

Third session

QUESTION OF FRANCO SPAIN

Report of the First Committee

Rapporteur: Mr. Selim SARPIR (Turkey)

1. At its 142nd plenary meeting held on 24 September 1948, the General Assembly decided to refer to the First Committee, for consideration and report, the item on its agenda entitled "Question of Franco Spain: implementation of the resolutions and recommendations of the General Assembly of 12 December 1946 and 17 November 1947".
2. The First Committee considered this item at its 256th and 258th to 262nd meetings, held between 4 and 7 May 1949.
3. The representatives of Bolivia, Brazil, Colombia and Peru jointly submitted a draft resolution (A/C.1/450) which was subsequently adopted by the First Committee and is set out at the end of the present report.
4. The representative of Poland submitted a draft resolution (A/C.1/452) which, inter alia, called upon the Members of the United Nations to comply with the letter and spirit of certain pronouncements, declarations and resolutions enumerated in the preamble; recommended that all Members, should, as a first step, cease forthwith to export to Spain arms and ammunition as well as warlike and strategic material; recommended that all Members should refrain from entering into any agreements or treaties with Franco Spain both formally and de facto; reaffirmed that, upon the establishment of a democratic government in Spain in accordance with the pronouncements, declarations and resolutions enumerated in the preamble, the United Nations would look forward to welcoming Spain to membership in the United Nations and its specialized agencies and affiliated organizations; and expressed confidence that the Security Council would have the situation in Spain under its continuous observation and would fulfil its responsibilities in regard to the situation in accordance with the principles of the Charter.
5. At the 262nd meeting of the Committee, on 7 May 1949, the joint draft resolution of Bolivia, Brazil, Colombia and Peru was put to the vote by

/roll-call

roll-call\* with the following results:

- (a) The first paragraph of the preamble was adopted by 25 votes to 12, with 19 abstentions.
- (b) The remainder of the preamble was adopted by 21 votes to 15, with 21 abstentions.
- (c) The operative paragraph was adopted by 25 votes to 16, with 16 abstentions.
- (d) The draft resolution was then adopted as a whole by 25 votes to 16, with 16 abstentions, as follows:

In favour: Nicaragua, Pakistan, Paraguay, Peru, Philippines, Saudi Arabia, Siam, Syria, Turkey, Union of South Africa, Venezuela, Yemen, Argentina, Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Egypt, El Salvador, Greece, Honduras, Iraq, Lebanon, Liberia.

Against: Mexico, New Zealand, Norway, Panama, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yugoslavia, Australia, Byelorussian Soviet Socialist Republic, Costa Rica, Czechoslovakia, Denmark, Guatemala, India.

Abstentions: Luxembourg, Netherlands, Sweden, United Kingdom, United States of America, Afghanistan, Belgium, Burma, Canada, Chile, China, Ethiopia, France, Haiti, Iceland, Iran.

6. At the 262nd meeting of the Committee, on 7 May 1949, the Polish draft resolution was put to the vote, paragraph by paragraph and by roll-call\*, with the following results:

- (a) The first paragraph was rejected by 27 votes to 9, with 20 abstentions.
- (b) The second paragraph was rejected by 31 votes to 9, with 16 abstentions.
- (c) The third paragraph was rejected by 32 votes to 10, with 14 abstentions.
- (d) The fourth paragraph was rejected by 31 votes to 9, with 16 abstentions.
- (e) The fifth paragraph was rejected by 34 votes to 8, with 14 abstentions.
- (f) The sixth paragraph was rejected by 28 votes to 9, with 19 abstentions.
- (g) The seventh paragraph was rejected by 46 votes to 6, with 4 abstentions.
- (h) The eighth paragraph was rejected by 39 votes to 6, with 11 abstentions.
- (i) The ninth paragraph was rejected by 35 votes to 10, with 10 abstentions.
- (j) The tenth paragraph was rejected by 39 votes to 6, with 11 abstentions.
- (k) The eleventh paragraph was rejected by 43 votes to 7, with 6 abstentions.
- (l) The twelfth paragraph was rejected by 34 votes to 11, with 11 abstentions.
- (m) The thirteenth paragraph was rejected by 36 votes to 9, with 11 abstentions.

The Chairman ruled that, since none of the paragraphs of the Polish draft resolution had been adopted, it would not be put to the vote as a whole. The

\* The roll-calls mentioned in paragraph 5 (a), (b) and (c), and paragraph 6 (a) to (m) are set out in the summary record of the 262nd meeting of the Committee (A/C.1/SR.262).

representatives of Poland, the USSR and the Byelorussian SSR stated their disagreement with this ruling. After further discussion, the representative of El Salvador requested that the ruling be put to the vote.

Ten votes were cast in favour of reversing the Chairman's ruling and thirty-six against. There were seven abstentions.

7. The First Committee recommends the adoption by the General Assembly of the following resolution:

#### QUESTION OF FRANCO SPAIN

The General Assembly,

Considering that, during its second session in 1947, a proposal intended to confirm the resolution of 12 December 1946 on the political régime in power in Spain failed to obtain the approval of two-thirds of the votes cast,

Considering that certain Governments have interpreted the negative vote of 1947 as virtually revoking the clause in the previous resolution which recommended the withdrawal of heads of mission with the rank of Ambassador or Minister plenipotentiary accredited to the Spanish Government,

Considering that, in view of the doubt regarding the validity of this interpretation, other Governments have continued to refrain from accrediting heads of mission to Madrid, thereby creating inequality to their disadvantage,

Considering that such confusion may diminish the prestige of the United Nations, which all Members of the Organization have a particular interest in preserving,

Considering that in any event the 1946 resolution did not prescribe the breaking of political and commercial relations with the Spanish Government which have been the subject of bilateral agreements between the Governments of several Member States and the Madrid Government,

Considering that, in the negotiation of such agreements, Governments which have complied with the recommendation of 12 December 1946 are placed in a position of inequality which works to the disadvantage of economically weaker Governments,

Decides, without prejudice to the declarations contained in the resolution of 12 December 1946, to leave Member States full freedom of action as regards their diplomatic relations with Spain.