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FIRST COMMITTEE, 607th

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Chairman: Mr. João Carlos MUNIZ (Brazil).

Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China (A/2375, A/C.1/L.42) (*continued*)

[Item 77]*

1. Mr. CHAMANDY (Yemen) expressed the view that the Burmese representative had submitted at the 605th meeting irrefutable evidence in support of his Government's complaint concerning the aggression committed against it by armed forces in liaison with the Taipei authorities. The presence of those troops on Burmese territory without the consent of the Burmese Government constituted a violation of international law which must be condemned by the United Nations; failure to do so would create a precedent which would endanger the maintenance of international peace and security. Moreover, those armed forces were receiving reinforcements from Taiwan (Formosa) and were terrorizing the inhabitants of the territory.

2. The small States particularly deplored that aggression, which had already lasted for three years, and they considered that the United Nations should put an end to the situation. In view of the fact that interference in the internal affairs of States was prohibited by the United Nations Charter and that the Government of the Republic of China was a Member of the United Nations, it was to be hoped that the rulers of that country would show their goodwill by co-operating in efforts to settle the situation; moreover, such co-operation would be in their interest.

3. The Yemen delegation would support the Burmese draft resolution (A/C.1/L.42) and any reasonable and conciliatory amendments to it.

4. Mr. ZARUBIN (Union of Soviet Socialist Republics) considered that the Burmese complaint regarding aggression committed by Kuomintang troops deserved serious consideration by the General Assembly, since the presence of those troops in Burmese territory and the aggression committed by them against Burma and the People's Republic of China constituted a threat

to peace and security in the Far East which might lead to international complications.

5. Press *communiqués* concerning armed conflicts involving the Kuomintang troops in Burma had been confirmed by the Burmese representative's statement. The USSR and other delegations had already, during the sixth session of the Assembly, drawn attention to the threat to peace and security which was constituted by the presence of Kuomintang troops on the Burmese frontier. The USSR delegation had pointed out that the Taiwan Government was providing troops and equipment for the 93rd Kuomintang Division, which had crossed the frontier in 1950 after it had been expelled from China. Those armed bands had regrouped themselves in order to commit aggression against Burma and the People's Republic of China; they had received reinforcements from Taiwan and in 1952 had tried to unleash large-scale aggression against China. When that attempt had failed, the survivors of the bands had again sought shelter in Burma and had seized an area where they had established a reign of terror. All attempts to disarm and intern those bands had failed and they were free to continue their acts of violence inspired by the Taiwan Government.

6. There could be no doubt about the connexion between those bands and the Taiwan authorities. The Kuomintang representative had admitted at the 605th meeting that his Government exerted influence on General Li Mi, the leader of the bands, and had not denied that the general went to Taiwan from time to time for instructions. Moreover, a *communiqué* of 5 January 1951 from Chiang Kai-shek to Li Mi stated that the Government could not send more equipment owing to transport difficulties. A letter of 16 January 1952 from Chiang Kai-shek's son to Li Mi showed that the latter had already achieved considerable results, under the President's directions. There was no doubt, therefore, that the Chinese troops in Burma were acting on the direct instructions of the Taiwan authorities. They were in control of an airfield, which was used for regular communication with Taiwan by air.

7. Any attempt by the Kuomintang representative to deny that connexion was obviously groundless. The

* Indicates the item number on the agenda of the General Assembly.

Kuomintang must therefore be held responsible for the atrocities committed by its troops in Burma, especially since it was also trying to undermine the relations between Burma and the People's Republic of China. The letter referred to in document No. 5 of the file of documents distributed by the Burmese Government¹ proved that the Kuomintang was guilty of direct interference in the internal affairs of Burma. It stated that the armed forces stationed in Burma were prepared to support any political group except the Communist Party, in order to reorganize the Government so that it would be able to work with them for the anti-communist cause. It stated, further, that the Chinese forces should avoid frontal clashes with the Burmese Army but should attack the rear and incite the local inhabitants to steal weapons, the main objective being the struggle against the Burmese Government. It further recommended the launching of a propaganda campaign once the fighting was over to prove that the Burmese Army should be held responsible for the conflicts and atrocities.

8. The USSR delegation considered that the Burmese delegation had given incontrovertible proof of the aggression committed against Burma by the Kuomintang, which, in addition to its direct interference in the internal affairs of Burma, had committed atrocities against the population. There was no denying that the Kuomintang had decided to turn the Chinese-Burmese frontier into a stronghold from which to direct its aggression against China and Burma. According to a communication published in *The Nation* of 16 March 1953, the Kuomintang troops had received orders to concentrate near the frontier until they received reinforcements in men and equipment. It seemed, therefore, that the Burmese people had further struggles to face before they could drive the Kuomintang troops from their territory.

9. The USSR delegation fully sympathized with the concern of the Burmese Government and would support its complaint and its draft resolution. It was the duty of the General Assembly to take the necessary steps to put an end to the aggression committed by the Kuomintang troops against Burma and the People's Republic of China.

10. Mr. MUNRO (New Zealand) said that his country's primary concern with threats to peace and security in the Pacific area led it to take a special interest in the critical situation in Burma.

11. Although the New Zealand delegation could not accept all the inferences drawn by the Burmese representative, it could not but acknowledge the fact that the situation which had developed in Burma was likely to endanger international peace and security. *Prima facie*, the United Nations should deal with the complaint submitted by the Burmese Government, but it was doubtful whether the Organization could bring about a satisfactory solution, not because there was any question of the competence of the General Assembly, but simply because it seemed to be difficult to determine what effective action could be taken in the matter.

¹ These documents were not distributed as United Nations documents.

12. The Burmese complaint, made under Article 51 of the Charter and requesting that the Chinese troops on Burmese territory should comply with the principles of international law, was certainly legitimate. Burma apparently wished to intern and disarm those troops. The right to do so was recognized in The Hague Convention respecting the Rights and Duties of Neutral Powers and Persons in case of War on Land, which were equally applicable in the case of civil war. Burma and the Republic of China had, therefore, parallel obligations in the matter: Burma was bound to intern the Chinese troops which had sought refuge in its territory, and the Republic of China was bound to refrain from issuing any directives to those troops which might infringe the sovereignty of Burma. While he did not wish to assert that there had been any such infringement, it was an undeniable fact that Burma had experienced difficulties in interning the Chinese troops, which had resisted such internment since 1950. Moreover, the presence of those troops for three years had naturally caused a number of local disturbances.

13. The question was, however, who controlled those troops? It could not be assumed that they were acting under the orders of the Government of the Republic of China until that had been proved to be the case. The Chinese representative had stated at the 605th meeting that those troops were not part of the regular Chinese Army. The Burmese representative himself had said at the same meeting that it was difficult to obtain proof because it was a clandestine operation. To support the claim that there was a connexion between the Government of the Republic of China and the armed forces of General Li Mi, reference had been made to captured documents of doubtful authenticity, Press cuttings which merely reflected the admiration of many Chinese for General Li Mi, the Chinese guerrilla leader, and a reported statement of the Chinese *Chargé d'affaires* at Bangkok which, according to the Chinese representative, was grossly exaggerated.

14. The evidence was therefore unconvincing, to say the least. Nevertheless, the New Zealand delegation took note of the assurances given by the Chinese representative with regard to future clearances for aircraft flying from Formosa to Burma and the collection of funds in Taipei for the support of General Li's army. Those assurances seemed to indicate that in the past liaison by air had been maintained and that the Government of the Republic of China had given material assistance to the Chinese armed forces in Burma.

15. In the circumstances, he had been impressed by the moderation which had marked the speeches of the representatives of Burma and China and was grateful to the United States for making available its good offices to both parties. The Committee might therefore take note of the fact that negotiations between the two parties were proceeding at Rangoon, where the United States was making available its good offices. The New Zealand delegation felt that an early solution should be found; it thought, therefore, that the General Assembly might adopt a resolution urging the withdrawal of the Chinese troops from Burma and requesting that the Government of the Republic of China should exercise to that end such influence as it might have on General Li Mi. In that way, given goodwill, an orderly withdrawal could be achieved.

16. At the sixth session of the General Assembly, his delegation had stated that New Zealand, as a Pacific Power, supported the national aspirations of its neighbours in Southeast Asia and their desire for free development without the threat of aggression and intervention in their internal affairs and that it therefore considered that any aggression in that part of the world would require most urgent consideration by the United Nations.

17. Mr. PALAR (Indonesia), noting that the Chinese representative had made only a preliminary reply to the statement of the Burmese representative, reserved the right to speak again after hearing both parties. He wished, however, to make a few brief remarks. The Chinese representative had recalled that his Government had aided Burma in its fight for liberation from Japanese occupation and had sponsored its application for membership in the United Nations. The Indonesian delegation well remembered that the Chinese Government had also championed the case of Indonesia before the United Nations when that country had been fighting for its independence. It would always be grateful for that; nevertheless, in a question in which war and peace were involved, it could not be swayed by such considerations when trying to establish where the guilt lay.

18. The Chinese representative had stated that his Government had never had any intention of committing aggression against Burma and that in entering Burma the Chinese armed forces had acted contrary to the orders of his Government. The simple fact was, however, that an aggression had taken place and continued to take place. Moreover, it had not been denied that that aggression was being abetted by the Taipei Government. Obviously the recruits and the modern equipment of those armed forces could come only from Formosa. That being so, the Chinese representative's statement was meaningless and the best proof of his Government's professed friendship towards Burma would be an order to General Li Mi to surrender his army to the Burmese Government to be disarmed and interned. The Chinese representative had also claimed that his Government had tried to persuade General Li Mi not to enter the territory of Burma. No one could believe that the Taipei Government had expected General Li Mi to set up residence in the People's Republic of China, at any rate not after his disastrous venture into Yunnan in 1951; it might therefore be asked whether the Chinese representative's statement implied that General Li Mi had been urged to enter India, or Thailand, or Indochina. The claim would be acceptable only if the Taipei Government had used its influence to persuade General Li Mi to permit his troops to be disarmed and interned. The Chinese representative had also said that and action would be useless if the Burmese Government were to use communist units to fight the aggressors. But all aggression of whatever kind, should be condemned, without regard to the ideology of those opposing it. The Chinese representative had also claimed that General Li Mi and his men were fighting for their country under the banner of anti-communism. After citing some of the instructions issued to General Li Mi's army, Mr. Palar observed that for the past three years General Li Mi's troops had been fighting not against communism but against Burma.

19. The Chinese representative's remarks seemed to indicate that the Taipei Government would like to comply with the legitimate desires of the Burmese Government, but that, lacking the power to implement an order to General Li Mi to surrender his troops, it was not prepared to enter into an agreement for fear of being accused later of bad faith. The Indonesian delegation urged the Taipei Government to conclude an agreement stipulating that those troops were to be disarmed and interned in accordance with international law; and at the same time, it appealed to the United Nations to assist both parties in carrying out such an agreement. It was convinced that the question could be settled if that procedure were adopted.

20. Mr. KHOMAN (Thailand) stated that the complaint of the Burmese Government was a delicate question for the United Nations, since it involved two Member States. It was even more delicate where Thailand was concerned, since the dispute was between two States with which it maintained friendly relations. That fact was not, however, an adequate reason for not seeking a solution which would conform to the principles of international law while at the same time being satisfactory to the aggrieved party.

21. There could be no doubt that there was no justification for the presence and the activities of foreign troops in Burma and that a speedy end should be put to those activities. The Chinese troops had not, however, been introduced into Burma with an aggressive design. Their presence there had been brought about by the vicissitudes of the war in China. Nevertheless, they should lay down their arms and surrender to the Burmese authorities.

22. The Thai delegation could not endorse the proposal, contained in the Burmese draft resolution, to the effect that the Security Council should pronounce a condemnation, for in its opinion such a measure would not be conducive to a satisfactory and realistic solution of the problem, but might on the contrary delay that solution.

23. The problem Burma had placed before the United Nations was both specific and urgent. Thailand, for its part, had taken measures to reinforce control of traffic across the Thai-Burmese frontier, in order to prevent illicit traffic. The Government had placed the sale of petrol and other essential supplies under a system of strict allocation. Lastly, members of the Burmese Embassy at Bangkok had been given an opportunity to inspect the frontiers. Thailand had thus given Burma practical co-operation. Nevertheless, since the frontier between the two countries was in an undeveloped tropical area, it could not be completely sealed.

24. The cause of the dispute between Burma and the Republic of China could be eliminated by the disarmament and internment, or by the evacuation, of the Chinese armed forces in Burma. Although the Republic of China claimed to have only partial control over them, even its limited influence would have some effect. The United Nations could perhaps set up a special body to assist the two parties in carrying out their task. If it should be decided to evacuate the Chinese troops, after they had been disarmed in Burma, the Thai Government was prepared to assist in the evacuation of those troops through Thailand.

25. His delegation hoped that the debates would lead to a practical and satisfactory solution of the problem.

26. Mr. WINIEWICZ (Poland) considered that the problem at present before the First Committee was closely connected with the question of respect for the sovereignty and territorial integrity of States and that of maintaining international peace and security. The Polish delegation wished, therefore, to express its opinion on the principles involved.

27. The explanatory memorandum submitted by the Burmese representative (A/2375), together with that representative's statement, proved that Burma was the victim of criminal acts committed by Kuomintang bands equipped, reinforced and directed from Taiwan. It was imperative to put an end to those acts which, by reason of their threat to Burma, could not but increase international tension. The evidence submitted by the Burmese representative was convincing. The bands in question had refused to allow themselves to be disarmed and interned by the Burmese forces, thus violating the generally accepted principles of international law. Their number had increased from 1,700 in 1950 to more than 12,000 at present. They had extended their operations from north-east Burma to the south and were not in isolated groups. The fact that they were under the direct command of the Chinese group ruling Taiwan was proved not only by the facts set forth by the Burmese representative but also by information obtained from many other sources. In July 1951, for example, the Taiwan newspaper *Kung Lung Pao* described General Li Mi as a Nationalist official leading regular Nationalist forces. General Li Mi himself had declared repeatedly that the purpose of his visits to Taiwan was to submit reports to Chiang Kai-shek and to discuss future operations. Furthermore, the Kuomintang spokesman in the First Committee had himself admitted that the Taipei military authorities had "some influence" on Li Mi. To judge from the documentation presented by the Burmese representative, that meant total control exercised by the general staff over a subordinate unit. It was therefore understandable that the documents in question should bear the official Nationalist seal and that the Taiwan authorities should address proclamations to General Li Mi's forces. Those forces were equipped with the most modern arms and even had airfields at their disposal. They never lacked munitions, recruits or instructors, and those could only come from sources outside Burma. In support of his statement he cited articles in the London Press and an article in *The New York Times* of 18 April 1953, which reported that the forces in question were now using an American type 77-millimetre gun which had been used for the first time in Korea eighteen months earlier. Such a weapon could only have come from Formosa. Moreover, in view of its weight it could not have been sent by air.

28. The Union of Burma was a young State which faced numerous difficulties in its task of strengthening its independence and developing its economy. The Kuomintang bands were hindering the attainment of those important objectives. Entire villages had had to be abandoned because their unfortunate inhabitants had no longer been able to meet the demands of the invaders; civilian officials had been assassinated; even Burmese women had not been spared. *The New York Times* of 19 February 1953 reported the destruction

and looting of the town of Muse, in Northern Burma. Catholic missionaries had been killed, together with Burmese soldiers who had attempted to resist. Such a situation could not be tolerated by the United Nations, and the Taiwan rulers should be condemned for that act of aggression.

29. Moreover, there was a second element in the situation: the aim of the Kuomintang bands was not only to extend the occupation of Burma by Chinese Nationalist forces but also to carry out operations against the People's Republic of China. They had already tried to attack China in 1951 but had been hurled back, as they would be whenever they made such attempts. Their intentions had already been described by the Burmese representative during the sixth session, when he had stated at the 504th meeting of the First Committee that they could be regarded as the nucleus of a future army to be used during a third world war. He had also stated that the Central People's Government of the People's Republic of China had adopted a correct attitude. That was hardly surprising since that Government's sole objective was to contribute towards peaceful co-operation among nations and the strengthening of peace.

30. The presence of the Kuomintang bands in Burma and their links with Taiwan were contributing to international tension. It should be borne in mind, too, that those circumstances and the aggressive policy of the self-proclaimed rulers of Taiwan had been made possible only through the aid and support of certain other nations. The United Nations should therefore consider the problem not only because of its importance to Burma but because of its vital bearing on the international situation in general and on Southeast Asia in particular.

31. The warnings voiced during the sixth session by several delegations, including those of Poland and the USSR, had not been heeded and the danger was at present still greater than it had been then. In view of the nature of the complaint, the Polish delegation supported the Burmese representative's proposal that the question should be placed before the Security Council, and it would vote in favour of draft resolution A/C.1/L.42. It opposed the New Zealand representative's suggestion that the matter should be settled outside the United Nations.

32. Mr. TSIANG (China) said that some speakers had drawn conclusions on the basis of the documents supplied by the Burmese representative. The so-called evidence could be divided into three categories: the first consisted of newspaper reports; the second, communications from officers and units of the anti-communist army; and the third, two documents reproducing proclamations made by two high officials of the Chinese Government. Of those two proclamations, the first was alleged to have been addressed to General Li Mi by President Chiang Kai-shek and the second by Chiang Ching-kuo, the President's son. It should be noted that the photostatic copy of the first dated 5 January 1951, was entitled: "To Director Li and through him to the officers and soldiers of the National Army stationed in Yunnan". That message, then, was addressed to troops stationed not in Burma but in the province of Yunnan. It contained no reference whatever to operations in Burma. The second likewise had

nothing to do with Burma. Each was merely an appeal to fight the Communists.

33. With respect to the documents purporting to come from units of the armed forces in question, particular attention should be paid to document No. 3, paragraph 1 (b) of which referred to collaboration with certain political parties in Burma. The document contained the minutes of a discussion held in a sub-committee of the 4904 Battalion. If the troops in question had been regular army forces, there would obviously have been no need to set up a sub-committee to determine the line to adopt with regard to political parties. The very fact that a sub-committee had been set up by a battalion to deal with such matters proved that those troops were irregular forces acting and taking decisions on their own initiative. A perusal of document No. 12 led to similar conclusions. That document was a letter addressed to nine persons, in which the author, Pei Feng, stated that he had received contributions from certain people at Bangkok and asked that contribution should be made also by residents of Rangoon. That document revealed the nature of the troops and the source of their supplies.

34. With respect to the newspaper reports concerning the activities of General Li Mi, it should be recalled that in 1949 he was appointed commander of the armed forces in the province of Yunnan. He was a well-

known man, like many other generals who were leaders of guerrilla forces. They visited Formosa at will; there was nothing mysterious about their movements. In its relationship with General Li Mi the Chinese Government had invariably endeavoured to exercise its influence to satisfy the wishes of the Burmese Government.

35. As for the possible use of communist units by the Burmese Government in its armed forces, the Chinese delegation had no intention of protesting, but it merely wished to draw the attention of the Committee to the matter, which might make the problem more difficult to solve.

36. It should also be pointed out that three years earlier the Chinese Government had had much greater influence over its armed forces than it had at present. At that time two hundred men had allowed themselves to be disarmed and interned. The Chinese Government had raised no objection, either directly or indirectly. It had never attempted to hinder or obstruct any attempt to disarm and intern the troops in question. Those were facts which the Committee should consider with care before reaching any conclusions.

37. The CHAIRMAN said that the list of speakers would be closed on Tuesday, 21 April 1953, at 1 p.m.

The meeting rose at 12.40 p.m.