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Chairman : Mr. Selim SÄRPER (Turkey).

Appointment of an impartial international commission under United Nations supervision to carry out a simultaneous investigation in the Federal Republic of Germany, in Berlin, and in the Soviet Zone of Germany in order to determine whether existing conditions there make it possible to hold genuinely free elections throughout these areas (A/1938, A/AC.53/L.11, A/AC.53/L.13, A/AC.53/L.13/Add.1, A/AC.53/L.14, A/AC.53/L.15, A/AC.53/L.16, A/AC.53/L.17, A/AC.53/L.18) (continued)

[Item 65]*

1. Mr. BELLEGARDE (Haiti) noted that at the 22nd meeting of the *Ad Hoc* Political Committee several representatives, among them those of Brazil, Colombia and Cuba, had expressed their views, courteously and independently, on the German question. They had not taken an inimical attitude towards those who disagreed with them. But not all the representatives on the Committee had followed that practice and some of their speeches had taken on a particularly aggressive and violent tone. They were opposed to all proposals designed to ensure peace and had given their support to the enemies of the United Nations. It was because of the armaments furnished by their Governments that the defenders of the United Nations were today dying on the battlefields of Korea.

2. Because of the historical links between Haiti and Poland, as well as his personal affection for a people who had retained a vigorous national feeling despite foreign domination, Mr. Bellegarde deplored the attitude taken by the Polish representative at the previous meeting. With the help of the allied Powers—France, the United Kingdom and the United States—Poland had arisen as a free country after the First

World War and had taken its place with other free States in the League of Nations. He shared the hope, entertained by so many at the present time, that the Polish people would once again discard domination and regain full independence. But for the time being it would seem that the methods of *russification* applied under the Tzarist régime had succeeded, so that the Poles no longer talked their own language but that of a foreign State.

3. The United Nations wished to help achieve the unification of Germany, but it did not construe unity to mean rule by a unified political party, as contemplated by the representatives of eastern Europe. The representatives of West Germany had told the Committee (18th meeting) that democratic principles prevailed in that Zone, and had depicted conditions in East Germany as a reflection of the state of affairs in other eastern European countries. The Committee might reserve its opinion on the accuracy of that account, but evidence of purges and of persecution in East Germany was plentiful, and reference had been made to it by other speakers. Since there were two different accounts, however, the United Nations must discover which corresponded to the truth. Why should it be prevented from investigating the question whether conditions in West and in East Germany made it possible to hold genuinely free elections throughout those areas? It had been argued by the representatives of the German Democratic Republic (20th meeting) that an investigating commission would be an insult to a proud people. Surely the occupation of Germany by foreign Powers was a far greater insult. The Polish representative had stated that the aim of the draft resolution submitted jointly by France, the United Kingdom and the United States (A/AC.53/L.11), was to revive hitlerism in Germany, a statement the more shocking in that it

* Indicates the item number on the General Assembly agenda.

was a matter of common knowledge that the only country which had entered into alliance with Germany was the USSR. The Russo-German Treaty of 1939 had been one of the causes of the Second World War and had France and the United Kingdom not intervened, Poland would have been partitioned by the two signatories of that Treaty.

4. The division of Germany was a serious danger, and certainly the two camps into which the German people was now split should make peace with each other and endeavour to establish friendly co-operation with other countries. But until the German people were able freely to take a decision that would establish a unified, peaceful and democratic Germany, the country would continue to live in a state closely akin to civil war. If the occupying Powers withdrew, as the representatives of the German Democratic Republic had suggested, Germany would suffer the same fate as Korea; the secret armies formed and trained in the eastern Zone, supported by volunteers from the eastern European countries, would be in a position to attack western Germany.

5. All the United Nations desired was that Germany, instead of having two provisional governments, should have one government freely elected by the people. It was indeed surprising that a proposal intended to achieve that aim should meet with opposition.

6. Mr. ASTAPENKO (Byelorussian Soviet Socialist Republic), recalling that his delegation had, like the delegation of the USSR and several others, voted against the inclusion in the agenda of the item under discussion, said that certain representatives had tried to prove that the three-Power draft resolution calling for the appointment of an impartial international commission was not in direct conflict with Article 107 of the Charter. The USSR and Polish representatives had brilliantly shown the hollowness of that thesis. They had also made it abundantly clear that the peaceful settlement of the German problem could and should be achieved in accordance with the agreements entered into at Yalta and Potsdam, as well as with the decisions taken by the Allied Control Council in Germany.

7. The three-Power proposal constituted the last of the many violations of existing agreements relating to the German problem. The policy of France, the United Kingdom and the United States had, since 1946, been directed to splitting Germany in two. Thus, the three western Zones had been unified in disregard of the fact that the Allied Control Council was the highest authority in Germany. By that means the United States had been able to draw West Germany into the framework of the Marshall Plan, had created a separate State with a special occupation status and had included it in the Schuman Plan which aimed at the remilitarization of the country. The recent discussions held in Paris and Rome by the representatives of the French, United Kingdom and United States Governments with the Federal Chancellor, Mr. Adenauer, were aimed at making West Germany a centre of aggression against the USSR and the peoples' democracies.

8. In contrast to the aggressive acts of the Anglo-American bloc, the Soviet Union, in pursuance of its international commitments, had consistently striven to build a unified, peaceful Germany. Its record at the succession of Foreign Ministers' meetings beginning in 1946 showed its genuine concern to satisfy the legitimate aspirations of the German people for unity and to lay the ground for an equitable peace treaty with a democratic Germany. Attempts had been made by the United States and other members of the Committee to distort those established facts.

9. In Germany itself, there was a growing clamour for unification and increasing support for the early conclusion of a peace treaty with the four Powers. In its appeal to the Bonn Government for a consultative conference of representatives of East and West Germany to consider free all-German elections, the German Democratic Republic had laid down no preliminary conditions. When the Bonn Government had countered by submitting fourteen prerequisites, the Government of East Germany had expressed readiness to accept most of them and to draft a series of proposals on that basis at an all-German conference. The Bonn Government, however, had rejected that conciliatory move and had insisted upon its original offer. It had responded to the pressure of its Anglo-American masters, who aimed at restoring German military might in a divided Germany.

10. The representatives of West Germany in the Committee had tried to conceal their objective by slandering the German Democratic Republic and its efforts to restore German unity. Their real purpose had been reflected in the western Press, which had openly admitted that restoration of a single, central German government would thwart western plans to rearm the country and to integrate it into the North Atlantic Treaty as a factor for war rather than peace. The three-Power proposal for a United Nations commission was a further obstacle to all-German negotiations.

11. The representatives of East Germany, on the other hand, had pointed to the democratic achievements of their Government and emphasized their sincere desire for a unified, peaceful, democratic German State. Their proposals had been warmly supported by all honest Germans of the most divergent political and religious views.

12. The USSR's repeated pleas for free all-German elections, speedy conclusion of a peace treaty and early withdrawal of occupation forces were ample evidence of its desire to ensure that Germany could not again threaten world peace. Byelorussia, which had been attacked twice in a single generation by German arms, strongly supported that position. A United Nations investigation commission, imposed against the will of the German people, in violation of four-Power commitments, would be offensive to the Germans. If there were any need to verify existing pre-election conditions in the country, the Germans themselves, through the representatives of both Zones and under the supervision of the four Powers, should carry out such an investigation.

13. Mr. GUNDERSEN (Norway) introduced an amendment (A/AC.53/L.17) to the three-Power draft resolution, sponsored jointly by his delegation and those of Canada, Denmark, Iceland and the Netherlands, the purpose of which was to broaden the terms of reference of the proposed investigation commission as defined in the three-Power draft. Norway felt that the additional powers thus conferred on the commission would ensure continuity of its efforts to achieve the objective of expediting the holding of free all-German elections under proper conditions. The amendment would eliminate gaps in the investigating commission's work and enable it to cope with any new developments without delay. It would leave the door open for a possible change in the present attitude of the authorities of East Germany and would thus enable the commission to proceed with its investigations of conditions in eastern Germany as soon as the opportunity occurred. Finally, when it was satisfied that proper conditions existed throughout Germany for the holding of genuinely free elections, the United Nations was prepared to assist in safeguarding the freedom of those elections. That offer of assistance reproduced a basic point contained in the Swedish draft resolution (A/AC.53/L.15). Mr. Gundersen commended the amendment to the sponsors of the three-Power draft resolution and to the Committee as a whole.

14. Mr. GUACHALLA (Bolivia), reviewing the salient facts of the issue before the Committee, expressed the conviction that the United Nations could not, in all conscience, fail to respond to the appeal of the Federal Republic of Germany for its co-operation in ensuring conditions favourable to the holding of genuinely free elections throughout Germany.

15. The four Powers responsible for the administration of Germany, as well as the representatives of the German people, had implicitly conceded that the economic, social and political disunity of that country was likely to endanger the maintenance of international peace and security unless a democratic solution was found. Consequently, all the parties concerned were agreed on the urgency of the democratic unification of Germany through nation-wide secret elections, as a step toward consolidating world peace. That was one of the principal purposes for which the United Nations had been created; it was bound under its own Charter to prevent and eliminate threats to the peace and to ensure the pacific settlement of disputes likely to jeopardize the maintenance of international security. It could discharge those functions in various ways, adapting the method to the particular situation.

16. Germany had been under four-Power military occupation since the Second World War; its problems were being dealt with by the occupying Powers with the limited participation of the German people. Under that military régime Germany could not be said to enjoy sovereignty as an independent nation. Thus, by sending an investigating commission, the United Nations would not be interfering in the internal affairs of a sovereign State in the true sense of the term.

17. The crux of the controversy on the German question was not the allegation of United Nations

interference in Germany's internal affairs, but rather the essential disagreement among the occupying Powers and between the two provisional German Governments regarding pre-election procedure. In the circumstances, an impartial body investigating conditions throughout Germany would be extremely useful to the occupying Powers in expediting their efforts to unify Germany through genuinely free elections. Bolivia was confident that the East German authorities, despite their expressed opposition, would co-operate with such a body.

18. Mr. Guachalla disagreed with the Swedish draft resolution because, by placing the issue once again in the hands of the four Powers, it completely overlooked the deadlock that had prevented a solution from being reached for more than a year. The proposed impartial United Nations commission was indispensable, practical and useful. Its findings could serve as a reasonable basis to enable the occupying Powers and the German authorities to satisfy the desire of the German people for democratic union.

19. In order to simplify the procedure, and taking into consideration that some important points of the draft resolution submitted jointly by Bolivia, Brazil, Colombia, Cuba and Uruguay (A/AC.53/L.16) had been embodied in the joint amendments introduced by the Norwegian representative (A/AC.53/L.17), Mr. Guachalla said that he was authorized by the other four sponsoring Powers to withdraw their joint draft resolution and to substitute it by a set of amendments (A/AC.53/L.18) to the three-Power draft resolution. He expressed the hope that with the inclusion of those amendments as well as of those submitted by Canada, Denmark, Iceland, Netherlands and Norway (A/AC.53/L.17), the three-Power draft resolution (A/AC.53/L.11) would gain general acceptance.

20. Mr. NOTOWIDIGDO (Indonesia) said that his delegation attached great importance to the democratic unification of Germany, not only out of respect for the wishes of the German people, but because international peace and economic and political stability depended on the solution of the problem of German unity.

21. The parties concerned in the German issue disagreed only in respect to the conditions and methods for carrying out the preliminary step towards the restoration of unity and the eventual conclusion of a peace treaty, namely the organization of free all-German elections.

22. As the three-Power draft resolution contended, the United Nations was clearly competent to offer its assistance. Indeed, it was bound by the Charter to develop friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples. The Assembly was fully authorized to recommend the peaceful adjustment of situations, regardless of origin, which were likely to endanger international peace. The future Germany was indisputably of vital importance to peace. Its disunity and the basic disagreement among the four occupying Powers threatened that peace. Germany must be integrated as a unified, democratic State if

the people of Europe were to be given a minimum assurance against another war. The United Nations should try to expedite that process. It should play a decisive role in the establishment of a free, united Germany as it had recently done in the creation of a free, united Indonesia.

23. Nevertheless, the effectiveness of the three-Power draft resolution was open to question. As the United Kingdom representative had pointed out (15th meeting), unless the proposed commission were assured in advance of the full co-operation of all parties, its findings could have little value. It was clear from the opposition of the USSR and the East German authorities that the commission would not have access to all parts of Germany. Thus, even if it were endorsed by the majority of the Committee, it would remain ineffectual owing to the lack of unanimity among the parties immediately concerned. Adoption of the three-Power draft resolution might even create a new stalemate and prolong indefinitely the process of German unification.

24. On the other hand, the Swedish draft resolution merited most careful consideration. According to that draft, the four Powers would pursue their efforts to secure favourable pre-election conditions by mutual agreement. The German people would be consulted, in accordance with their right to self-determination, and the United Nations would fulfil its obligation to preserve peace by providing effective guarantees that the elections would be held under free and democratic conditions. The Swedish draft resolution appeared to be a promising step toward a solution of the German problem.

25. U MYINT THEIN (Burma) explained that his delegation had refrained from participating in the debate at the General Assembly's plenary meeting and had abstained from voting on the item under discussion because of its conviction that the situation in Germany was similar to that which had prevailed in Korea before the outbreak of hostilities. It had abstained again from voting on the Pakistani draft resolution, which invited the attendance of representatives of both Zones of Germany, because it felt that two totally different versions of the question would be given by the two sides, and nothing useful would be contributed towards the solution of the problem.

26. Now that the Committee had heard both groups of representatives, the situation was no clearer than before. Each side alleged that the other was suffering under a tyrannical form of government, but one statement had emerged very clearly: Mr. Bolz, the East German representative, had said that he was authorized to state that the draft resolution before the Committee amounted, in his Government's opinion, to intervention in Germany's domestic affairs. It would appear from that statement that East Germany would refuse to co-operate in the event of a commission being established and it was probable that the commission would not be allowed to enter the eastern Zone.

27. U Myint Thein had no doubt that both groups of representatives had spoken sincerely, and he regretted

the tendency to sneer at them, particularly at the East Germans. Whatever might be Germany's record in the past, the fact remained that it would eventually have to be allowed to return to the community of nations. The prerequisite for that return was a unified Germany, which was apparently desired by all sides. Yet France, the United States and the United Kingdom, on the one hand, and the USSR on the other, were accusing each other of insincerity in expressing their desire for German unification. In the opinion of the Burmese representative, it was an irrefutable fact that, as the partition of Germany had been effected by those four Powers, unification would only be possible if they could reach agreement on it. Without such agreement, United Nations resolutions and time spent on debate would be useless.

28. He agreed with the Netherlands representative that the United Nations would only be able to render very limited assistance; in fact, he thought that it could amount to nothing more than the moral persuasion which the Organization might be able to exert on the four Powers. He wondered what would be the result if the three-Power draft resolution were adopted. In the first place, it would be difficult to find members for the commission who would be at once acceptable to both parties to the dispute and have a strictly neutral outlook. The interdependence of nations had rendered neutrality very difficult. If the commission were set up, it would probably be welcomed in West Germany. But there could be no doubt that it would not be allowed to enter East Germany. It would have to return to the United Nations and report that East Germany had not given it the necessary facilities for its work. The majority of the members of the United Nations might then be tempted to take corrective measures which would not be palatable to East Germany and the result might well be a second Korea.

29. The very fact that the three Powers sponsoring the draft resolution were acting on a proposal made by the German Federal Chancellor was enough to arouse suspicion in the minds of the East Germans. After invoking the Charter, the draft resolution proceeded to give a very exhaustive list of the aspects which the commission would be required to investigate. It was true that the saving clause "in so far as they affect the holding of free elections" had been inserted, but it was in a very insignificant place. The commission of investigation was empowered to summon any witness that it might choose, which would presumably include the President, the Prime Minister of East Germany or even General Chuikov himself. The commission's powers would be such that refusal by such witnesses to appear might cause them to be committed for contempt.

30. In view of the comprehensive nature of the proposed commission's powers it was highly probable that the East Germans would feel that the United Nations was trying to create a commission whose purpose would be to inquire into the secrets of a government very different from those of the sponsoring

nations. He could assure the Committee that the East Germans would resist such an attempt.

31. With that realization in mind, the Burmese representative wondered whether it was worth while continuing the debate on the three-Power draft resolution. He saw no hope that the proposal could be effective, and for that reason his delegation regretted that it would be unable to support it.

32. For the same reasons, his delegation would be unable to support the draft resolutions submitted by Bolivia, Brazil, Colombia, Cuba and Uruguay or the amendments to the three-Power draft resolution contained in documents A/AC.53/L.17 and A/AC.53/L.18.

33. In principle, the Burmese delegation would accept the Swedish draft resolution because it left the initiative to the four Powers and to the Germans themselves. It would welcome any resolution which attempted to use moral persuasion and render moral support to the four Powers to enable them to overcome their differences and reach an agreement for the unification of Germany.

34. Mr. PALAMARCHUK (Ukrainian Soviet Socialist Republic) said that the item under discussion had only been included on the General Assembly's agenda as a result of pressure from the United States, the United Kingdom and France. It was a further move in a series of endeavours by those three Powers to violate their international obligations and bring about United Nations intervention in Germany.

35. Such attempts had been made before and had inevitably failed. After fruitless discussion in the Security Council, the three Powers had been obliged, as Mr. Vyshinsky had pointed out at the 341st meeting, to adopt the only legitimate procedure and discuss the German question in the Council of Foreign Ministers. Despite the lessons of the past, however, they had once again submitted to the United Nations a question affecting Germany and had given renewed proof of their lack of desire to keep such questions within the competence of the four Powers. Further, they had violated the Charter by bringing before the United Nations a question outside its competence.

36. The United Kingdom representative's assertion that the Charter did not forbid the United Nations to take action in regard to matters concerning an enemy country could only be supported by gross distortion of Article 107. The latter made it clear that no action taken by the Allies during the war could be invalidated by any provision of the Charter. Thus the action of the three Powers was not only at variance with the obligations they had assumed but was a breach of the Charter itself.

37. The western Powers were trying to obscure the issue by pretending that they were attempting to facilitate the unification of Germany. But it was easy to expose the true reasons which inspired their draft resolution. Those Powers, together with the representatives of the Bonn Government, were doing all they could to slander the German Democratic Republic. The German people, which wanted free all-German

elections to a German national assembly, were being thwarted of their desire and the West was doing all in its power to oppose the restoration of German governmental unity. The policy of dividing Germany could only play into the hands of the American imperialists and, by allowing the resurrection of militaristic trends in West Germany, would enable them to turn that area into a bulwark of aggression against the USSR and the peoples' democracies.

38. The German people were becoming increasingly aware that the policies which the Anglo-American bloc was pursuing in Germany, through the intermediary of the Bonn Government, could only involve Germany in a new world war.

39. The People's Chamber of the German Democratic Republic had made a proposal for holding all-German elections to a German national assembly and that proposal had met with strong support from an overwhelming majority of Germans in both parts of the country. Proof of the German people's desire to see East and West Germany united in one democratic State had been met by an increased effort on the part of the western Powers to remilitarize West Germany. From their preparations it was clear that Adenauer's armies were to become the nucleus of the whole European aggressive army.

40. A recent agreement concluded in Paris between the western Powers and the Adenauer Government confirmed the occupation status of West Germany and turned it into an American protectorate. It was only to cover up their aggressive activities that the three western Powers were trying to divert public opinion in Germany towards the proposed investigation commission which, incidentally, implied that they viewed Germany in the light of a Trust Territory. The history of Germany clearly proved that the country was capable of parliamentary government, and the establishment of the German Democratic Republic since the war revealed the German people's ability to build up their governmental organization on democratic foundations.

41. The Ukrainian delegation must therefore oppose the setting up of a commission such as that advocated in the three-Power draft resolution. The reasons put forward by the three Powers for establishing such a commission were quite groundless and the true purpose could only be to facilitate the integration of West Germany in the North Atlantic aggressive bloc.

42. The Ukrainian people, which had suffered great hardship at the hands of the Germans, was interested in seeing safeguards established for true and lasting peace in Europe. That was why the Ukrainian Government paid particular attention to the activities of the German Democratic Republic and would welcome the holding of free all-German elections. On the other hand, it felt that such elections were exclusively the domestic concern of the German people and would object to their being held under the control of an international commission. Investigation by such a commission would be equally objectionable since such an investigation ought only to be carried out by the

Germans themselves, under the control of the four occupying Powers. The action advocated by the three western Powers could only postpone the unification of Germany, by delaying the holding of all-German elections. The Ukrainian delegation would therefore vote against the three-Power draft resolution.

43. Mr. PLAZA (Venezuela) said that his delegation had already made it clear that it would support any proposal to re-establish unity in Germany. In view of its conviction that the Committee should take no action constituting a breach of Article 2, paragraph 7, of the Charter, the Venezuelan delegation had supported the Pakistani representative's draft resolution to give a hearing to the German representatives.

44. The West German representatives had made it clear that they would agree to the setting up of the proposed commission of investigation, while the East German spokesmen had objected on the ground that the proposal violated Article 2, paragraph 7, of the Charter. In view of the apparent agreement between that ground and the view of the Venezuelan delegation, Mr. Plaza thought that in order to avoid an appearance of inconsistency he should explain why he was going to vote for the proposed commission.

45. First of all, the principle of non-intervention was not applicable in the case of a State into whose affairs intervention had already been made and which was therefore not fully sovereign. Secondly, the problem

constituted a threat to international peace and security and therefore all members of the United Nations were entitled to participate in its solution. Action in defence of the peace could not be a violation of the Charter. Thirdly, in view of the contradictory statements made by the two groups of German representatives, it was important for the United Nations alone to ascertain the true facts. In passing, Mr. Plaza pointed out that the representatives of the Zone which had accepted the suggestion for investigation by a commission might well be presumed to have made truthful statements.

46. The Venezuelan delegation felt that the principle of non-intervention, which it had repeatedly defended whenever a concrete case arose, would not be endangered by the setting up of the proposed commission. On the contrary, that step would serve the interests of peace and would finally lead to the unification of Germany.

47. His delegation reserved the right to give its opinion on each of the proposals submitted, because it felt that it might be possible for the sponsors of the various draft resolutions to reach agreement. Even the Swedish draft resolution might perhaps be co-ordinated with the others in order to provide a formula concerning that important question which might meet with the approval of a large majority of the Committee.

The meeting rose at 1 p.m.