



## ECONOMIC AND SOCIAL COUNCIL

Fiftieth Session

OFFICIAL RECORDS

Wednesday, 28 April 1971,  
at 10.55 a.m.

NEW YORK

*President: Mr. Rachid DRISS (Tunisia).*

## AGENDAM ITEM 19

**Accession of the Republic of Korea to the Convention on Road Traffic of 19 September 1949 (E/4972, E/L.1383)**

1. The PRESIDENT pointed out that the members of the Council had received document E/4972 in which the Secretary-General drew their attention to the communication from the Government of the Republic of Korea dated 16 February 1971, expressing the Government's wish to accede to the Convention on Road Traffic opened for signature at Geneva on 19 September 1949.

2. The delegation of New Zealand had submitted a draft resolution on the subject (E/L.1383).

3. Mr. SCOTT (New Zealand) read out the draft resolution submitted by his delegation. The adoption of the draft resolution by the Council would have the effect of acceding to the request of the Government of the Republic of Korea set out in the note by the Secretary-General (E/4972) since the Council would in fact be declaring, in the operative paragraph, that the Republic of Korea could become a party to the Convention on Road Traffic of 19 September 1949.

4. He drew attention of members of the Council to article 27, paragraph 3, of the Convention on Road Traffic, which was reproduced in document E/4972. It was clear from that text that, in addition to the States mentioned in article 27, paragraph 1, any other State which the Economic and Social Council might by resolution declare eligible could accede to the Convention.

5. It appeared that despite the views of an essentially political nature which had been expressed during the consideration of the provisional agenda, there was no reason why the Council should not take the necessary measures to declare that the Republic of Korea met the conditions required for accession to the Convention. On two previous occasions the Council had taken similar measures by acceding to the requests submitted in the case of partitioned States, namely, the request of the German Federal Republic in 1951 (resolution 348 A (XII)) and that of the State of Viet-Nam in 1953 (resolution 506 (XVI)). In those two cases, the Council, by a large majority, had agreed that the States in question should become parties to the Convention.

6. His delegation therefore hoped that the draft resolution it had submitted would receive the widest possible support from members of the Council.

7. Mr. TARDOS (Hungary) recalled that he had been firmly opposed to the inclusion of the item in question in the agenda. He read out article 27, paragraph 3, of the Convention, and pointed out that it was impossible for the Council to declare that the Republic of Korea could accede to the Convention since the authorities in the southern part of Korea could not claim to represent the Korean people. He thought that the request was of a political rather than a technical nature. His delegation would therefore vote against the proposal that the Council should declare the Republic of Korea eligible to accede to the Convention.

8. Mr. ZAKHAROV (Union of Soviet Socialist Republics) said that he, too, had voted against the inclusion of the item in the agenda and that in his view the Secretary-General's note (E/4972) was not admissible. The régime in Seoul did not have the right to assume international obligations on behalf of the Korean people and the decision by the Council would constitute a violation of international law. Accordingly, his delegation would vote resolutely against a decision which was in such conflict with the law.

9. Mr. ANTOINE (Haiti) pointed out that the Committee was considering a draft resolution and not the agenda. Since the Republic of Korea had always been allowed to send an Observer to the United Nations and since the question of accession to a road traffic convention was a routine question, his delegation supported the draft resolution (E/L.1383).

10. Mr. FINGER (United States of America) supported the draft resolution submitted by the New Zealand delegation. There were many precedents for the procedure suggested in the draft. In 1951, in resolution 348 (XII), the Council had recognized that the Governments of the German Federal Republic and the Principality of Monaco could accede to the Convention. In 1953, the representative of France, supported by the United States among others, had submitted a draft resolution which had been adopted (resolution 506 (XVI)) and which had followed the same procedure with regard to the State of Viet-Nam. By objecting to the application of that procedure, the Hungarian and Soviet delegations were running counter to the opinion of the General Assembly which, in December 1948, had recognized that the Government of the Republic of Korea was the only lawful Government in Korea (resolution 195 (III)) and which had affirmed elsewhere that Korea met the conditions required for membership in the United Nations; such membership had been blocked by a veto by one permanent member in the Security Council. The draft resolution submitted by New Zealand was, however, of an economic nature and there was no need to engage in a political debate.

11. Mr. ORČIĆ (Yugoslavia) indicated that his delegation, which at the 1738th meeting had voted against the

inclusion in the agenda of the item relating to the accession of the Republic of Korea, would vote against the draft resolution.

12. Mr. ZAKHAROV (Union of Soviet Socialist Republics), replying to the representative of the United States, observed that South Korea continued to be occupied by a foreign army which usurped the United Nations flag to conceal its activities. The discussion which had taken place during the current meeting showed once again that a United Nations organ was being used to give a semblance of respectability to a puppet régime. He confirmed that he would vote against the draft resolution.

13. Mr. FINGER (United States of America) recalled that at the twenty-fifth session of the General Assembly the Soviet delegation had advanced the same point of view and that it had been rejected by the First Committee by an overwhelming majority.

14. Mr. ARIFF (Malaysia) supported the draft resolution. He thought that there was no political question involved and that the desire of the Korean Government to conduct the affairs of its country within the framework of the United Nations deserved nothing but praise.

15. Mr. VIAUD (France) said that in the view of his delegation the question at issue was that of accession to a convention of an essentially technical nature, and on conditions set out in the Convention itself in the passages relating to the conditions for the accession of various countries. The Council should therefore confine itself to consideration of the technical aspect of the problem since it had nothing to do with the political aspects. His delegation was ready to lend its support to the draft resolution submitted by New Zealand but, in its view, the operative paragraph, in which the Council was called upon to declare that the Republic of Korea was eligible to accede to the Convention on Road Traffic signified that its eligibility depended on its fulfilling the conditions set out in chapter VII of the Convention. Even if a clarification to that effect was not included in the body of the draft resolution, the point should be borne in mind.

16. Mr. OSMAN (Sudan) said that his delegation, which had opposed the inclusion of the item in the agenda, was also opposed in general to the United Nations commitment

in Korea. He thought that the draft resolution was of a political nature and that it was yet another manifestation of the desire to perpetuate the Organization's commitment in Korea, which did not promote the realization of the purposes of the Charter. While realizing that the draft resolution would probably be adopted, his delegation maintained its opposition and hoped that the United Nations would at a future stage adopt a more constructive approach to the problem of Korea.

17. Mr. DE SOTO (Peru) associated himself with the remarks of the representatives of France and Malaysia, who thought that the draft resolution should be considered as divorced from any political considerations. He shared the view of the French delegation that any State could be authorized to sign the Convention, with the consent of the Economic and Social Council, on the conditions set out in chapter VII of the Convention. It was in that spirit that his delegation would vote in favour of the text submitted by New Zealand.

18. Mr. SCOTT (New Zealand), replying to the representatives of France and Peru, observed that the draft resolution which he had submitted followed exactly the text of the Convention itself. It was drafted in the same terms in which the Economic and Social Council had, in resolution 348 (XII), authorized the German Federal Republic and the Principality of Monaco to accede to the Convention.

19. Mr. VIAUD (France) suggested that the French text of the draft resolution should be redrafted to reflect the spirit of the provisions of article 27 of the Convention.

20. The PRESIDENT said that that observation would be taken into account.

21. Mr. DE SOTO (Peru) asked that the Spanish text should also be redrafted, if necessary.

22. The PRESIDENT put to the vote the draft resolution (E/L.1383).

*The draft resolution was adopted by 16 votes to 5, with 4 abstentions.*

*The meeting rose at 11.40 a.m.*