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GENERAL
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GENERAL

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ORIGINAL: ENGLISH

ADDITIONAL MEASURES TO BE EMPLOYED TO MEET
THE AGGRESSION IN KOREA

Reports from governments on measures taken in accordance with
General Assembly resolution 500 (V) of 18 May 1951*

Since the compilation of document A/1841, communications have been received from the following governments:

Colombia

Lebanon

Philippines

Non-member State

Japan

* Technical and legislative enclosures referred to in reports from governments and which are not attached to the present document are available for consultation in the Secretariat of the Additional Measures Committee.

COLOMBIA

11 July 1951

With further reference to the communications from our Government and from this delegation relative to the resolution of the General Assembly of 18 May 1951, No. 500 (V), I have the honour to send you herewith a copy of Government Decree No. 1385, dated 22 June 1951, whereby the Government of Colombia takes appropriate measures to comply with the above-mentioned resolution.

(Signed) Eliseo ARANGO
Permanent Representative
of Colombia

ANNEX

DECREE NO. 1385 OF 1951

22 JUNE

Ordering measures for the application of a resolution of the Assembly of the United Nations.

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA, in the exercise of his legal powers, and

CONSIDERING:

That as a member of the United Nations Colombia voted at the last General Assembly for resolution No. 500 of 18 May 1951 recommending an embargo on strategic materials likely to be of assistance to the Governments of Communist China and North Korea in their present war of aggression,

DECREES:

ARTICLE ONE: A prohibition is hereby placed on the export of strategic materials destined for the Governments of Communist China and North Korea.

ARTICLE TWO: In issuing regulations in connexion with this decree, the Ministries of the Treasury and of Economic Development shall draw up a list of the strategic materials referred to in the preceding article and shall indicate the penalties to which failure to observe the above-mentioned prohibition will give rise,

For Communication and Publication.

Given at Bogotá, 22 June 1951.

/LEBANON

LEBANON

4 July 1951

Referring to your telegrams No. 173 of 21 May 1951 and No. 179 of 15 June 1951, concerning the General Assembly resolution of 18 May on additional measures to be employed to meet the aggression in Korea, I have the honour to advise Your Excellency that the Government of Lebanon, although it does not entertain economic and commercial relations with the areas under the control of the Central People's Government of the People's Republic of China and of the North Korean authorities, has taken the necessary steps in order to carry out the provisions of said resolution.

(Signed) Charles HELOU

Minister of Foreign Affairs

PHILIPPINES

17 July 1951

With reference to my letter, dated 25 June 1951, transmitting the report of the Philippine Government on the measures it has taken in accordance with General Assembly resolution 500 (V) of 18 May 1951, I have the honor to transmit three (3) sets of Republic Act No. 613 and Executive Order No. 453 implementing it, relating to the control of exports from the Philippines.

The Executive Order has been drafted to cover all strategic and war potential items found in the Philippines, including those that may be imported from friendly countries. Attention is particularly drawn to Sections 2, 3 and 4 in relation to Annexes "A", "B", and "C". Under Section 2 exportation of all items listed in Annex "A" are absolutely prohibited except in a few cases where previous authority has been secured from other agencies of the government prior to 11 May 1951 and after 21 February 1951 or after 21 November 1950. In addition to arms, ammunitions, aircraft, vessels and other war equipment, and scrap metals, some local products are also prohibited from exportation. Paragraph IV of Annex "A" covers all types of machinery which may not be exported.

Under Section 4 all export applications covering items listed in Annex "C" are to be rigidly screened by the Committee on the basis of the factors enumerated under Section 6. Section 7 requires unanimous agreement of
/the three members

the three members of the Committee before their recommendation on the exportation of a particular item is forwarded to the President. Publication for two weeks is also required under Section 8 to insure that parties who believe that the exportation should not be allowed may have the opportunity to interpose their objections.

Section 12 regarding transshipments was included in the Order in the spirit of co-operation with other countries in their effort to prevent strategic materials from falling into the hands of the Communists. It is believed that without this provision, unscrupulous exporters may find a way to circumvent the export control regulations of the Philippines, as well as those of other countries, by the simple expedient of representing their re-exportations as mere transshipments.

In the actual implementation of the regulations established by Executive Order No. 453, the Export Control Committee has constituted a Technical sub-committee composed of representatives from the Department of Foreign Affairs, the Military Intelligence Service of the Armed forces, the Economic Coordination and the Department of Agriculture to study all possible angles of each export application submitted. The Chairman of the Committee is free to request other agencies or officials of the Government to assist in the implementation of the Order.

I am accordingly authorized to inform you that the Philippine Government has fully complied with the terms of the embargo resolution.

(Signed) Salvador P. LOPEZ
Minister Plenipotentiary
Charge d'Affaires

(Enclosure: Republic Act No. 613
Executive Order No. 453)

JAPAN

11 July 1951

The Chief of the Diplomatic Section of General Headquarters, Supreme Commander for the Allied Powers, presents his compliments to the Secretary-General of the United Nations and has the honor to refer to the resolution adopted by the General Assembly of the United Nations on 18 May 1951, concerning additional measures to be employed to meet the aggression in Korea, and to transmit herewith a communication from the Japanese Minister for Foreign Affairs, dated 16 June 1951, setting forth the measures taken in Japan to comply with the provisions of the foregoing resolution.

ANNEX

16 June 1951

The Minister of Foreign Affairs of Japan has the honour to acknowledge the receipt of the text of the resolution adopted on 18 May 1951 by the General Assembly of the United Nations, concerning additional measures to be employed to meet the aggression in Korea, through the General Headquarters, Supreme Commander for the Allied Powers, on 26 May 1951, and to inform the Additional Measures Committee in accordance with paragraph 1 (E) of the operative part of this resolution as follows:

In connection with paragraph 1 of the operative part of this resolution, the following measures are taken at present by the Japanese Government:

In regard to paragraph 1 (A) and the former part of (B);

At present, prior to the export of such goods (including all imported goods and all goods unloaded) as fall under the items enumerated in the Attachment I, a copy of which is enclosed herewith, of the Export Trade Control Order, finally revised on 8 June 1951, approval by the Minister of International Trade and Industry of an application for an export licence therefor is legally required, regardless of their destination (please see Article 1 of the said Order.)

With regard to goods destined for the Chinese Mainland (including Hainantao and all other adjacent islands under control of the Central

/People's

People's Government of the People's Republic of China), North Korea, Hongkong and Macao, the Minister of International Trade and Industry is not granting approval for any application for an export licence, if they fall at all under the above-mentioned items (it is noted that all materials listed in paragraph 1 (A) of the operative part of the above resolution are covered thereby). Provided that in case of goods destined for Hongkong, approval is occasionally granted on condition that the essential supply certificate of the Hongkong Government issued on request is appended to the application for an export licence.

Moreover, no approval is granted for the export of goods requiring an export licence without the assurance made by the overseas buyer that the goods will not be destined for any other place than that originally approved by the Minister of International Trade and Industry. It is necessary, therefore to append a letter of assurance to this effect to the application for an export licence. Further, the transporter of goods is required to pledge himself on the bill of lading that he will not carry the said goods to areas other than the port of destination entered in that bill of lading.

Especially, with regard to all weapons and war materiel of any nature, gun powder, explosives (including industrial types, explosive stabilizers, poison gases, incendiaries, pyrotechnics and component parts of weapons and war materiel and ingredients for the manufacture of the foregoing) (please see No. 24 of the above-mentioned Attachment I), being practically treated as contraband, no export licence therefor is granted, wherever the destination may be.

In regard to the latter part of paragraph 1 (B):

In exporting goods listed in Attachment I of the Export Trade Control Order, the exporter is required to enter in the bill of lading the export licence number, the final destination and a statement of pledge that the goods will not be destined to any other place, unless approved, than that originally approved. In order to examine whether these statements are complete and whether goods are loaded as stated, the Customs Officer asks the exporter to present, prior to the sailing of the vessel on board of which the goods are loaded, the bill of lading and the manifest of shipment to check them with the application for the export licence and export declaration, and

/after

after confirming that there exist no discrepancies, authorizes the sailing of the vessel.

Further, for the prevention of any falsification of the application for export, no alteration is admitted on any statement of the licence. And when the goods have been duly cleared, an entry to that effect is made in the column for the application for an export licence to prevent it from being used twice.

In case of contravention in connection with the above measures, penal servitude not exceeding three years or a fine not exceeding 300,000 yen, or both, shall be imposed in accordance with the provisions of Article 70 of the Foreign Exchange and Foreign Trade Control Law.

In case of smuggling (export without licence or export without clearance through the Customs house) penal servitude not exceeding five years or a fine not exceeding 500,000 yen, or both, shall be imposed on a charge of contraband in accordance with the provisions of Article 76 of the Customs Law and in addition goods and ships involved shall be confiscated in accordance with Article 83 of the same Law by the Customs house to help prevent smuggling.

In regard to paragraph 1 (C);

As stated above, goods for export previously imported into Japan and goods unloaded in Japan, are treated and controlled as exports from Japan (Nos. 31 and 32 of Attachment I of the Export Trade Control Order).

In regard to paragraph 1 (D);

The Japanese Government is prepared, in carrying out the purpose of this embargo to consult for the co-operation with other countries if so desired.

(Signed) Shigeru YOSHIDA
Minister of Foreign Affairs

Enclosure: Copy of Attachment I,
Export Trade Control
Order of Japan.