all the arguments advanced in the course of the present meeting.

21. The CHAIRMAN put the United States draft resolution to the vote. The General Committee was not being called upon to take a decision but simply to submit a recommendation to the General Assembly.

22. Mr. HERRARTE (Guatemala) asked for a vote paragraph by paragraph.

Paragraph 1 was approved by 12 votes to 7, with 1 abstention.

Paragraph 2 was approved by 11 votes to 7, with 2 abstentions.

The draft resolution as a whole was approved by 12 votes to 7, with 1 abstention.

Mr. Krishna Menon (India) withdrew.

ITEM 61

23. Mr. BERARD (France) said that while the French Government was not opposed to the inclusion of the question of Algeria in the agenda, it must make it clear that such action was in its view a further instance of intervention in matters which were essentially within French domestic jurisdiction and that for that reason constituted a positive violation of Article 2 (7)

of the Charter and of the principles on which the United Nations was founded. The French Government would consider any resolution or decision arising out of the debates, which were contrary to the Charter, to be null and void.

24. Inclusion of the question of Algeria in the agenda of the General Assembly also ran counter to the principles propounded by the best international jurists, particularly those of Latin America, who had recognized that one of the safest bases for peace was the principle forbidding any State to intervene in the affairs of other States. That was the doctrine set forth in Article 2 (4) of the Charter which prohibited any attempt to upset the territorial integrity of any State, and in General Assembly resolution 290 (IV) which had been adopted at the fourth session under the title "Essentials of peace". The same principle had been solemnly proclaimed in 1954 at the Bandung Conference.

25. Inclusion of the question of Algeria in the agenda would create a precedent which might later affect those who were advocating it today. Its inclusion might undermine the authority of the United Nations which could be maintained and developed only if the Organization took care not to exceed its rights and not to engage in discussions which might merely reveal its impotence. Such discussions could only arouse passions and make the solution of distressing problems more difficult. In so doing the United Nations could not help but be untrue to its mission which was to seek to spread brotherly feelings between men and peoples, to calm passion and to make it easier to settle problems rather than to complicate and delay such settlement by unconsidered action.

26. Not only was the United Nations not legally competent to discuss the question of Algeria, but it had no right to discuss it on either political or moral grounds. Politically, mention need only be made of the work achieved by France in Algeria in introducing and spreading modern civilization, in ensuring political and religious freedom and in providing the people with institutions of their own. From the moral point of view, it was sufficient to study the reform programme initiated by the French Government which would in a generation make Algeria one of the most modern and most advanced countries in Africa.

27. The French Government was sparing no effort to find a truly democratic, peaceful and just solution for the Algerian problem, based not on violence but on the principles of the French Revolution by which the French Government still set its course. The inclusion of the question of Algeria in the agenda of the General Assembly was particularly untimely and harmful occurring as it did on the very day when the Head of the French State had made a statement on the subject; indeed, it was he more than any other person who was devoting all his energy to finding a just solution of the Algerian problem and who had the authority in France and the prestige throughout the world to find a solution to it.

28. Mr. BEN ABOUD (Morocco) said that the United Nations, by including the Algerian question in the agenda of its previous sessions and by adopting resolutions on it, had recognized the essentially international nature of the problem and had at the same time shown that it was fully aware of its responsibilities.

29. Legal considerations had frequently been invoked in the past in an attempt to prevent the General Assembly from studying problems of the kind. Article 2 (7) of the Charter had been invoked against the inclusion in the agenda of the Tunisian and the Moroccan questions, just as it was now being invoked against the Algerian question. The three questions had in fact a common denominator: the presence of a colonial nation in the territory of another nation. Moreover, the precedents of Tunisia and Morocco gave irrefutable proof that the United Nations was certain to choose the proper course of action when it obeyed the provisions of the Charter and followed the trend of history.

30. The competence of the United Nations as regards the Algerian question could not be seriously contested, as the Charter gave the United Nations ultimate responsibility for maintaining international peace and security. War was a real and painful fact in Algeria, and international security was threatened as was proved by the incidents occurring on the Moroccan and Tunisian frontiers. It was therefore the duty of the United Nations not only to allay passions, but first and foremost to take action to prevent the war from spreading.

31. The representative of France had referred to the reform programme which the French Government was applying in Algeria; the only reforms that were valid were those that were worked out and put into operation by those directly concerned, as reforms imposed from outside could but perpetuate confusion and discord. No solution could be considered truly democratic if it was unilateral. The Moroccan delegation hoped that discussions in the General Assembly would help to make that aspect of the problem clear.

32. The French representative had invoked the principles of the French Revolution. The Algerian people were invoking the same principles in proclaiming their desire to live in liberty, fraternity and equality, individually, nationally and internationally.

33. The Algerian question was perhaps the most important of all those confronting the General Assembly at its current session. Thorough and objective discussion would provide an opportunity for considering how far the situation had developed and would certainly be of assistance in the search for a peaceful and a just solution.

The General Committee decided to recommend the inclusion of item 61 in the agenda.

The meeting rose at 12.40 p.m.