NITED NATIONS

ENERAL
SSEMBLY

GENERAL

A/1334
23 August 1950
ENGLISH
ORIGINAL: SPANISH

Fifth session

RELATIONS OF STATES MEMBERS AND SPECIALIZED AGENCIES WITH SPAIN

Letter dated 18 August 1950 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General

New York, 18 August 1950

I have the honour to confirm, by the present note, my telegram of today's date,* reading as follows:

SECRETARY-GENERAL, UNITED NATIONS, LAKE SUCCESS, L.I., N.Y. -
IN ACCORDANCE WITH INSTRUCTIONS OF MY GOVERNMENT I REQUEST INCLUSION IN AGENDA OF FIFTH SESSION OF UNITED NATIONS GENERAL ASSEMBLY ITEM ENTITLED "RELATIONS OF STATES MEMBERS AND SPECIALIZED AGENCIES WITH SPAIN". AM FORWARDING BY MAIL THE RELEVANT DRAFT RESOLUTION --
CARLOS HOLGUIN DE LAVALLE, PERMANENT REPRESENTATIVE OF PERU TO THE UNITED NATIONS.

I have pleasure in forwarding herewith the draft resolution mentioned.

(Signed) Carlos HOLGUIN DE LAVALLE
Permanent Representative

* A/1328.

RELATIONS OF STATES MEMBERS AND SPECIALIZED AGENCIES WITH SPAIN

Peru and Bolivia: Joint draft resolution

The General Assembly,

Considering:

1. That the Security Council, which was made responsible by the recommendation of 1946 for the observation of the so-called "Spanish Question", decided on 26 June 1948 that it was inappropriate to include the matter again in the agenda of the Council, and has made no proposal since then; which implies therefore that the Spanish question does not involve any threat to the peace;

2. That, in 1947, the proposal to confirm the resolution of 12 December 1 regarding the recall of Ambassadors and Ministers plenipotentiary accredited to the Spanish Government did not obtain the two-thirds majority required by the Charter to enter into effect;

3. That an obligation subject to confirmation cannot be deemed to have effect if it is not supported by the two-thirds majority which established it, since the continuity of the juridical obligation lapses in the absence of the requirements deemed essential to originate it;

4. That, in virtue of the foregoing reasons, the countries represented in the United Nations have regarded the recommendation of 12 December 1946 as virtually revoked and have sent Ambassadors and Ministers to Spain;

5. That the majority of the Members of the United Nations, whether or not they had an Ambassador or Minister accredited in Madrid, have maintained normal relations with the Spanish Government and have concluded agreements, in particul commercial agreements, the current implementation of which shows, in respect of Spain, a spirit of peace and full international co-operation;

6. That both the proposal declaring the attitude of countries which had not implemented the resolution of 1946 a violation of the Charter and the appeal to Members of the United Nations to implement that resolution were rejected by the overwhelming majority of 39 and 35 votes respectively;

7. That, when put to the vote, the proposal submitted by Peru, Brazil, Colombia and Bolivia for the normalization of relations with Spain was opposed by only 15 votes or one-quarter of the Members of the Assembly, the remaining votes being 25 in favour and 16 abstentions;

/8. That the

8. That the aforementioned vote implies a re-affirmation of the indirect revocation of the resolution of 1946 since there was not a two-thirds majority in favour of the recall of Ambassadors and Ministers accredited in Spain, three-quarters of the Assembly being opposed to the confirmation of that resolution;

9. That since the time when the United Nations took cognizance of the Spanish question, there have been substantial changes in the circumstances as a result of which the proposal submitted by Peru, Brazil, Colombia and Bolivia failed to obtain the required majority; and

10. That, in the present world situation, international security requires the close co-operation of all peace-loving countries and, consequently, the normalization of relations with Spain,

Decides

To leave States Members of the United Nations full freedom of action with regard to their diplomatic relations with Spain and to consider inoperative the exclusion of Spain from specialized technical agencies dependent on the United Nations.
