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| [Item 65]* | |
| 1. Mr. LAMALLE (Belgium) said that his delegation would vote in favour of the revised draft resolution submitted by France, the United Kingdom and the United States (A/C.53/L.11/Rev.2). That draft was in conformity with the Charter, in accordance with which the United Nations was under an obligation to prevent and remove threats to the peace. It was a positive step towards the establishment of democracy throughout Germany. The delegations of the USSR and of its satellite States had maintained that the proposal was contrary to Article 107 of the Charter. It was difficult to see how that Article, which was designed to permit action, with respect to ex-enemy States, which might otherwise have been contrary to the Charter, could be used as a basis for rejecting proposals put forward in the United Nations concerning those States. Article 107 conferred on the allied Governments a larger measure of competence with regard to ex-enemy States than they would otherwise have possessed. It did not prevent the United Nations from examining proposals for the solution of the German problem. | |
| 2. The representatives of East Germany had alleged (20th meeting) that adoption of the three-Power draft resolution would entail intervention by the United | |
| Nations in the domestic affairs of a State. That objection could hardly apply in the case of Germany, which had not yet regained its full sovereignty and which was split into two separate States, the larger of which had requested the good offices of the United Nations. The proposal was designed simply to allow the unification of Germany in accordance with the wishes of the German people, by enabling that people to express its will through free and secret elections. | |
| 3. The Netherlands representative had rightly pointed (21st meeting) to the strange position of Germany, in which there were two Governments, each claiming to be the only legal and legitimate representative of the German people. Until a peace treaty had been concluded, the freedom of action of the German people would be limited by certain restrictions. In West Germany, those restrictions had been progressively removed and the Federal Republic was gradually returning to the community of nations, whereas in the East the restrictions had become even more severe. | |
| 4. While the Government of West Germany was asking the United Nations to take action, the Government of East Germany, which had not been freely elected and which subserviently obeyed the orders of the USSR, was refusing the United Nations good offices and in so doing was ignoring the interests of the people it pretended to represent. | |
| 5. No results had been achieved so far by leaving the problem exclusively in the hands of the four occupying Powers and the Germans themselves. France, the United Kingdom and the United States, moved by their earnest desire to settle the question, had submitted to the Committee a draft resolution which offered the possibility of ending the deadlock. The Swedish proposal, on the other hand, appeared likely to cause a further loss of time, and his delegation could not support it. | |

* Indicates the item number on the General Assembly agenda.

6. Every possible effort must be made to solve the problem, but it was very probable that the attitude of the East German Government would make the setting up of a commission of investigation useless, and it was important to show clearly where the responsibility for possible failure would lie.

7. The representatives of both Zones in Germany were pressing for the unification of the country, but from the attitude of the East German representatives it was plain that their actions were incompatible with their words and that their only concern was to obey the Soviet Union. There was a striking difference between the attitudes of the two groups of German representatives. In requesting France, the United Kingdom and the United States to place the problem of Germany before the United Nations, Mr. Adenauer had given proof of his sincere desire to collaborate with the democratic nations and to prepare the way for the unification of his country. The representatives of West Germany (18th meeting) had spoken with moderation and had confirmed the impression that their Government was prepared to open their country to Europe and to the whole world. The statements of the East German representatives, on the other hand, had been reminiscent of the phraseology used by the nazi régime. It was clear that they wanted elections in which the voters would be subjected to pressure and terrorism and which would assist the USSR to stage in West Germany a repetition of the incidents of Prague. For the Soviet Union, the neutralization of Germany meant a totally enslaved nation from which the USSR could raise an army. The "iron curtain" would then have been moved from the Elbe to the Rhine.

8. The large number of refugees who were leaving their native soil and fleeing to West Germany was sufficient evidence of the nature of the régime in East Germany. The East German Government feared to raise the "iron curtain" separating its territory from the free countries because it was afraid of the judgment of the rest of Germany and of the whole world.

9. After the fall of the nazi régime, it had been generally hoped that democracy might be re-established throughout Germany. The Israeli representative had spoken of the importance of the moral factor. While it was impossible not to feel some misgiving in view of Germany's ominous heritage, the Belgian delegation did not accept the conclusions of the Israeli representative who had not suggested any positive or concrete solution. The need for pursuing democratic solutions on a moral basis was therefore all the greater. The moral code now observed in East Germany under the Grotewohl Government was in line with that of the Hitler régime. The East Germans who should have been learning democracy were being deprived of that opportunity by a communist government. A government which had not been freely elected was defending a totalitarian régime. In West Germany, however, where democracy, civilization and the love of peace had once flourished, conditions were such that it once again knew democracy.

10. It had been said that the Germans themselves should be responsible for settling the German question.

But they must be free to think and free to decide their destiny. Such freedom, while it was allowed to the West Germans, was denied to the East Germans. The Belgian delegation wished to make clear where responsibility for the possible failure of the three-Power draft resolution, for which it was prepared to vote, would lie. His delegation would also support the joint amendments submitted by Canada, Denmark, Iceland, Netherlands and Norway (A/AC.53/L.17) and the amendments proposed by Bolivia, Brazil, Colombia, Cuba and Uruguay (A/AC.53/L.18). While the first part of the Swedish draft resolution (A/AC.53/L.15) was not acceptable to the Belgian delegation, it would support the second part offering the services of the United Nations to guarantee the freedom of the elections which might eventually be held.

11. Mr. GUNDERSEN (Norway) thought that the debates in the Committee had rightly reflected the world-wide concern felt about Germany, the focal point of so much international tension.

12. The unification of Germany, the importance of which had been urged by all speakers, was, though very necessary, not the whole answer to the problem. If Germany was to become a stabilizing factor in a peaceful Europe, it must be unified and democratic, with a government freely elected and expressing the will of a free people.

13. The question which the Committee had to answer was how the United Nations could help to achieve that end. Mr. Gundersen thought that the issue of United Nations competence had already been sufficiently discussed, and associated himself with the Swedish and other representatives on that subject.

14. Many speakers had pointed out the severe limitations imposed by political realities on any United Nations action with regard to Germany. It might well be that there was very little, or even nothing, that the Assembly could do. There could be no doubt that only active co-operation among the four great Powers could ultimately solve the German problem. There would certainly be no harm in an appeal from the United Nations to the four Powers to try and reach agreement among themselves, but such an appeal would not change the facts.

15. Wherever responsibility for the difficulties between the great Powers might lie, the fact remained that the endless negotiations over the German question had produced no results. It might well be, as the Netherlands representative had pointed out that advice from the United Nations would have no effect other than a return to the deadlock of the Conference of the Palais Rose. If, however, a new situation should arise in the relations between the great Powers, they had every opportunity and facility for resuming their discussions at any time. If the Committee could do nothing spectacular, it could at least reach agreement on what it should try to do, however little that might be.

16. His main objection to the Swedish draft resolution (A/AC.53/L.15 and A/AC.53/L.15/Add.1) was that it assumed, in his view prematurely, the impossibility of any investigation in all parts of Germany to determine

whether free elections were a practical proposition. True, the East German representatives had said that they would refuse to co-operate with the commission of investigation and that previous experience with countries whose social and political structure was similar to that now obtaining in East Germany did not give grounds for optimism. The East Germans had, however, declared that they desired free elections as a means of bringing about German unity, and the Norwegian delegation thought that when faced with the moral authority of a United Nations resolution they might change their attitude to the proposed commission. It would be a pity if the United Nations allowed itself to be discouraged from taking what it thought to be the right course by the unfavourable opinion of one of the interested parties. The authorities of East Germany should be convinced by patient persistence on the part of the United Nations that the proposed impartial investigation would be in the interests of German unity. If the commission could not make the necessary arrangements to carry out its task in all parts of Germany at once, a further attempt should be made. The amendment of which the Norwegian delegation was one of the sponsors contained a proposal to that effect and pointed to the desirability of keeping the door open for the commission to perform its task.

17. The Commission in question would be a fact-finding body; in addition, it would have authority, once the facts were ascertained, to make recommendations regarding possible further steps to promote the conditions necessary for holding free elections.

18. The request contained in paragraph 2 of the Swedish draft resolution, that the four occupying Powers should endeavour, in consultation with representatives of the German nation, to create the conditions required for organizing free elections, did not greatly differ from the three-Power draft resolution, as such a request was implicit in the latter text.

19. The Swedish proposal that the United Nations should declare itself ready to offer assistance to guarantee the freedom of elections when they were held, and to appoint an international commission for that purpose, had been incorporated in the amendments to the three-Power draft resolution.

20. Mr. Gundersen thought that the proposed commission should report to the next General Assembly, and understood that the Lebanese amendment (A/AC.53/L.19) to the three-Power draft resolution would have the effect of setting such a time-limit.

21. In conclusion, the Norwegian representative felt that the two draft resolutions before the Committee, namely, the revised three-Power draft resolution (A/AC.53/L.11/Rev.2) and the Swedish draft resolution (A/AC.53/L.15 and A/AC.53/L.15/Add.1) had the same purpose but a different approach to the German problem. Since the three-Power draft resolution envisaged a new mode of approach, which might succeed, the Norwegian delegation would support it.

22. Mr. COOPER (United States of America) wished to emphasize the main issue which his delegation believed had been developed during the debate.

23. Referring to the amendments to the three-Power draft resolution, and commenting on the Lebanese representative's amendments thereto, he observed that the first Lebanese amendment was now included in the three-Power draft resolution as a result of the acceptance of the first amendment submitted by the delegations of Bolivia, Brazil, Colombia, Cuba and Uruguay. As to the second Lebanese amendment, which, in effect, recommended that the proposed commission should observe its terms of reference, he felt that it might be unwise to admonish the commission to do what was obviously its duty. The third Lebanese suggestion referred to the judicious selection of the commission's staff. Numerous commissions had already been established to deal with delicate questions and it did not appear that the General Assembly's confidence in the Secretary-General's ability to select competent staff for such bodies had been misplaced.

24. With regard to the last of the Lebanese amendments, he agreed on the desirability of setting a definite date for the commission's report and of placing that date as far as possible in the future to enable the commission to make more than one attempt to obtain access to all Zones of Germany, and in the hope that the USSR might eventually recognize the constructive possibilities inherent in the three-Power proposal. Mr. Cooper suggested that a new sub-paragraph (d) should be added to paragraph 4 of the three-Power draft resolution, instructing the commission to report to the Secretary-General not later than 1 September 1952.

25. The object of the three-Power draft resolution was to secure United Nations assistance in taking a necessary step towards the unification of Germany. Unification was the most profound wish of the German people and accorded with the fundamental interests of the United Nations which were the preservation and promotion of peace.

26. A united and democratic Germany could reduce the tension and fears of the people of eastern and western Europe and remove one of the major differences between the three Western Powers and the Soviet Union. All the countries responsible for administering Germany were agreed that the only just and legal way of uniting the country was by means of free elections held throughout the whole of Germany. The same wish had been stated by the representatives of both East and West Germany. The only point of difference was what constituted the conditions for really free elections.

27. Mr. Cooper thought that all the representatives of free nations would agree that general freedom, honoured, practised and protected by law, was the prerequisite for free elections.

28. One fact emerged clearly from the sharply conflicting views put forward by the representatives of the Federal Republic of Germany and those of the Soviet Zone. The Federal Republic, whose representatives had spoken of the establishment and growth of democratic government in West Germany, was prepared to open its doors to an impartial international commission. The Soviet Zone was not prepared to do so.

29. It was true that there were some remnants of nazi sympathy in West Germany, as in all parts of Germany, and he could understand the anxiety expressed by the representative of Israel (16th meeting), whose people had suffered so much at the hands of nazi Germany, lest nazism should be revived. The United States, the United Kingdom and France had adhered faithfully to their policy and to their conviction that nazi influence must never again become an effective force. The United States Government had not overlooked those factors and the criteria established in the three-Power draft resolution were applicable to any repressive force which could affect free elections. The United States delegation took the view that those who were opposed to the revival of nazism or totalitarianism in any form should be among the first to support the proposed inquiry. But the real guarantee of freedom in Germany lay in the growth of free institutions in that country and in the fulfilment rather than the repression of the German people's natural desire for self-government. His delegation believed that such free institutions were now established in West Germany.

30. It did not appear, however, that such institutions existed in East Germany. Reports from the thousands of refugees from the eastern Zone, and the statements of the representatives of the Federal Republic, made it apparent that conditions in East Germany amounted to a revival of the traditions of arbitrary arrest, secret police and concentration camps which had prevailed in nazi Germany. It was an unpleasant fact but one which had to be faced if those conditions were to be changed. The United States delegation believed that such conditions were the only explanation of the fact that hundreds of thousands of people were leaving their homes and even their families to flee from East to West Germany.

31. The first decision to be taken was whether the General Assembly was willing to shoulder any responsibility towards helping to solve that very serious world problem. It must then be decided whether the three-Power draft resolution was reasonable and appropriate as an affirmative step in that direction. In making those decisions, the United States delegation thought that the influence which could be brought to bear by the United Nations upon the solution of the problem should be taken into account, and that influence should not be limited or conditioned by the acceptance or rejection of the draft resolution by any of the occupying Powers.

32. The contribution which the resolution might make would be to ascertain, through the commission of investigation, whether conditions favourable to free and secret elections did or did not exist. If such conditions did exist, the way would be clear for the four Powers to agree upon the actual holding of the elections as a first step towards a unified Germany. If the commission's report revealed that conditions in any part of Germany did not permit the holding of free elections, it would at the same time provide impartial findings and recommendations which could be used as a basis for further negotiations between the four Powers. The charges brought by the two groups

of German representatives against each other testified to the need for an impartial body to determine the facts.

33. If the question were regarded from the point of view of the German people, it was clearly essential that they should not only be able to express their views freely and without fear of reprisal but that they should have confidence in their freedom to do so. Whatever the commission's report might be, it was of the utmost importance that it should be made by an independent and impartial authority whom all the German people could trust.

34. Referring briefly to the alternative proposals before the Committee, Mr. Cooper pointed out that the USSR representative's statement that the question could only be settled by the German people through the representatives of the Federal Republic and of the Soviet Zone was open to the objection that while representatives of the Federal Republic were freely elected, there were in fact no freely elected representatives of the Soviet Zone. In any event, the first question which would be asked by the representatives of the Federal Republic was whether conditions permitting the holding of free elections existed in East Germany. Until that was established, it would be purely academic to formulate an election law or make arrangements for holding elections.

35. The USSR representative's argument, which had a certain superficial appeal, proved on closer examination to be merely another reflection of the policy of emphasizing the form and machinery of elections and minimizing the true base of free elections, namely, the conditions of freedom in both Zones.

36. The United States delegation was mindful of the interest which had led to the proposal put forward by the Swedish representative and supported by several delegations, but it could not agree that it represented an affirmative step to be taken by the General Assembly. It was precisely because of repeated failure to reach agreement with the Soviet Union on the question of free elections that the three Powers had submitted their draft resolution. That failure was best symbolized by the record of seventy-three futile sessions which the Deputy Foreign Ministers of the four occupying Powers had held in Paris earlier in the year. Even if a measure of agreement in principle could be achieved in a four-Power meeting, the problem of arriving at an impartial determination of the facts with regard to conditions affecting elections would still remain. With all due deference to the Swedish representative's views he was of the opinion that the Swedish draft resolution appeared to deny in advance the possibility of any success for the new proposal and to make delay a certainty.

37. From broader considerations of policy, the United States delegation could not join in the view that a General Assembly resolution would be a nullity because of the opposition expressed by the USSR and the representatives of the Soviet Zone of Germany. The General Assembly should not assume that the USSR and the eastern Zone representatives could always disregard the United Nations recommendations and its offer of aid towards the solution of a problem which, they said, they also eagerly desired. If the USSR and

East Germany maintained their attitude, the United States still believed that action by the General Assembly was necessary and valuable.

38. The General Assembly's authority came not from its power to coerce but from its power to recommend, the power to set an international standard of conduct against which actions could be judged by the peoples of the world. If it refused to exercise that power from fear that its recommendations would not be followed, it would be abdicating its moral responsibility and casting aside an opportunity to raise the standards of conduct of nations. The Assembly should set up the commission because that was the reasonable and right thing to do.

39. If action were not taken for fear of a refusal of the Soviet Zone authorities, the effectiveness of the United Nations would be diminished. The moral force of world opinion, including the opinion of the German people, had already been demonstrated in the case under discussion as was shown when, as a result of continued pressure from the Federal Republic and the three Western Powers, the eastern Zone authorities, who had originally opposed free and secret elections, were now advocating them. When the Committee had invited German representatives to make statements before it, and the Federal Republic and the Government of West Berlin had accepted the invitation, the USSR, which had opposed the invitation in the first place, found itself in the position, as a Power having responsibility for Germany, of denying the right of Germans to be heard in the United Nations. It had then reversed its policy, and spokesmen from the Soviet Zone had appeared before the Committee.

40. The General Assembly could feel confident that the influence of its recommendations would speed up the improvement of conditions and thereby ultimately hasten elections and the unification of Germany. If the Committee thought it right to adopt the three-Power draft resolution, it should do so. Failure to adopt it would be to dash the hopes of all Germans for the unification of their country. The mere existence of the commission of investigation would remind the people in the eastern Zone of Germany that world opinion had not forgotten them. It would be a reminder of the responsibility of those whose policies were delaying the growth of democracy throughout Germany. The United States delegation had joined in sponsoring the three-Power draft resolution because it wanted to hasten the day when a free and unified Germany could play a constructive role in the community of nations.

41. Mr. BUSTAMANTE (Ecuador) stated that the analyses of the sponsors of the three-Power draft resolution, as well as of the representatives of Cuba, Chile, Greece, Netherlands and the Philippines had clearly established that Article 107 of the Charter did not preclude the General Assembly from considering matters which concerned ex-enemy States and from taking whatever measures it considered necessary under Articles 10, 11 and 14 of the Charter.

42. It had been argued on the basis of Article 2, paragraph 7, of the Charter that the United Nations must not intervene in matters which were essentially

within the domestic jurisdiction of any State. There was no question but that his delegation agreed with others in recognizing that it was for the German people themselves to take all decisions connected with elections in their country, including the investigation of the possibility of holding such elections. But it must not be forgotten that Germany was at present in a special position. One part of its territory had a free, legal and duly elected Government, whereas the other part lived under a different political authority. Germany was, in fact, occupied by four Powers who took part in running its affairs.

43. The German authorities in the western and eastern Zones of Germany had both proclaimed that the German people desired to have one authority, one legal system and one State established as the result of free elections. The four occupying Powers had declared that they were determined to support and respect that desire. But, as the Committee was only too well aware, widely divergent opinions had been expressed about conditions in the western and eastern Zones, the authorities of each accusing the other of failing to ensure that conditions suitable for the holding of elections prevailed in the territories for which they were responsible. The recriminations of the German representatives had been echoed by the occupying Powers and one of which—the USSR—had taken its stand on the argument that, according to the Yalta and Potsdam Agreements, the four Powers were alone competent to carry out an investigation if the German people really felt that an investigation was necessary. It would also be for those four Powers to supervise elections. There was a latent contradiction in that argument, since it was thereby suggested that a right of intervention belonged to the four occupying Powers. How could that interpretation be made to agree with the USSR's interpretation of Article 2, paragraph 7, of the Charter?

44. The United Nations was at present, being asked to remove the obstacles to the unification of Germany and to hasten the process whereby that country would be able to take full responsibility for matters within its own domestic jurisdiction. The method of direct negotiation between the four occupying Powers and the two German Governments had proved of no avail. That was why representatives of the German Federal Republic and of the three occupying Powers in West Germany had proposed the adoption of the alternative method of an impartial international commission whose task would be to decide on the validity of the claims advanced by both sides.

45. The fact that one of the occupying Powers had clearly stated that it objected to the use of the method of investigation suggested that it would be easy to discover where the truth lay. The Ecuadorean delegation had listened with appreciation to the appeal made to the Soviet Union by the United Kingdom representative suggesting that the former should reconsider the issue and bear in mind the fact that the proposed commission offered the only possible solution. The General Assembly must not be discouraged because the USSR delegation, together with several other

delegations, had persisted in their negative attitude. It must arm itself with patience in the hope that the day would come when those who refused to heed the partisans of negotiation and investigation would change their minds and perceive that that method of approach could contribute to the solution of the most difficult of problems.

46. It had also been stated that even if the proposed commission of investigation were set up, it would be unable to carry out its terms of reference because it would be denied access to the territory controlled by one of the occupying Powers. There again, the Committee could not but hope that the refusal would not be permanent.

47. Further, it had been argued that the setting up of a commission would aggravate the existing tension instead of alleviating it. That point of view raised the question whether it would be worse to take the risk of aggravating the situation by setting up the commission or to reject the three-Power draft resolution as a whole. The sponsors of the proposal might well feel disillusioned and discouraged if the General Assembly abandoned a question which closely concerned not only three of the four occupying Powers, but two-thirds of the German people. After all, the two sides were being offered equal opportunities of settling a dispute peacefully, of applying the Charter and of observing international law after six years of fruitless negotiation. It was admissible for one party to feel that the moment chosen to apply a certain solution was unfavourable. But it was inadmissible that the mere offer of a solution should be received with such hostility as to aggravate existing circumstances and delay the solution of the problem.

48. Turning to the question of the composition of the commission, Mr. Bustamante expressed the view that the membership suggested offered sufficient guarantees of impartiality and represented a wide geographical distribution. One of the countries to be represented on the commission would be a great Latin American republic, another belonged to the Asian continent, the third was obviously unaffected by the German problem; the two others were, one a western and the other an eastern neighbour of Germany. The impartiality of the commission would thus be ensured. He was convinced that something positive could be achieved and that the General Assembly could dispassionately discover the truth.

49. To those who had argued that the commission, as conceived in the Committee, would have unlimited powers and that it would consequently not be acceptable to the authorities in eastern Germany, Mr. Bustamante would reply that its terms of reference would be limited to the scope given to it by the authorities of the territories which it would visit. As an instrument of observation and investigation, it would have no right to apply coercive measures. But its report to the General Assembly would make clear how much help it had received from the authorities in Germany. Surely, if the representatives of the German Democratic Republic were convinced of the truth of the statements they had made to the Committee, the best way to dispel the doubts which certain members of the Committee had undeniably felt would be to allow an impartial commis-

sion to report to the General Assembly on life and conditions in eastern Germany.

50. It was indeed true that the proposed commission would not be able to fulfil its purpose unless it were permitted freely to visit both Zones. That consideration had been recognized in the draft resolution submitted by the Swedish delegation and had prompted the amendments submitted by Canada, Denmark, Iceland, Netherlands and Norway. It was the General Assembly's duty to appeal to the occupying Powers of both Zones, pointing out the grave responsibilities which they had towards the German people as well as towards humanity as a whole. But in making that appeal, the General Assembly must not invite the four Powers to resume the negotiations which had hitherto led to no results. It must put its services at the disposal of both parties and offer them the instrument which had been asked for by one in the hope that it might ultimately be used by both to hasten the day when Germany once more would be able to take its rightful place in the community of nations.

51. For all those reasons the Ecuadorean delegation would vote in favour of the three-Power draft resolution, as amended.

52. Mr. NEHRU (India) explained that his Government had supported the inclusion of the German item in the Assembly's agenda primarily because it felt that the failure of the occupying Powers to settle the German issue should not preclude a further attempt to seek a solution for the sake of preserving international peace. A divided Germany was manifestly a threat to peace. Some practical method must be found of unifying Germany along democratic lines, and satisfying the German people's aspirations without sacrificing basic principles.

53. All the parties concerned were agreed that that ultimate objective could only be achieved through free all-German elections. They differed, however, on the conditions which must prevail before such elections could be held and on the actual pre-electoral procedure. Minimum conditions would appear to be, on the one hand, agreement among the four occupying Powers and between the German authorities of both Zones on the principles of an electoral law and, on the other hand, assurances to the electorate itself that before and during the elections those principles would in fact be implemented. Unfortunately, those minimum conditions remained unfulfilled. The occupying Powers had failed to agree; the representatives of the two Zones of Germany had not pursued the initial negotiations which had resulted in acceptance by the East German authorities of certain conditions laid down by the Federal Republic; and the German people continued to clamour for agreement on basic issues without undue delay, in the interests of their freedom and national unity. The Federal Republic had asked for a United Nations commission to investigate pre-electoral conditions; the East German authorities had raised the objection of interference in German internal affairs and demanded that all differences between the two German Governments should be settled by negotiation.

54. In the circumstances, while the three-Power draft resolution and the various amendments acceptable to

its authors had been motivated by a legitimate concern for genuinely free German elections, they tended to widen the gap between the authorities of the two Zones. In view of East Germany's rejection of the proposed commission, the results of any investigation could only be one-sided. The Swedish draft resolution, while it was more conciliatory and to some extent more realistic, had the effect of thrusting the entire responsibility for the establishment of proper pre-electoral conditions upon the very Powers which had failed to agree on that major issue. It offered United Nations good offices only after those conditions had been achieved, and therefore could not be considered a practical solution.

55. Accordingly, the Indian delegation would abstain from voting on all the draft resolutions before the Committee because it did not consider that any of them would be effective in the present circumstances.

56. Nevertheless, the United Nations could make a positive contribution to the adjustment of the German situation in the interests of the world community. It was so authorized under Article 14 of the Charter. If an impartial investigation proved impossible in the two Zones, the United Nations could assist the German authorities to devise another method which would secure mutually acceptable guarantees for an electoral procedure. A United Nations body might be appointed, not to inspect the internal structure of Germany, but to promote agreement on the holding of free elections and to obtain a basic understanding of the national issues between the various political groups with different ideologies. Such a good offices committee might have an opportunity to appraise the situation at first-hand and should be placed at the disposal of either or both of the German Governments.

57. Mr. Y. MALIK (Union of Soviet Socialist Republics) pointed out that the advocates of the three-Power draft resolution had failed to justify the proposed commission or to establish its compatibility with four-Power commitments on Germany.

58. By invoking the provision in the Charter regarding equal rights and self-determination of peoples, and simultaneously ignoring the equally valid provision regarding interference in the internal affairs of States, the United States representative had in fact nullified the effect of the former and was proposing a flagrant violation of the latter. Under Article 2, paragraph 7, of the Charter the United Nations had no right to participate in the preparation and the holding of all-German elections. The German people alone could make such arrangements. The United States position was obviously intended to hamper and undermine direct negotiations between the two German Governments, which constituted the best possible solution in the existing circumstances. The three Western Powers were condemning those negotiations in advance to failure: by pressing for a United Nations commission, they revealed that their true purpose was to prevent an all-German conference, postpone indefinitely the rapid organization of elections, perpetuate the division of Germany and utilize the remilitarized western Zone as a strategic base for aggression,

59. The United Kingdom representatives had attempted to convince the Committee that the proposed commission would represent a limited and practical step which might be likened to a friendly visit to a neighbour's house. In truth, however, the commission's mere existence would enlarge the possibilities for interference by the three Powers in the internal affairs of Germany and would prevent the Germans from devising measures to ensure free elections or establish proper conditions for a future peace treaty and withdrawal of the occupation troops. It was precisely in order to prevent the outside visitor, however friendly, from overstaying his welcome that the Charter had provided a safeguard against such interference in Article 2, paragraph 7.

60. Other champions of the three-Power draft resolution had recalled Sir Alexander Cadogan's views presented at the Security Council with regard to the applicability of Article 107 to the German question. It should be noted that the United Kingdom representative's contention that the Article proved that the question came within the United Nations competence had not prevailed. The Security Council had not solved the Berlin problem; it had been settled by the four Powers, with the participation of Sir Alexander, outside the framework of the United Nations. By following what Sir Alexander had done rather than what he had said, the three Powers might find a legal procedure based on existing international commitments in order to reach a solution of the German issue.

61. The Soviet Union had been rebuked by the United Kingdom representative for not dealing with the economic unification of Germany. That omission was consistent with the USSR's view that the General Assembly was not the normal or legal place to discuss the substance of the German question and that the many issues—economic and others—affecting Germany should be dealt with elsewhere in the organs set up under agreements among the four Powers which alone were empowered and competent to discuss them.

62. The USSR representative could of course have mentioned such relevant factors as the succession of conferences under the auspices of the Atlantic bloc which had adopted measures to remilitarize Germany, integrate it into that bloc, set up a German army under General Eisenhower, and convert West Germany into a spring-board for aggression against the Soviet Union and the peoples' democracies. He could cite the pressure brought by General Eisenhower upon the Bonn Government to obtain twelve armed German divisions at tremendous cost to the German people, and the remilitarization policy which had had the effect of resurrecting nazi militarist elements which were demanding the restoration of the *Wehrmacht* and a new war of revenge.

63. The United Kingdom claim that the Western Powers had striven to promote German economic unification was not borne out by the facts. Under the Potsdam Agreement, Germany was to be considered as an economic whole. Yet, within a year after the four-Power occupation, the United Kingdom had taken over the Ruhr coal mines and steel industry and had achieved the so-called economic unification of its Zone with that of the United States. In violation of the Potsdam

Agreement, the two Western Powers had facilitated the penetration of British and American corporations into German industry, thus subordinating the economic interests of Germany to their own.

64. The Soviet Union, on the contrary, had genuinely desired German economic unity and the elimination of zonal barriers. In 1947, it had proposed the establishment of central departments to unify the most important branches of the German economy, the institution of a Germany-wide currency on a sound financial basis, the transfer of German cartels and their subsidiary companies to German State ownership and the co-operation of free trade unions and democratic parties to implement those reforms. The Western Powers had rejected those proposals. Instead they had introduced a separate currency reform in Western Germany together with several other economic measures which had led to a steadily worsening situation in that part of the country, increasing unemployment and misery and lowering the standard of living.

65. The USSR was fully prepared to discuss those problems with the three Powers on a legal basis, within the framework of established agreements and outside the United Nations.

66. The precedents which had been invoked to establish the General Assembly's competence to consider the question of the German elections were inapplicable. The Greek representative had argued, for example (21st meeting), that the Assembly had dealt with the question of the former Italian colonies, a matter affecting an ex-enemy State of the Second World War. He had not stated, however, that the Peace Treaty with Italy specifically provided that, in the event of the Powers concerned failing to agree on the disposal of the former Italian colonies within one year after the Treaty's entry into force, the question should be referred to the General Assembly for a recommendation. Moreover, the parties had bound themselves to accept and give effect to that recommendation. Accordingly, the question had been placed on the agenda of the Assembly's fourth session and, by resolution 289 (IV), had been disposed of in accordance with a strictly legal procedure. No parallel could conceivably be drawn between that procedure and the proposed method of foisting a United Nations commission upon the German people in violation of the Charter provisions and of existing international agreements on Germany, none of which authorized the General Assembly to consider the German question.

67. The Philippine representative (22nd meeting) had drawn an analogy between the current discussion and United Nations consideration of the questions of Berlin and Korea, but he had failed to note the salient fact that both questions had been brought before the United Nations as a result of pressure exerted by the Western Powers in violation of the Charter. Both matters were outside United Nations competence. Those who failed to recognize that fact were merely invoking an earlier violation of the Charter as a precedent to justify a renewed violation of the Charter. The Assembly's incompetence to consider issues affecting Germany was

even more strikingly revealed. The terms of Article 107 were unequivocal. The four-Power agreements on Germany contained specific provisions defining procedures for the settlement of all German issues. The Charter did not invalidate those agreements or deprive them of their legal force. The attempts to distort the Charter in order to slander the Soviet Union and the peoples' democracies could not controvert the truth.

68. The Committee had not failed to note the striking discrepancy between the statements of the East and West German authorities. The representatives of West Germany had invented a series of slanderous charges against the eastern Zone in an effort to block consultations between the two Governments for the establishment of a unified, democratic and peace-loving German State, and to hamper the rapid conclusion of a peace treaty and the withdrawal of occupation forces. They had not condemned the criminal Hitler régime, nor made an appeal for peace; such a plea would not be viewed with favour by the Bonn Government or its Western masters. The East German authorities, on the contrary, had explained how their Government had been set up on the ruins of Hitler's régime, how they had broken irrevocably with that shameful past and had embarked upon the development of a democratic and peaceful State. They had defended with pride the legal right of the German people to settle their internal affairs without outside interference and had pleaded for equal rights to strengthen international peace and security through friendly relations with all peoples and for equal rights to build a peaceful economy based on mutually advantageous trade.

69. The General Assembly should bring pressure to bear on the three Western Powers to remove the obstacles to German consultations for all-German elections on the basis of an agreed electoral law. It should call upon the three Powers to permit the development of a free German industry which would benefit the people of Europe who needed German coal, metals and manufactured goods. It should ask them to ensure Germany's right to export and import and thus contribute to raise its own standard of living as well as that of all other peoples. The Committee should convince the sponsors of the three-Power draft resolution that the dispatch of a United Nations commission of investigation constituted an intervention prohibited by the Charter; that it would further delay elections, undermine unification and prevent the rise of a democratic German State. It should reject that proposal and let the German people settle their own affairs independently in accordance with the principle of self-determination, on the understanding that they could count upon the assistance of the four occupying Powers.

70. The USSR would vote against all the proposals before the Committee.

71. Mr. GRUMBACH (France) moved adjournment of the debate until the following morning.

The motion for adjournment was adopted by 31 votes to 5, with 14 abstentions.

The meeting rose at 6.05 p.m.