

# UNITED NATIONS SECURITY COUNCIL



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## SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE REACHED IN THEIR CONSIDERATION\*

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General submits the following statement on matters of which the Security Council is seized and on the stage reached in their consideration on 8 February 1954.

### 1. THE IRANIAN QUESTION

By a letter dated 19 January 1946 (Official Records of the Security Council, First Year, First Series, Supplement No. 1, page 16) addressed to the Executive Secretary, the Head of the Iranian delegation stated that, owing to the interference of the Union of Soviet Socialist Republics, through the medium of its officials and armed forces, in the internal affairs of Iran, a situation had arisen which might lead to international friction. He requested the Executive Secretary, in accordance with Article 35 (1) of the Charter, to bring the matter to the attention of the Security Council, so that the Council might investigate the situation and recommend appropriate terms of settlement.

By a letter dated 24 January (Official Records of the Security Council, First Year, First Series, Supplement No. 1, page 17), the Head of the USSR delegation stated that the allegation made by the Iranian delegation was devoid of any foundation.

At its second meeting (25 January), the Security Council included the item in its agenda.

#### \* NOTE:

This consolidated summary statement is being issued for the convenience of the members of the Security Council, so that a brief account of the proceedings of the Council on matters of which it is seized may be found in one document.

At the fifth meeting (30 January), the Security Council adopted a resolution (a) noting that both parties had affirmed their readiness to seek a solution of the matter at issue by negotiation; and that such negotiations would be resumed in the near future; and (b) requesting the parties to inform the Council of any results achieved in such negotiations.

By a letter dated 18 March (S/15), the Iranian Ambassador to the United States of America, in accordance with Article 35 (1) of the Charter, brought to the attention of the Security Council a dispute between Iran and the Soviet Union, the continuance of which was likely to endanger the maintenance of international peace and security. He stated that the Soviet Union had continued to maintain its troops in Iranian territory after 2 March 1946, contrary to the express provisions of article V of the Tripartite Treaty of Alliance of 29 January 1942, and that the Soviet Union was continuing to interfere in the internal affairs of Iran through the medium of Soviet agents, officials and armed forces.

By a letter dated 19 March (S/16), the representative of the Soviet Union informed the Secretary-General that negotiations were being conducted between the Government of Iran and the Government of the Soviet Union, and suggested that the meeting of the Security Council be postponed.

The above letters dated 18 and 19 March, together with other communications relating to the Iranian question, were included in the Council's agenda at its 26th meeting (26 March).

After taking various procedural decisions, the Security Council, at its 30th meeting (4 April), adopted a draft resolution submitted by the representative of the United States, providing, inter alia, that further proceedings be deferred until 6 May, at which time the USSR Government and the Iranian Government were requested to report to the Council whether the withdrawal of all Soviet Union troops from the whole of Iran had been completed, and at which time the Council should consider what, if any, further proceedings on the Iranian appeal were required.

By a letter dated 6 April (S/30), the representative of the Soviet Union proposed that the Iranian question be removed from the agenda of the Council, on the ground that, under the understanding between the Government of Iran and

the Government of the Soviet Union, full evacuation of the USSR troops from Iran had been started on 24 March and would be concluded in five or six weeks. As was known from the joint USSR-Iranian communiqué published on 4 April, an understanding on all points had been reached between the two Governments.

In a letter dated 9 April (S/33), the Iranian Ambassador stated that it was his Government's desire that the question should remain on the agenda of the Security Council. In a letter dated 15 April (S/37), the Iranian Ambassador communicated the text of a telegram from his Government withdrawing its complaint from the Council.

By a letter dated 16 April (S/39), the Secretary-General submitted a memorandum concerning the legal aspects of the question of the retention of the Iranian question on the agenda. The Council referred the memorandum to the Committee of Experts, which submitted its report (S/42) on 18 April.

At the 36th meeting (23 April), the Security Council rejected a draft resolution submitted by the representative of France, requesting the Secretary-General to collect the necessary information in order to complete the Council's report to the Assembly, in accordance with Article 24 of the Charter, on the manner in which it had dealt with the case placed on its agenda on 26 March at the request, now withdrawn, of the Government of Iran. Accordingly, the Council remained seized of the Iranian question. The representative of the Soviet Union stated that the decision to retain the Iranian question on the agenda was contrary to the Charter and that, accordingly, his delegation did not consider it possible to take any further part in the discussion of the question by the Council.

By a letter dated 6 May (S/53), the Iranian Ambassador reported on the withdrawal of USSR troops.

At the 40th meeting (8 May), the Security Council adopted a draft resolution submitted by the representative of the United States, providing, inter alia, that the Council should (a) defer further proceedings in order that the Government of Iran might have time in which to ascertain through its official representatives whether all USSR troops had been withdrawn from the whole of Iran; and (b) request the Iranian Government to submit a complete report immediately upon the receipt of the information which would enable it to do so.

By letters dated 20 and 21 May (S/66 and S/68), the Iranian Ambassador submitted additional information with respect to the matters brought to the Security Council's attention by his Government. With the letter dated 21 May, the Iranian Ambassador communicated the text of a telegram from the Iranian Prime Minister stating that reports had been received to the effect that USSR troops had evacuated Azerbaijan on 6 May.

At the 43rd meeting (22 May), the Security Council adopted a draft resolution submitted by the representative of the Netherlands, providing that the discussion of the Iranian question should be adjourned, the Council to be called together at the request of any of its members.

By a letter dated 5 December 1946 (S/204), the Iranian Ambassador forwarded a report concerning the existing state of affairs in Azerbaijan.

Since the 43rd meeting, the Security Council has not discussed this agenda item.

## 2. SPECIAL AGREEMENTS UNDER ARTICLE 43 AND THE ORGANIZATION OF THE ARMED FORCES MADE AVAILABLE TO THE SECURITY COUNCIL

At the 23rd meeting (16 February 1946), the Council directed the Military Staff Committee, as its first task, to examine from the military point of view, the provisions of Article 43 of the Charter and submit the results of the study and any recommendations to the Council in due course.

At the 105th meeting (13 February 1947), the Council, in its resolution (S/268/Rev.1/Corr.1) concerning the implementation of General Assembly resolutions 41 (I) and 42 (I), requested the Military Staff Committee to submit its recommendations in pursuance of Article 43 as soon as possible, and, as a first step, to submit not later than 30 April 1947, its recommendations with regard to the basic principles which should govern the organization of armed forces to be made available to the Security Council.

By letter dated 30 April (S/336), the Military Staff Committee submitted its report on "General Principles governing the organization of the armed forces made available to the Security Council by Member nations of the United Nations".

General discussion of the report began at the 138th meeting (4 June). Replies to several questions raised during the discussion on the articles of the report were received from the Military Staff Committee (S/380, S/394 and S/395). At the 146th meeting, the Council requested the Committee to submit an estimate of the overall strength of the armed forces to be made available to the Security Council, indicating the strength and composition of the separate components and the proportions that should be provided by the five permanent members. At the 149th meeting, the Council considered the Committee's estimate (S/394) and also decided to request the Military Staff Committee's interpretation of the initial contribution of armed forces referred to in articles 10 and 11. The answer of the Military Staff Committee was circulated as document S/408.

At the 142nd, 143rd, 145th and 149th meetings, the Council adopted in first reading articles 1-4, 9, 10, 12-15, 18, 19, 22-24, 29, 30, 35-40, with amendments to some of these articles offered by the representatives of Australia and Belgium. Agreement was not reached on the remaining articles. At the 157th meeting (15 July 1947), the Council discussed article 11 of the report and proposals submitted by the representatives of the United Kingdom and Australia. No agreement was reached on the text of the article. Since then, the Council has held no further discussion of the report.

### 3. RULES OF PROCEDURE OF THE SECURITY COUNCIL

The provisional rules of procedure adopted by the Security Council at its first meeting (17 January 1946) are contained, as amended to date, in document S/96/Rev.4 published on 29 July 1952.

The Security Council has not discussed a letter dated 5 September 1947 (S/540/Corr.1) from the representative of the United Kingdom suggesting several additional rules of procedure concerning Council meetings.

#### 4. STATUTE AND RULES OF PROCEDURE OF THE MILITARY STAFF COMMITTEE

At its 23rd meeting (16 February 1946), the Security Council agreed to postpone consideration of the report of the Military Staff Committee concerning its statute and rules of procedure (S/10 as revised in S/115). The Council instructed the Committee of Experts to examine the report. Pending approval of the report by the Council, the Military Staff Committee was authorized to carry out its business along the lines suggested in its report.

The report of the Committee of Experts was circulated on 17 July 1947 (S/421), but has not so far been placed on the Council's agenda.

#### 5. THE GENERAL REGULATION AND REDUCTION OF ARMAMENTS AND INFORMATION ON THE ARMED FORCES OF THE UNITED NATIONS

##### (a) Inclusion of the items in the agenda

By a letter dated 27 December 1946 (S/229), the representative of the USSR transmitted for inclusion in the agenda of the Council a draft resolution having to do with the implementation of General Assembly resolution 41 (I) concerning the general regulation and reduction of armed forces. The proposal was placed on the agenda of the 88th meeting (31 December). In the agenda of the 90th meeting, the USSR proposal and a draft resolution (S/233) presented at the 88th meeting by the representative of the United States, appeared under the heading "Resolution of the General Assembly on the principles governing the general regulation and reduction of armaments (document S/231) and proposals regarding its implementation...".

At the 90th meeting, resolution 42 (I) of the General Assembly concerning "Information on Armed Forces of the United Nations" was placed on the agenda of the Council. At the 102nd meeting (11 February 1947) examination of the two items was combined.

##### (b) Implementation of General Assembly resolution 41 (I)

###### (i) Establishment of the Commission for Conventional Armaments

At the 90th meeting, the Council formally accepted General Assembly resolution 41 (I) and decided to proceed to consideration of its implementation. Discussion began at the 92nd meeting (15 January 1947). Draft resolutions were

introduced by the representatives of France (S/243), Australia (S/249), Colombia (S/251) and the United States (S/264). At the 105th meeting (13 February), the Security Council resolved (S/168/Rev.1/Corr.1), inter alia, to set up a Commission for Conventional Armaments composed of representatives of members of the Security Council to submit to the latter within not more than three months proposals (a) for the general regulation and reduction of armaments and armed forces; and (b) for practical and effective safeguards in connexion therewith.

(ii) Plan of work and organization of the Commission for Conventional Armaments

By a letter dated 25 June 1947 (S/387), the Chairman of the Commission transmitted a first progress report to the Council, attaching for approval of the Council a proposed plan of work (S/387, Annex A) and for the information of the Council a scheme for the organization of the Commission's work. The report also transmitted a plan of work (S/387, Annex C) which had been submitted to the Commission by the representative of the USSR. At the 152nd meeting (8 July 1947), the Council adopted by 9 votes with 2 abstentions (Poland, USSR), the plan of work adopted by the Commission for Conventional Armaments. (The USSR plan of work was not put to a vote.) The Council also took note of the Commission's scheme of organization of its work (S/387, Annex B).

(c) Consideration of General Assembly resolution 192 (III)

(i) Transmission to Commission for Conventional Armaments

By a letter dated 14 January 1949 the Secretary-General transmitted to the Security Council General Assembly resolution 192 (III). At the 407th meeting of the Council (8 February), the representative of the USSR submitted a draft resolution (S/1246/Rev.1) dealing with the contents of the General Assembly resolution. At the 408th meeting (10 February), the representative of the United States submitted a draft resolution (S/1248) recommending that General Assembly resolution 192 (III) be transmitted to the Commission for Conventional Armaments for action according to its terms. At the same meeting, the

representative of the USSR proposed (S/1249) that his earlier draft resolution (S/1246/Rev.1) and General Assembly resolution 192 (III) be transmitted to the Commission for Conventional Armaments, and, separately, to the Atomic Energy Commission.

The United States draft resolution (S/1248) was adopted by 9 votes with 2 abstentions.

The second USSR draft resolution (S/1249) was rejected by a vote of 3 in favour (Egypt, Ukrainian SSR and USSR) and 8 abstentions.

The first USSR draft resolution (S/1246/Rev.1) was rejected by a vote of 2 in favour (Ukrainian SSR and USSR) and 9 abstentions.

(ii) Working paper of Commission for Conventional Armaments for implementation of General Assembly resolution 192 (III)

By a letter dated 4 August 1949 (S/1372), the Chairman of the Commission for Conventional Armaments transmitted to the President of the Security Council a working paper adopted by the Commission at its 19th meeting on 1 August 1949, concerning implementation of General Assembly resolution 192 (III).

On 27 September the representative of France submitted a draft resolution (S/1399/Rev.1) calling for approval of the proposals contained in the working paper and instructing the Secretary-General to transmit it, together with the records of the Security Council's discussion to the General Assembly.

The representative of the USSR submitted a draft resolution (S/1405) calling for the submission by States of information on both conventional armaments and atomic weapons. A revision of this draft resolution (S/1405/Rev.1) called for submission also of information on armed forces. The representative of France submitted a draft resolution (S/1408/Rev.1) as an alternative to the USSR draft resolution calling for the submission by States of full information on conventional armaments and armed forces under adequate procedures for complete verification of such information. The French draft resolution recalled that the submission of full information on atomic material and facilities, including atomic weapons, was an integral part of the United Nations plan, approved by the General Assembly on 4 November 1948, to ensure the use of atomic energy only for peaceful purposes and to ensure effective prohibition of atomic weapons.



The question was discussed at the 450th through 452nd meetings (11, 14 and 18 October 1949). The French draft resolution (S/1399/Rev.1) was not adopted. The vote was 9 in favour and 2 against (Ukrainian SSR, USSR), one of the negative votes being that of a permanent member. The USSR draft resolution (S/1405/Rev.1) was not adopted, the vote being 3 in favour (Egypt, Ukrainian SSR, USSR), one against (China) and 7 abstentions. The alternative French draft resolution (S/1408/Rev.1) was not adopted. The vote was 8 in favour, 2 against (Ukrainian SSR, USSR) and one abstention (Argentina), one of the negative votes being that of a permanent member.

A draft resolution (S/1410) introduced by the representative of France inviting the Secretary-General to transmit to the General Assembly the proposals contained in the working paper adopted by the Commission for Conventional Armaments, together with the records of the Council and the Commission discussions was adopted by 9 votes in favour with 2 abstentions (Ukrainian SSR, USSR).

(d) Second progress report of the Commission for Conventional Armaments

By a letter dated 4 August 1949 (S/1371), the Chairman of the Commission for Conventional Armaments transmitted to the President of the Security Council two resolutions adopted by the Commission concerning items 1 and 2 of the Commission's plan of work and an accompanying report. On 27 September, the representative of the United States submitted a draft resolution (S/1398) calling for approval and transmission to the General Assembly of the resolutions of the Commission.

The question was discussed at the 450th meeting (11 October 1949). The United States draft resolution was not adopted. The vote was 9 in favour, 2 against (Ukrainian SSR and USSR), one of the negative votes being that of a permanent member. A draft resolution (S/1403) submitted by the representative of the United Kingdom to transmit to the General Assembly the resolutions of the Commission and its report was adopted by a vote of 9 in favour with 2 abstentions (Ukrainian SSR, USSR).

(e) Consideration of General Assembly resolution 300 (IV)

By a letter dated 6 December 1949 (S/1429), the Secretary-General transmitted General Assembly resolution 300 (IV) to the President of the

Security Council. A draft resolution (S/1445), submitted at the 461st meeting (15 January 1950) by the representative of France, proposing that General Assembly resolution 300 (IV) be transmitted to the Commission for Conventional Armaments for further study in accordance with its plan of work, was adopted at the 462nd meeting (17 January 1950) by a vote of 9 in favour (Yugoslavia not voting, the USSR being absent).

By a letter dated 10 August 1950 (S/1690), the Chairman of the Commission for Conventional Armaments transmitted the third progress report of the Commission to the President of the Security Council. The report has not been placed on the agenda of the Security Council nor considered by it.

(f) Establishment of the Disarmament Commission and dissolution of the Commission for Conventional Armaments

The subject of effective regulation and reduction of conventional armaments was discussed at the fifth session of the General Assembly in connexion with the agenda item "International control of atomic energy". By resolution 496 (V) the Assembly established a Committee of Twelve to report on means whereby the work of the Atomic Energy Commission and the Conventional Armament Commission might be co-ordinated and their functions merged. At the sixth session, the Assembly, by resolution 502 (VI) of 11 January 1952, took note of the recommendation of the Committee of Twelve (A/1922) and established under the Security Council a Disarmament Commission and dissolved the Atomic Energy Commission. The Commission was, with the guidance of certain specified principles and directives, to prepare proposals for "the regulation, limitation and balanced reduction of all armed forces and all armaments, for the elimination of all major weapons adaptable to mass destruction, and for effective international control of atomic energy to ensure the prohibition of atomic weapons and the use of atomic energy for peaceful purposes only". In accordance with the Assembly's recommendation in that same resolution, the Security Council, at its 571st meeting (30 January 1952), dissolved the Commission for Conventional Armaments (S/2506).

(g) Subsequent developments - 30 January 1952 to date

The Disarmament Commission has thus far transmitted three reports to the General Assembly and the Security Council (DC/17, dated 29 May 1952; DC/20, dated 13 October 1952; and DC/32, dated 20 August 1953). The regulation, limitation and balanced reduction of all armed forces and armaments has been discussed by the

General Assembly in connexion with reports of the Commission at its seventh and eighth sessions and been the subject of its resolutions 704 (VII) of 3 April 1953 and 715 (VIII) of 28 November 1953. They have not been discussed by the Security Council.

## 6. APPOINTMENT OF A GOVERNOR FOR THE FREE TERRITORY OF TRIESTE

### (a) Introductory note

In a letter dated 12 December 1946 (S/224/Rev.1), the Chairman of the Council of Foreign Ministers transmitted those articles and annexes of the draft peace treaty with Italy relevant to the establishment of a Free Territory of Trieste. The letter was placed on the agenda of the Security Council at the 89th meeting (7 January 1947). At its 91st meeting (10 January), the Council formally accepted the responsibilities devolving upon it under that text. Article 11, paragraph 1, of the Permanent Statute of the Free Territory (Annex VI of the Treaty) provides that the Governor of the Free Territory shall be appointed by the Security Council, after consultation with the Governments of Yugoslavia and Italy.

### (b) Inclusion in the agenda

By a letter dated 13 June 1947 (S/374), the representative of the United Kingdom requested that an early date be fixed for the discussion by the Council of the appointment of a Governor for the Free Territory of Trieste.

At its 143rd meeting (20 June 1947), the Council decided, by 9 votes to one (USSR), with one abstention (France), to include the question in the agenda.

### (c) Consideration by the Security Council (1947-1949)

After discussion at its 144th and 155th meetings held in private (20 June and 10 July), the Council set up a sub-committee of three members, composed of representatives of Australia, Colombia and Poland, to collect information about the candidates for the post of Governor. After examination of the Sub-Committee's report and further discussion at its 203rd and 223rd meetings the Council decided at the latter meeting (18 December) to request the Governments of Italy and Yugoslavia to consult with each other in an effort to reach agreement on a candidate.

The replies of the Governments of Italy (S/644 and S/647) and of Yugoslavia (S/646) indicated that no agreement had been reached.

The Council resumed the discussion at its 233rd and 265th meetings held in private. At the latter meeting (9 March 1948), it agreed to postpone consideration of the matter and to take up the question again at the request of any member of the Council.

On 20 March 1948, the Governments of the United States, the United Kingdom and France, issued a joint declaration in which it was stated, inter alia, that, in view of the evident impossibility of agreement on the selection of a Governor and of developments in the Yugoslav-occupied zone of the Free Territory, the three Governments had decided to recommend the return of the Free Territory to Italian sovereignty as the best solution to meet the democratic aspirations of the people and to make possible the re-establishment of peace and stability in the area. The three Governments had proposed to the Governments of the USSR and Italy that the latter join in an agreement on an additional Protocol to the Treaty of Peace with Italy which would provide for such a solution. This note was circulated among the members of the Security Council on 31 March 1948 (S/707).

By a letter dated 8 February 1949 (S/1251), the representative of the USSR requested that the question of appointment of a Governor of the Free Territory be considered by the Security Council in the near future. The Council resumed consideration of the matter at its 411th meeting (17 February) at which the USSR representative submitted a draft resolution (S/1260) providing that the Council appoint Colonel Flückiger as Governor of the Free Territory. After further discussion at its 412th, 422nd and 424th meetings, the USSR draft resolution was rejected at the latter meeting (10 May), having received 2 votes in favour (Ukrainian SSR, USSR), with 9 abstentions.

(d) Consideration by the Security Council (1953)

By a letter dated 12 October 1953 (S/3105), addressed to the President of the Security Council, the representative of the USSR, referring to the declaration made on 8 October 1953 by the Governments of the United States and the United Kingdom on the question of Trieste, requested that a meeting of the Council be convened to discuss the question of the appointment of a Governor of the Free Territory of Trieste. A draft resolution enclosed with the letter provided that the Council decide to appoint Colonel Flückiger as Governor.

At its 625th meeting (15 October), the Council decided to include the question in the agenda. At its 628th meeting (20 October), it decided to postpone study of the matter until 2 November, on which date, at its 634th meeting, it decided to postpone the discussion for a further three weeks. At its 641st meeting (23 November), the Council decided by 9 votes to one (USSR), with one abstention (Lebanon) to postpone the discussion until the week of 8-15 December, with the proviso that the date of the meeting would be set by the President.

At its 647th meeting (14 December 1953), the Council decided to postpone consideration of this question pending the outcome of current efforts to find a solution to the Trieste problem.

#### 7. THE EGYPTIAN QUESTION

By a letter dated 8 July 1947 (S/410), the Prime Minister and Minister for Foreign Affairs of Egypt informed the Secretary-General that British troops were being maintained in Egyptian territories against the unanimous will of the people. Such act was contrary to the letter and spirit of the Charter and to General Assembly resolution 41 (I) adopted on 14 December 1946. Moreover, the occupation of the Sudan by the British armed forces and the pursuance thereof of their hostile policy had given rise to a dispute between the Egyptian Government and the Government of the United Kingdom, the continuance of which was likely to endanger the maintenance of international peace and security. Direct negotiations had been attempted in conformity with Article 33 of the Charter, but to no avail. Consequently, the Egyptian Government brought their dispute to the Security Council under Articles 35 and 37 of the Charter, requesting the Council to direct (a) the total and immediate evacuation of British troops from Egypt, including the Sudan; (b) the termination of the present administrative regime in the Sudan.

The Security Council placed the question on its agenda at the 159th meeting (17 July). Discussion started at the 175th meeting (5 August) and continued through the 189th, 193rd, 196th, 198th, 199th, 200th and 201st meetings (10 September 1947). At the 189th meeting (20 August), the representative of Brazil submitted a draft resolution (S/507) recommending to the Governments of

the United Kingdom and Egypt (a) to resume direct negotiations and, should such negotiations fail, to seek a solution of the dispute by other peaceful means of their own choice; and (b) to keep the Security Council informed of the progress of the negotiations.

At the 198th meeting (28 August), the Brazilian draft resolution as amended by China (S/507/Add.1), Belgium (S/507/Add.1) and Australia (S/516) was rejected by a vote of 6 in favour, one against (Poland), and 3 abstentions (Colombia, Syria and the USSR). In accordance with paragraph 3 of Article 27 of the Charter, the United Kingdom representative did not take part in the voting. At the same meeting, the representative of Colombia submitted a draft resolution (S/530), calling upon the Governments of the United Kingdom and Egypt (1) to resume direct negotiations with a view: (a) to completing at the earliest possible date the evacuation of all United Kingdom military, naval and air forces from Egyptian territory, mutual assistance being provided in order to safeguard in time of war or imminent threat of war the liberty and security of navigation of the Suez Canal; and (b) to terminating the joint administration of the Sudan with due regard to the principle of self-determination of peoples and their right to self-government; (2) to keep the Security Council readily informed of the progress of their negotiations.

At the 200th meeting (29 August), the Colombian draft resolution was voted upon in parts and rejected.

At the 201st meeting (10 September), the representative of China submitted a draft resolution (S/547) recommending that the parties: (a) resume negotiations, and (b) keep the Security Council informed of the progress of those negotiations and report thereon to the Council in the first instance not later than 1 January 1948. At the same meeting, the Chinese draft resolution and the Australian amendments (S/549) thereto were rejected, failing to obtain the affirmative votes of seven members.

The President stated that the Egyptian question would remain on the agenda and that the Council would reconsider the question either at the request of any member of the Council or at the request of either of the two parties.

## 8. THE INDONESIAN QUESTION

### (a) Inclusion of the question in the agenda

The Indonesian question was brought before the Council by two letters, dated 30 July 1947, from the Government of India and from the Government of Australia. In its letters (S/447), the Government of India, under Article 35, paragraph 1, of the Charter, drew the Council's attention to the situation in Indonesia, which in its opinion endangered the maintenance of international peace and security. The Council was requested to take the necessary measures to put an end to the situation.

The letter from the Australian Government (S/449) stated that the hostilities in progress in Java and Sumatra constituted a breach of peace under Article 39 and urged the Council to take immediate action to restore international peace and security.

The question was included in the Council's agenda at the 171st meeting (31 July 1947), when the representatives of Indonesia and the Netherlands were invited to participate in the discussion. The Security Council subsequently invited the representatives of the Philippines, the Republic of Indonesia, Australia,<sup>1/</sup> Belgium,<sup>1/</sup> Burma and Pakistan to participate in the discussion at various stages. Members of the United Nations Committee of Good Offices and of the Commission for Indonesia were also invited to participate in the discussion during later stages.

### (b) From the cease-fire resolution to the breakdown of the "Renville" Agreement (August 1947-December 1948)

On 1 August 1947, the Security Council adopted a resolution (S/459) calling upon the parties to cease hostilities forthwith, to settle their disputes by arbitration or by other peaceful means, and to keep the Security Council informed about the progress of the settlement.

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<sup>1/</sup> Representatives of Australia and Belgium were invited to participate in the discussion of the question after these two countries ceased to be members of the Security Council at the end of 1947 and 1948 respectively.

By letters dated 3 and 4 August (S/466), the representative of the Netherlands informed the Council that orders had been issued to the Netherlands forces in the areas concerned to cease hostilities. By a cablegram dated 5 August (S/469), the Vice-Premier of the Republic of Indonesia informed the Council that his Government had decided to order a cessation of hostilities. He requested that the Council appoint a Committee to secure effective implementation of the cessation of hostilities.

On 26 August 1947, the Security Council adopted two resolutions (S/525). The first provided for establishment of a commission composed of the consular representatives in Batavia of members of the Security Council to report on the situation in Indonesia. In the other resolution, the Security Council expressed its readiness, if the parties so requested, to assist in the settlement of the dispute through a committee of the Council consisting of three of its members. Each of the parties was to select one member and the third was to be chosen by the two so selected.

By letters dated 4 and 18 September 1947 (S/545 and S/564), the representatives of the Netherlands and of the Republic of Indonesia informed the Council that the Governments of Belgium and Australia had accepted their respective invitations to serve on the Council's Committee of Good Offices. By a letter dated 18 September (S/558), the representatives of Australia and Belgium informed the Council that the Government of the United States of America had agreed to be the third member.

After discussion in the course of further meetings, held during the month of October 1947, when the Council discussed the interim report (S/573) and the full report (S/586) of the Consular Commission at Batavia, the Security Council, on 1 November, adopted a resolution (S/597) which provided, inter alia, that the Committee of Good Offices assist the parties in reaching agreement on an arrangement which would ensure the observance of the cease-fire resolution. On 19 December, the Council agreed that the Committee of Good Offices should continue with the same membership after 31 December 1947, although Australia's membership in the Security Council ended on that date.



On 17 January 1948, the President of the Security Council read a cablegram (S/650) from the Chairman of the Committee of Good Offices stating that the delegations of the Republic of Indonesia and the Netherlands would sign a truce agreement on 17 January 1948 on board the USS "Renville" and that, immediately thereafter, both parties would sign an agreement on twelve political principles which were to form the agreed basis for discussion concerning the settlement of the dispute. On 19 January, six additional political principles were accepted by the parties. The above documents came to be known as the Renville Agreement.

On 28 February 1948, the Security Council adopted a resolution (S/678) in which it noted the first interim report of the Committee of Good Offices (S/649 and Corr.1) with satisfaction and maintained its offer of good offices. The Council also adopted a resolution (S/689) requesting the Committee of Good Offices to pay particular attention to political developments in Western Java and Madura and to report thereon at frequent intervals.

In the course of 1948, the Security Council received various reports from the Committee of Good Offices on developments in Indonesia and on the negotiations between the parties, culminating in the special reports which it submitted on 12 and 18 December regarding the collapse of direct talks between the representatives of the Netherlands and the Republic of Indonesia (S/1117 and S/1129).

(c) From the resumption of military operations to the Round Table Conference at the Hague (December 1948-December 1949)

On 20 December, the Council convened in emergency session (387th meeting) at the request of the United States representative (S/1128) to consider the Indonesian question in the light of the resumption of military operations in Indonesia on 19 December. The Committee of Good Offices submitted a number of reports (S/1129/Add.1, S/1138, S/1144, S/1146, S/1154, S/1156 and S/1166) concerning the outbreak of hostilities and later developments in Indonesia.

On 24 December, the Council adopted a resolution (S/1150) calling upon the parties to cease hostilities forthwith. The Government of the Netherlands was called upon immediately to release the President of the Republic of Indonesia and other political prisoners arrested since 18 December. The Council also instructed the Committee of Good Offices to report on events since 12 December and on the parties' compliance with the above directives. On 28 December, the Council adopted a resolution (S/1165) requesting the Consular Commission in Batavia to report fully on the situation in the Republic of Indonesia, covering observance of the cease-fire orders and conditions in areas under military occupation or from which armed forces might be withdrawn. On the same date, the Council adopted a resolution (S/1164) noting that the Government of the Netherlands had not released the prisoners as requested by the resolution of 24 December, and calling upon the Netherlands Government to set them free forthwith and to report to the Council within twenty-four hours.

After further discussion in the course of the month of January, the Security Council, on 28 January 1949, adopted a resolution (S/1234) in which, inter alia, it once again called upon the parties to cease all military operations, called for the release of all political prisoners arrested by the Netherlands Government in the Republic of Indonesia since 17 December 1948 and recommended that the parties undertake negotiations, with the assistance of the Commission, for the establishment of a federal, independent and sovereign United States of Indonesia at the earliest possible date. The transfer of sovereignty over Indonesia by the Government of the Netherlands to the United States of Indonesia should take place at the earliest possible date and in any case no later than 1 July 1950. Various other provisions of the resolution concerned the return of the Republican Government to Jogjakarta and called for the progressive return to the administration of that Government of the other areas controlled by the Republic under the Renville Agreement. The Committee of Good Offices was to be known as the United Nations Commission for Indonesia.

On 1 March 1949, the United Nations Commission for Indonesia submitted a report (S/1270 and Corr.1) which was followed by three supplementary reports during the remainder of the month of March (S/1270/Add.1-3). The report stated that the Netherlands Government had not released the Republican political prisoners and had refused to permit the re-establishment of the Republican Government at Jogjakarta, that there had been no negotiations under the resolution, and that there had been no actual or complete cessation of hostilities. The report also gave details of a proposal by the Netherlands Government to convene a round-table conference on the Indonesian question at The Hague, a proposal viewed by the Commission as a counter-proposal or a substitute for the 28 January resolution of the Security Council. The Commission requested indications as to what its position should be towards the invitation.

After discussion in the course of a number of meetings, the Security Council, on 23 March, approved by 8 votes with 3 abstentions (France, Ukrainian SSR, USSR), a directive to the Commission stating that it was the sense of the Council that the Commission should assist the parties in reaching agreement as to the implementation of the Council's resolution of 28 January and as to the time and conditions for holding the proposed conference at The Hague. If such an agreement was reached, the holding of such a conference and participation in it by the Commission would be consistent with the purposes and objectives of the resolution of 28 January.

The Commission reported on 9 May (S/1320) that both parties had accepted its invitation to discussions pursuant to the Council's directive.

On 4 August, the Commission reported (S/1373) that a cease-fire had been ordered by the two Governments on 3 August, that the Government of the Republic had been restored to Jogjakarta, and that the time and conditions for the Round-Table Conference at The Hague had been settled.

On 8 November 1949, the Commission submitted a special report (S/1417) on the Round-Table Conference held at The Hague from 23 August to 2 November 1949. Under the agreements reached at The Hague, the Netherlands was to transfer sovereignty unconditionally to the Republic of the United States of Indonesia, the transfer to be effected by 30 December 1949 at the latest. The residency of New Guinea, however, was excepted, and its status was to be determined within a year of the transfer of sovereignty.

The Commission stated that it would continue to carry out its functions in accordance with its terms of reference and that, in accordance with the agreement reached at the conference, it would observe in Indonesia the implementation of the decisions reached at The Hague.

The Security Council commenced discussion of the special report of the Commission on 12 December 1949, when the President of the Council (the representative of Canada) submitted a draft resolution (S/1431) congratulating the parties on the successful conclusion of the Round-Table Conference, welcoming the establishment of the Republic of the United States of Indonesia and commending the Commission. It also requested the Commission to continue to discharge its responsibilities, including in particular observing and assisting in the implementation of the agreements reached at the Round-Table Conference.

The representative of the Ukrainian SSR submitted a draft resolution (S/1457) calling for withdrawal of Netherlands forces, the release of political prisoners by the Netherlands Government and for the establishment of a United Nations Commission composed of representatives of States members of the Security Council which would enquire into the activities of the Netherlands authorities and would submit to the Council proposals for the settlement of the conflict between the Netherlands and the Republic of Indonesia on the basis of recognition of the independence and sovereign rights of the Indonesian people. This proposal provided also for dissolution of the Commission for Indonesia.

On 13 December 1949, the Canadian draft resolution was voted upon in parts. The first part of the resolution received 9 votes in favour and 2 abstentions (Ukrainian SSR, USSR). The second part received 8 votes in favour, and 2 votes against (Ukrainian SSR, USSR), with 1 abstention (Argentina). One of the opposing votes being that of a permanent member of the Council, the resolution was not adopted.

On the same date, the Ukrainian SSR resolution was rejected by 9 votes to 2 (Ukrainian SSR and USSR). Following the vote, the President of the Security Council stated that rejection of the Canadian draft resolution had no effect whatsoever on the previous decisions taken by the Council which remained in full force and effect.

(d) From the transfer of sovereignty to the adjournment of the Commission sine die (December 1949 - 3 April 1951)

The United Nations Commission for Indonesia issued a number of reports in the course of 1950 (S/1449, S/1663, S/1712 : -/1713 and Corr.1). These reports dealt with the implementation of the arrangements reached at The Hague, including the transfer of sovereignty which took place on 27 December 1949, the repatriation of Netherlands forces and the dissolution of the Royal Netherlands Indonesian Army (KNIL), as well as with events which took place in the South Moluccas, following the proclamation, on 25 April 1950, of a "South Moluccas Republic" by a group of persons who had seized authority in the islands.

On 3 April 1951, the Commission submitted a report (S/2087) on its activities since the transfer of sovereignty. Among other things, the report stated that the withdrawal of Netherlands troops was progressing satisfactorily and that observation by the Commission was no longer necessary. It summarized the developments which had led to the establishment, on 18 August 1950, of the Republic of Indonesia as a unitary State, as well as related correspondence with and between the parties in connexion with the right of self-determination.

It also dealt with a special Union Conference held at The Hague on 4 December 1950 to deal with the question of the status of New Guinea. No agreement had as yet been achieved on the status of that territory. Since the military problems were virtually solved, since no other matters had been submitted by the parties, and since no items remained on its agenda, the Commission had decided that, while holding itself at the disposal of the parties, it would adjourn sine die.

The Security Council has not so far discussed this report.

#### 9. VOTING PROCEDURE IN THE SECURITY COUNCIL

By a letter dated 3 January 1947 (S/237), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 40 (I) of 13 December 1946, which recommended to the Council "the early adoption of practices and procedures, consistent with the Charter, to assist in reducing the difficulties in the application of Article 27 and to ensure the prompt and effective exercise by the Security Council of its functions".

At its 197th meeting (27 August 1947), the Council decided to refer the matter to the Committee of Experts, which was instructed to submit to the Council its recommendations on the measures that the latter should adopt in view of the Assembly's recommendation.

On 2 September, the United States representative on the Committee of Experts submitted draft rules of procedure relating to voting in the Security Council (S/C.1/160). The Committee has not so far discussed this question.

On 21 November, the Secretary-General transmitted to the Council the text (S/620 of General Assembly resolution 117 (II) of 21 November 1947, under which the Interim Committee was to consult with any committee which the Council might designate to co-operate with the Interim Committee in the study of the problem of the voting procedure in the Council.

At its 224th meeting (19 December 1947), the Security Council decided that the Secretary-General's letter conveying the Assembly's resolution should be received by the Council.

#### 10. REPORTS OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

In a letter dated 17 February 1947 (S/281) the United States representative submitted for the approval of the Security Council, in accordance with Article 83 of the Charter, the text of a draft Trusteeship Agreement for the Trust Territory of the Pacific Islands. After discussion at the 113th meeting (26 February) and subsequent meetings, the Council, at its 124th meeting (2 April) approved the Agreement which came into force on 18 July 1947.

The question of formulating procedures to govern the detailed application of Articles 87 and 88 of the Charter to that strategic area was raised by the Secretary-General in a letter dated 7 November 1947 (S/599). After discussion of the matter by the Council, on the basis of a report of the Committee of Experts dated 12 January 1948 (S/642), meetings were held between committees appointed by the Security and Trusteeship Councils and the resulting agreement was embodied in a resolution (S/642) adopted by the Council at its 415th meeting (7 March 1949). This agreement dealt with the respective functions of the two Councils in respect of strategic areas in general.

The United States Government and the Trusteeship Council have periodically submitted reports to the Security Council in virtue of these agreements. The United States Government has also given notice of periods when access to parts of the Trust Territory has been restricted for security reasons.

#### 11. APPLICATIONS FOR MEMBERSHIP

Upon recommendation of the Security Council, the General Assembly has approved the admission of: Afghanistan (19 November 1946), Burma (17 March 1948), Iceland (19 November 1946), Israel (11 May 1949), Pakistan (30 September 1947), Sweden (19 November 1946), Thailand (16 December 1946), Yemen (30 September 1947), and Indonesia (28 September 1950).

The following applications have not been recommended by the Security Council as they have not received the concurring votes of all permanent members: Jordan, Portugal, Ireland, Italy, Australia, Finland, Ceylon, Republic of Korea, Nepal, Libya, Japan, Viet-Nam, Cambodia and Laos.

The following applications have failed to secure seven affirmative votes in the Security Council: Albania, Mongolian People's Republic, Hungary, Romania, Bulgaria, Democratic People's Republic of Korea, and Democratic Republic of Viet-Nam.

Since the last report of the Security Council to the General Assembly concerning the question of Admission of New Members (A/2208), the following resolutions, adopted by the General Assembly, have been transmitted to the Security Council for its information:

By letter dated 9 January 1953 (S/2901), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 620 (VII), drawing particular attention to parts B-G, under which the Assembly requested the Council to take note of the determination that Japan, Viet-Nam, Cambodia, Laos, Libya and Jordan were, in the Assembly's judgment, peace-loving States within the meaning of Article 4, were able and willing to carry out the obligations of the Charter and therefore should be admitted to membership.

By letter dated 28 October 1953 (S/3131), the Secretary-General transmitted the text of General Assembly resolution 718 (VIII), by which it established a Committee of Good Offices on the Admission of New Members. This Committee, consisting of the representatives of Egypt, the Netherlands and Peru, was empowered to consult with members of the Security Council with the object of exploring the possibilities of reaching an agreement which would facilitate admission of new Members in accordance with Article 4 of the Charter. The Committee was to report at the eighth, or at the latest at the ninth session of the Assembly.

The Council has not discussed this question since September 1952.

## 12. THE PALESTINE QUESTION

### (a) Inclusion of the item in the agenda

In a letter dated 2 December 1947 (A/614), the Secretary-General transmitted to the President of the Security Council General Assembly resolution 181 (II) of 29 November 1947 concerning the future Government of Palestine (Plan of Partition). At its 222nd meeting (9 December), the Council took note of that resolution and decided to postpone the discussion of the matter.



The Council adopted, at its 263rd meeting (5 March 1948) a resolution (S/690) based on a United States draft, as amended by Belgium, calling upon the permanent members to consult together regarding the situation in Palestine and appealing to all Governments to act to prevent such disorders as were occurring in Palestine. On 19 March, those permanent members of the Council who had consulted together recommended that the Council should make it clear to the parties concerned that the Council was determined not to permit the existence in Palestine of any threat to the peace and that it would take further action by all means available to it to bring about the immediate cessation of violence and the restoration of peace in Palestine.

(b) Establishment of the Consular Truce Commission

At its 277th meeting (1 April), the Council adopted two resolutions (S/714) submitted by the United States, the first one calling for a truce in Palestine, and the second requesting the Secretary-General to convoke a special session to consider further the question of the future Government of Palestine.

In accordance with the terms of the first resolution, the representatives of the Jewish Agency and of the Arab Higher Committee met with the President in order to agree upon a basis for the truce. Since agreement could not be reached, the Council adopted on 17 April 1948 a resolution outlining the principles and machinery for a truce (S/723). Subsequently, on 23 April 1948, the Council established a Truce Commission (S/727) to assist in the implementation by the parties of the Council's truce resolution of 17 April and to be composed of the representatives of those members of the Security Council, except Syria, who had career consular officers in Jerusalem.

(c) The Security Council truce resolution of 29 May 1948

Following the outbreak of armed hostilities on 14 May 1948, the Council adopted on 22 May a resolution calling upon the parties to issue cease-fire orders within thirty-six hours of the adoption of the resolution (S/773).

The provisional Government of Israel communicated to the Council its acceptance of the truce on 24 May (S/779), whereas the Arab States informed the Council that the 17 April truce resolution should be first observed so that the cease-fire might lead to a just and lasting solution (S/792).

The Council at its 310th meeting (29 May) adopted a resolution (S/801) calling, inter alia, for a cessation of hostilities for a period of four weeks, and instructing Count Folke Bernadotte, the United Nations Mediator,<sup>\*/</sup> to supervise the cease-fire, in concert with the Truce Commission which was to be provided with military observers, and to make contact with the parties with a view to carrying out his functions as determined by the General Assembly.

The Arab States and the Provisional Government of Israel advised the Council of their acceptance of the resolution (S/804, S/810).

At its 313th meeting (3 May), the Council agreed that the Mediator should be given full authority to interpret the terms of the cease-fire resolution. Only if his interpretation was challenged should the matter be submitted to the Council.

(d) The Security Council truce resolution of 15 July 1948

The first truce in Palestine went into effect on 11 June 1948. Since the first truce was to expire on 9 July 1948, the Council addressed on 7 July an urgent appeal to both Jews and Arabs for the prolongation of the truce (S/867). Nevertheless, fighting started again in Palestine.

At the 333rd meeting (13 July), the Mediator presented to the Council an oral report supplementing his previous written report (S/888), wherein he called upon the Council to order an immediate cease-fire. At its 338th meeting (15 July), the Council adopted a resolution (S/902), describing the situation in Palestine as a threat to the peace within the meaning of Article 39 of the Charter, ordering an indefinite cease-fire, and instructing the Mediator to supervise the truce and to establish procedures for examining alleged breaches.

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<sup>\*/</sup> In its resolution 186 (S-2) adopted on 14 May 1948, the General Assembly had empowered a United Nations Mediator to promote a peaceful adjustment of the future situation of Palestine, and relieved the Palestine Commission of further responsibility under resolution 181 (II) of 29 November 1947. The Mediator was directed to conform with such instructions as the General Assembly or the Security Council might issue.

Since many alleged violations were brought to the notice of the Council, especially in the Negev area, the Council took various decisions to remedy the situation. These resolutions, which were taken at the meetings of 19 October, 4 and 16 November and 29 December 1948 (S/1044, S/1070, S/1080, S/1169), were concerned chiefly with calling upon both parties to cease fire and to start negotiations for armistice agreements. On 17 September 1948, the Security Council was informed of the assassination in Palestine of Count Folke Bernadotte, the Mediator. The Council, at its meeting on 18 September, approved the cablegram sent on the previous day by the Acting Secretary-General empowering Dr. Ralph Bunche to assume full authority over the Palestine mission until further notice.

(e) Conclusion of the Armistice Agreements

On 11 December 1948, the General Assembly established by resolution 194 (III) a Palestine Conciliation Commission (France, Turkey and the United States) which was, inter alia, to assume the function of the Acting Mediator under resolution 186 (S-2) of 14 May 1948, and to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them.

By letter dated 6 January 1949 (S/1187), the Acting Mediator, Dr. Bunche, informed the President of the Security Council that the Government of Egypt and the provisional Government of Israel had unconditionally accepted a proposal providing for a cease-fire in the Negev area, to be immediately followed by direct negotiations, under United Nations chairmanship, on the implementation of the Council's resolutions of 4 and 16 November 1948, calling for the conclusion of Armistice agreements.

Between February and July 1949, Armistice Agreements were signed between Israel on the one hand, and Egypt (S/1264/Rev.1), Lebanon (S/1296/Rev.1), the Hashemite Kingdom of Jordan (S/1302/Rev.1) and Syria (S/1353/Rev.1) on the other. On 21 July, the Acting Mediator submitted his final report on the status of the armistice negotiations and the truce in Palestine (S/1357).<sup>\*/</sup>

<sup>\*/</sup> Meanwhile, at its 207th meeting (11 May 1949), the General Assembly, upon the recommendation of the Security Council, had decided to admit Israel to membership in the United Nations.

At the 437th meeting (11 August), the Council adopted a resolution (S/1362) paying tribute to Count Folke Bernadotte and, upon the completion of their responsibilities, expressing appreciation to the Acting Mediator and the members of the staff of the Palestine Mission. At the same meeting, it adopted another resolution (S/1367) which, inter alia, expressed the hope that the parties, by means of negotiations, conducted by the Palestine Conciliation Commission, would soon achieve agreement on a final settlement and, meanwhile, reaffirmed the cease-fire order contained in the Council's 15 July resolution; relieved the Acting Mediator of any further responsibility under Security Council resolutions; noted that the Armistice Agreements were to be supervised by Mixed Armistice Commissions under the chairmanship of the United Nations Chief of Staff of the Truce Supervision Organization; and requested the Chief of Staff to report to the Council on the observance of the cease-fire in Palestine. Since then, the Chief of Staff has periodically submitted reports on the work of that Organization.

(f) The demilitarization of Jerusalem

The question of demilitarization of the Jerusalem area, with special reference to General Assembly resolution 194 (III) of 11 December 1948, was placed on the agenda of the 433rd meeting on 25 October 1949 at the request of the representative of Egypt. The Council decided to adjourn further discussion of this matter indefinitely, pending discussion of the Palestine question by the General Assembly. While the Assembly has discussed various aspects of the Palestine question at each subsequent session, the Council has not resumed discussion of this matter.

- (g) Charges by Egypt of alleged violation of the Egyptian-Israel Armistice Agreement

By letter dated 9 September 1950 (S/1789 and Corr.1), Egypt drew to the attention of the Security Council the expulsion by Israel of thousands of Palestinian Arabs into Egyptian territory and alleged violations by Israel of the Egyptian-Israel General Armistice Agreement.

At the 514th meeting (20 October), the Council agreed to invite General Riley, Chief of Staff of the Truce Supervision Organization, to proceed to Lake Success for the purpose of giving additional information regarding this question. The Council also decided at the 518th meeting (6 November) that Dr. Ralph Bunche, former United Nations Acting Mediator for Palestine, be invited to provide the Council with additional information concerning the question.

At its 524th meeting (17 November), the Council adopted the revised draft resolution (S/1907 and Corr.1), submitted by France, United Kingdom and the United States which called upon the parties to consent to the handling of the present complaints according to the procedures established in the Armistice Agreements; requested the Israel-Egyptian Mixed Armistice Commission to give urgent attention to the Egyptian complaints of expulsion of thousands of Palestine Arabs and called upon both parties to give effect to any finding of the Israel-Egyptian Mixed Armistice Commission regarding the repatriation of any such Arabs who, in the Commission's opinion, were entitled to return; and authorized the Chief of Staff of the Truce Supervision Organization to recommend to Israel and Egypt and other appropriate Arab States such steps as he considered necessary to control the movement of nomadic Arabs across international frontiers or armistice lines.

(h) Charges by Syria of alleged violation of the Armistice Agreement regarding the Huleh Marshes

At the 541st meeting (17 April 1951), the Council considered the various items concerning alleged violations of the Syrian-Israel General Armistice Agreements which had been submitted by the representatives of Syria and Israel (see S/Agenda 541). The Council agreed to defer further consideration until such time as General Riley, Chief of Staff of the Truce Supervision Organization, should be able to come before the Council for the purpose of providing it with further information.

At the 545th meeting (8 May), the Council adopted a resolution noting that fighting was continuing in the demilitarized zone and calling upon the parties to cease fighting (S/2130).

At the 547th meeting, the Council adopted a joint draft resolution (S/2152) and S/2152/Rev.1) submitted at the previous meeting by the representatives of France, Turkey, United Kingdom and United States which, inter alia, (1) called upon the Government of Israel to comply with the request of the Chief of Staff and of the Chairman of the Israel-Syria Mixed Armistice Commission to ensure that the Palestine Land Development Company cease all operations in the demilitarized zone until such time as an arrangement was made through the Chairman of the Israel-Syria Mixed Armistice Commission for the continuation of the drainage project; (2) found that the aerial action taken by Israel forces on 5 April and any future aggressive military action by either party in or around the demilitarized zone should be regarded as constituting a violation of the cease-fire provision of the Security Council resolution of 15 July 1948, and as inconsistent with the terms of the Armistice Agreement and the obligations assumed under the Charter; and (3) decided that Arab civilians who had been removed from the demilitarized zone by Israel should be permitted to return forthwith to their homes and that the Israel-Syria Mixed Armistice Commission should supervise their return and rehabilitation in a manner to be determined by the Commission.

(i) The Suez Canal question

By letter dated 11 July 1951 (S/2241), the representative of Israel requested that the following item be placed on the agenda of the Security Council for an urgent discussion: "Restrictions imposed by Egypt on the passage of ships through the Suez Canal".

The Council began consideration of this question at the 549th meeting (26 July) and invited the representatives of Israel, Egypt and Iraq to participate without vote in the Council's discussion of the question.

At the 558th meeting (1 September), the Council adopted a resolution (S/2322) which found, inter alia, that the practice of interfering with passage through the Suez Canal of goods destined for Israel was inconsistent with the objectives of a peaceful settlement and the establishment of permanent peace in Palestine. The draft resolution called upon Egypt to terminate the restrictions on the passage of international commercial shipping and goods through the Suez Canal wherever bound and to cease all interference

with such shipping beyond that essential to the safety of shipping in the Canal itself and to the observance of the international conventions in force.

(j) Compliance with and enforcement of the General Armistice Agreements, with special reference to recent acts of violence, and in particular to the incident at Qibiya on 14-15 October: report by the Chief of Staff of the Truce Supervision Organization

In identical letters dated 17 October 1953, the permanent representatives of France (S/3109), the United Kingdom (S/3110) and the United States (S/3111) requested an urgent meeting of the Security Council to consider the matter of the tension between Israel and the neighbouring Arab States, with particular reference to recent acts of violence and to compliance with and the enforcement of the General Armistice Agreements.

The Council held ten meetings between 19 October and 25 November 1953, during which time Major General Vagn Bennike, Chief of Staff of the Truce Supervision Organization in Palestine, presented a comprehensive report concerning the activities and decisions of the Four Mixed Armistice Commissions, particularly regarding the Qibiya incident.

As a result of that report, as well as his answers to the various questions put to him, the representatives of France, the United Kingdom and the United States submitted a joint draft resolution (S/3139/Rev.2) which (1) found that the retaliatory action at Qibiya taken by armed forces of Israel and all such actions constituted a violation of the cease-fire provisions of the Council's resolution of 15 July 1948 and were inconsistent with the parties' obligations under the General Armistice Agreement and the Charter, (2) expressed the strongest censure of that action, calling upon Israel to take effective measures to prevent all such actions in the future; (3) took note of the fact that there was a substantial evidence of crossing of the demarcation line by unauthorized persons often resulting in acts of violence and requested the Government of Jordan to continue and to strengthen the measures which they were already taking to prevent such crossings; (4) recalled to the Governments of Israel and Jordan their obligations under Security Council resolutions and the General Armistice Agreement to prevent all acts of violence on either side of the demarcation line, (5) reaffirmed that it was essential in order to achieve

progress by peaceful means towards a lasting settlement of the issues outstanding between them that the parties abide by their obligations under the General Armistice Agreement and the resolutions of the Security Council; and (6) requested the Chief of Staff of the Truce Supervision Organization to report within three months to the Council with such recommendations as he might consider appropriate on compliance with and endorsement of the General Armistice Agreements, with particular reference to the provisions of that resolution and taking into account any agreement reached in pursuance of the request by the Government of Israel for the convocation of a conference under Article XII of the General Armistice Agreement between Israel and Jordan. At the 640th meeting (20 November 1953), the joint draft resolution was adopted.

(k) Complaint by Syria against Israel concerning work on the west bank of the River Jordan in the Demilitarized Zone

In a letter dated 16 October 1953 (S/3108/Rev.1), the permanent representative of Syria complained to the Council that on 2 September 1953 Israel had started in the Demilitarized Zone to divert the Jordan River into a new channel with a view to making it flow through its own territory. He charged that that action violated the provisions of the Israel-Syrian Armistice Agreement, particularly Article V thereof. He also recalled that the Chief of Staff had requested Israel on 23 October to stop all operations.

Following a report by the Chief of Staff on the question (S/3122), the Council started discussing the question at its 629th meeting (27 October). At the 631st meeting (27 October), the Council adopted a resolution (S/3128) wherein it deemed it desirable that the works started in the Demilitarized Zone should be suspended pending the urgent examination of the question by the Council, and took note with satisfaction of the statement made by the Israel representative at that meeting regarding the undertaking given by his Government to suspend the works in question during the Council's examination of the dispute.

After further discussion of the question at subsequent meetings, France, the United Kingdom and the United States submitted at the 648th meeting (16 December) a joint draft resolution (S/3151/Rev.2) under which the Council would (1) endorse the request by the Chief of Staff to the Government of Israel dated 23 September 1953; (2) call upon the parties to the dispute to comply with all



the decisions and requests made by the Chief of Staff in the exercise of his authority under the Armistice Agreement; (3) request and authorize the Chief of Staff to explore possibilities of reconciling Israel and Syrian interests involved in the dispute over the diversion of Jordan waters at Banat Ya'qub, including full satisfaction of existing irrigation rights at all seasons, while safeguarding the rights of individuals in the Demilitarized Zone, and to take such steps in accordance with the Armistice Agreement as he might deem appropriate to effect a reconciliation; (4) request the Secretary-General to place at the disposal of the Chief of Staff a sufficient number of experts, in particular hydraulic engineers, to supply him on the technical level with the necessary data for a complete appreciation of the project in question and of its effect upon the Demilitarized Zone; and (5) direct the Chief of Staff to report to the Security Council within 90 days on the measures taken to give effect to that resolution.

At the 656th meeting (22 January 1954), the Council failed to adopt the revised joint draft resolution owing to the negative vote of a permanent member. There were 7 votes in favour, 2 against (USSR and Lebanon) and 2 abstentions (Brazil and China).

During the discussion of the question, the representative of Lebanon submitted one draft resolution on 18 December 1953 (S/3152) and another draft resolution at the 655th meeting (21 January 1954). The Council has not yet acted on these resolutions.

(1) Recent complaints from Israel and Egypt

At its 657th meeting on 4 February 1954, the Security Council had on its provisional agenda, under the Palestine question, a complaint by Israel against Egypt concerning (a) enforcement by Egypt of restrictions on the passage of ships trading with Israel through the Suez Canal, and (b) interference by Egypt with shipping proceeding to the Israeli port of Elath on the Gulf of Aqaba (S/3168 and Add.1). Following discussion of the matter, the Council decided to include this question on its agenda as sub-item (I.), and also to include as sub-item (II.), for separate consideration, a complaint by Egypt against Israel concerning "violations by Israel of the Egyptian-Israeli General Armistice Agreement at the demilitarized zone of El-Auja" (S/3172).

At its 658th meeting on 5 February, the Council commenced general debate on the first sub-item approved at its previous meeting.

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### 13. THE INDIA-PAKISTAN QUESTION

#### (a) Inclusion of the question in the agenda

By a letter dated 1 January 1948 (S/628), the representative of India, under Article 35 of the Charter, requested the Security Council to call on Pakistan to stop immediately giving assistance to invaders in the State of Jammu and Kashmir, since such assistance was an act of aggression against India. The matter was admitted to the agenda of the Security Council at the 226th meeting on 6 January 1948. The representatives of India and Pakistan were invited to participate in the discussion without vote, in accordance with Article 31 of the Charter. At the request of the representative of Pakistan, further consideration was postponed until 15 January. By a letter dated 15 January (S/646), the Foreign Minister of Pakistan submitted three documents replying to India's charges and levelling charges by Pakistan on which the Council was requested to take action.

By a letter dated 20 January (S/655), the Minister for Foreign Affairs of Pakistan requested consideration of matters in the Pakistan complaint other than the Jammu and Kashmir question. In consequence, the Security Council decided, at its 231st meeting, to change the title of the question, considered until then as the "Jammu and Kashmir Question", to the "India-Pakistan Question".

#### (b) Establishment of the United Nations Commission for India and Pakistan (Security Council resolutions of 17 January, 20 January, 21 April and 3 June 1948)

At the 227th through 229th meetings (14-17 January), the Security Council heard statements by the representatives of the two parties concerned. At the 229th meeting, a draft resolution submitted by the representative of Belgium (S/651), calling upon the parties to take all measures to improve the situation, was adopted by 9 votes with 2 abstentions (Ukrainian SSR, USSR). The representative of the United Kingdom then proposed that the President of the Council meet with the representatives of the two Governments concerned so as to find common ground for a settlement.

Following his talks with the parties, the President reported to the Council at its 230th meeting (20 January) and submitted a draft resolution (S/654) which had been drawn up as a result of the talks, establishing a commission of three members to investigate and to exercise mediation. One member was to be selected by India, one by Pakistan, and the third was to be designated by the two so selected. This resolution was adopted at the same meeting by 9 votes, with 2 abstentions (Ukrainian SSR, USSR).

At its 286th meeting (21 April 1948), the Council considered and adopted a draft resolution (S/726) submitted jointly by the representatives of Belgium, Canada, China, Colombia, the United Kingdom and the United States, enlarging the membership of the Commission established by the resolution of 20 January 1948 to five and recommending to the Governments of India and Pakistan various measures designed to bring about a cessation of the fighting and to create conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir was to accede to India or Pakistan. At the 287th meeting of the Council (23 April), Belgium and Colombia were nominated as the two additional members of the Commission by 7 votes, with 4 abstentions (Belgium, Colombia, Ukrainian SSR, USSR), the members named earlier being Argentina (chosen by Pakistan) and Czechoslovakia (chosen by India).

After further discussion at the 289th meeting (7 May 1948), the President designated the United States as the third member of the Commission, in view of the failure of Argentina and Czechoslovakia to agree upon a third member.

At the 312th meeting (3 June 1948), the Security Council adopted a modified version of a Syrian draft resolution (S/819) by 8 votes, with 3 abstentions (China, Ukrainian SSR, USSR), directing the commission of mediation to proceed without delay to the area of dispute and to study and report to the Council, when it considered it appropriate, on the matters raised in the letter dated 15 January 1948 from the Foreign Minister of Pakistan in the order outlined in paragraph D of the Council's resolution of 20 January 1948.

(c) Interim reports of the United Nations Commission for India and Pakistan and appointment of a United Nations Representative for India and Pakistan

On 22 November 1948, the United Nations Commission submitted to the Security Council an interim report (S/1100) dealing with its activities until 22 September 1948. A second interim report (S/1196) was submitted by the Commission on 13 January 1949. In these reports the Commission informed the Security Council of its adoption, on 13 August 1948 and 5 January 1949, of resolutions embodying a cease-fire order and principles to serve as a basis for a truce agreement between the parties, as well as measures relating to the holding of a plebiscite following implementation of the demilitarization process to be established in the truce agreement. The Commission stated that the cease-fire had become effective as of 1 January 1949.

The United Nations Commission returned to the sub-continent on 4 February 1949 in order to work on the implementation of the agreement embodied in the two resolutions. In presenting the Commission's third interim report to the Security Council (S/1430 and Add.1 and 2), submitted on 5 December 1949, its Chairman reported that since the Commission's return to the sub-continent, despite constant efforts, no substantial progress had been made in implementing part II of the Commission's resolution of 13 August 1948 which dealt with the truce and was concerned principally with the withdrawal of troops. The Commission had therefore deemed it advisable to refer the matter back to the Security Council with the recommendation that the Council should designate, in lieu of the Commission, a single individual with broad authority to endeavour to bring the two Governments together on all unresolved issues.

On 16 December 1949, the representative of Czechoslovakia on the Commission submitted a minority report (S/1430/Add.3) criticizing certain aspects of the work of the Commission and calling for the establishment of a new United Nations Commission for India and Pakistan, composed of representatives of all the States members of the Security Council in order to guarantee the full independence of the Commission.

The Council considered these reports at its 457<sup>th</sup> meeting (17 December 1949), when it decided by 9 votes in favour, with 2 abstentions (Ukrainian SSR, USSR), to request the President of the Council to meet informally with the parties concerned and examine with them the possibility of finding a mutually satisfactory basis for dealing with the questions at issue. No agreement was reached as a result of the efforts made by the President. After further discussion, on 14 March 1950, the Council adopted a joint draft resolution (S/1461) submitted by Cuba, Norway, the United Kingdom and the United States, by 8 votes in favour, with 2 abstentions (India, Yugoslavia), one member of the Council (USSR) being absent. This resolution provided for appointment of a United Nations Representative to assist in the preparation and to supervise the implementation of the programme of demilitarization to be agreed upon by the parties, and to exercise the powers and responsibilities devolving upon the Commission. The Representative was also empowered to explore other possible solutions of the question. On 12 April 1950, the Security Council decided by a similar vote to appoint Sir Owen Dixon, of Australia, as United Nations Representative.

(d) Report of the first United Nations Representative, Sir Owen Dixon, and appointment of a successor, Mr. Frank P. Graham

Sir Owen Dixon's report, submitted on 15 September 1950 (S/1791), indicated no further progress towards the demilitarization of the State or towards agreement on other means for disposing of the State of Jammu and Kashmir. Sir Owen Dixon wondered whether it might not be better to leave the parties to themselves in negotiating terms for the settlement of the problem, and indicated that he was not prepared to recommend any further course of action on the part of the Council.

In a letter dated 14 December 1950 (S/1942), the Minister for Foreign Affairs of Pakistan expressed concern over the delay in dealing with the report of the United Nations Representative, and declared that various steps were being taken by the Government of India and the Maharajah's Government in Kashmir to prejudice the holding of a free and impartial plebiscite to decide on the accession of the State.

At the 503<sup>rd</sup> meeting (26 September 1950), the President of the Security Council had already expressed the Council's gratitude to the United Nations Representative and had voiced the Council's wish to relieve him of his mission

in accordance with Sir Owen Dixon's request. The Council undertook consideration of the report at its 532nd meeting (21 February 1951). After considerable discussion, a revised joint draft resolution submitted by the United Kingdom and the United States (S/2017/Rev.1) was adopted at the 539th meeting on 30 March 1951 by 8 votes to none, with 3 abstentions (India, USSR, Yugoslavia). The resolution, inter alia, reminded the Governments and authorities concerned of the principle embodied in various Security Council resolutions that the final disposition of the State of Jammu and Kashmir would be made in accordance with the will of the people expressed through a free and impartial plebiscite conducted under the auspices of the United Nations, provided for appointment of a United Nations Representative to succeed Sir Owen Dixon and instructed that Representative, inter alia, to effect the demilitarization of the State of Jammu and Kashmir on the basis of the two UNCIP resolutions. At the 543rd meeting, on 30 April 1951, the Council approved the appointment of Mr. Frank P. Graham as United Nations Representative by 7 votes, with 4 abstentions (India, Netherlands, USSR, Yugoslavia).

(e) Reports submitted to the Security Council by Mr. Graham (1951-1953)

Five reports have been submitted to the Security Council by the United Nations Representative, Mr. Graham (15 October 1951 - S/2375 and Corr.1 and 2; 18 December 1951 - S/2448; 22 April 1952 - S/2611; 16 September 1952 - S/2783 and Corr.1; and 27 March 1953 - S/2967). In his first report, the United Nations Representative set forth a 12-point draft agreement between the Governments of India and Pakistan concerning demilitarization of the State of Jammu and Kashmir. The United Nations Representative indicated that agreement had been reached on the first four points in the proposals and set forth the position of the two parties on the remainder of the points. The Security Council began consideration of the first report at its 564th meeting (18 October 1951) and continued at the 566th meeting (10 November) when a joint draft resolution (S/2390) submitted by the United Kingdom and the United States requesting the United Nations Representative to continue his efforts was adopted by 9 votes with 2 abstentions (India, USSR).

In his second report, the United Nations Representative informed the Council that agreement had been reached on four more of the points of the draft agreement, but that the basic differences between the two Governments remained essentially the same. After consideration of the report by the Security Council at its 570-572nd meetings (17, 30 and 31 January 1952), the President of the Council stated that the consensus of the Council was that the United Nations Representative was empowered to continue his efforts to accomplish his mission. The President noted that the representative of the USSR did not concur in that arrangement.

In his third and fourth reports, the United Nations Representative informed the Security Council of acceptance by the two Governments of other points in the 12-point draft agreement which he had submitted them. Agreement had not been reached, however, on the number and character of forces to remain on either side of the cease-fire line nor on the date by which the Plebiscite Administrator would be appointed to office. He had accordingly proposed definite minimum figures for those forces, but it had not been possible to secure agreement on the numbers proposed. The United Nations Representative set forth the views of the parties on an alternative draft presentation of principles which would serve as the criteria for fixing the quantum of forces to remain on either side of the cease-fire line at the end of the demilitarization period.

After discussion at the 605th-611th meetings (10 October, 6 November, 5, 8, 16 and 23 December 1952), the Security Council adopted a modified joint United Kingdom-United States draft resolution (S/2885) by 9 votes, with one abstention (USSR). One member of the Council (Pakistan) did not participate in the voting. In this resolution, the Security Council urged the Governments of India and Pakistan to negotiate in order to reach agreement on the specific number of forces to remain on each side of the cease-fire line at the end of the period of demilitarization, the numbers to be arrived at bearing in mind the principles or criteria submitted to the parties by the United Nations Representative. The number of forces was to be between 3,000 and 6,000 on the Pakistan side and between 12,000 and 18,000 on the Indian side of the cease-fire line. The United Nations Representative was requested to continue to make his services available to the parties and to keep the Council informed of any progress.

In his fifth report (S/2967), the United Nations Representative informed the Security Council of further meetings and conversations with the two Governments. None of the proposals put forward had proved acceptable to both parties.

#### 14. THE CZECHOSLOVAK QUESTION

By a letter dated 12 March 1948 (S/694), the representative of Chile informed the Secretary-General that his Government had noted that, on 10 March 1948, Mr. Papanek, permanent representative of Czechoslovakia, had sent a communication to the Secretary-General, alleging that the political independence of Czechoslovakia had been violated by the threat of the use of force by the Union of Soviet Socialist Republics. In accordance with Article 35(1) of the Charter, the representative of Chile requested the Secretary-General to refer to the Security Council the question raised in Mr. Papanek's letter. He further requested that the Council should investigate the situation in accordance with Article 34. By a letter dated 15 March (S/696), the representative of Chile communicated to the Secretary-General Mr. Papanek's letter of 10 March.

At its 268th meeting (17 March), the Security Council included the communication dated 12 March from the representative of Chile in its agenda and invited that Government's representative to participate in its discussion.

At the 272nd meeting (22 March), the Security Council invited Mr. Papanek to make a statement, in accordance with rule 39 of its provisional rules of procedure.

At the 278th meeting (6 April), the Security Council adopted a resolution (S/711) based on a United States draft resolution, inviting the Government of Czechoslovakia to participate without a vote in the discussion of the Czechoslovak question.

In reply to that invitation the representative of Czechoslovakia appointed to replace Mr. Papanek stated (S/718) that his Government did not find it possible in any way to take part in the discussion. The matters involved were exclusively within the domestic jurisdiction of Czechoslovakia, which rejected the unfounded complaint which had been put before the Security Council.



On 6 April the representative of Chile submitted a draft resolution proposing the appointment of a sub-committee, with a membership to be determined by the Security Council, to receive and hear evidence, statements and testimonies and to report to the Council at the earliest possible time.

At the 288th meeting (29 April) the representative of Argentina requested that the Chilean proposal be put to the vote under rule 38 of the provisional rules of procedure of the Security Council, and suggested that the sub-committee should be composed of three members of the Council.

At the 300th meeting (21 May), the Council invited Mr. Papanek to make a supplementary statement.

At the 303rd meeting (24 May), the President put to the vote the question whether the vote which the Security Council would take on the Chilean draft resolution should be considered as a matter of procedure. There were 8 votes cast in favour and 2 against (Ukrainian SSR, USSR), and one abstention (France). The President interpreted that vote as a decision to regard the draft resolution as a matter of substance, since a permanent member had voted negatively on the preliminary question. Several representatives opposed that ruling, and the President submitted it to a vote. Six votes were cast to annul the ruling and 2 votes (Ukrainian SSR, USSR) against its annulment, and 3 abstentions (France, United Kingdom, United States). The President stated that his ruling stood.

At the same meeting the Chilean draft resolution, as completed by the representative of Argentina, was put to the vote; there were 9 votes in favour and 2 against (Ukrainian SSR, USSR). Since a permanent member had voted against the draft resolution, it was not adopted.

At the 305th meeting (26 May 1948), the representative of Argentina submitted a draft resolution (S/782), stating that the Security Council considered it advisable to obtain further oral and written evidence regarding the situation in Czechoslovakia and entrusting the Council's Committee of Experts with the task of obtaining such evidence.

Since the 305th meeting the Security Council has not discussed this agenda item.

15. THE QUESTION OF THE FREE TERRITORY OF TRIESTE

By letter dated 29 July 1948 (S/927), the representative of Yugoslavia requested the Security Council to consider the question of the independence and integrity of the Free Territory of Trieste, and in particular to examine the legality of certain agreements concluded by the administration of the British-United States zone of the Free Territory with the Government of Italy. He further requested the Council to declare the above-mentioned agreements to be violations of provisions of the Treaty of Peace with Italy pertaining to the independence of the Free Territory of Trieste; to undertake the measures which the Yugoslav Government considered necessary and sufficient to nullify the agreements; and to assure that the Governments of the United States and the United Kingdom respected their international obligations, thus guaranteeing the independence of the Free Territory of Trieste.

The Council included this question in its agenda under the title: The question of the Free Territory of Trieste at its 344th meeting (4 August 1948), when it invited the representative of Yugoslavia to participate in the discussion. The Council considered the question in the course of seven meetings in the month of August 1948. On 13 August, the representative of Yugoslavia submitted a draft resolution (S/968) by which the Council would determine that a series of agreements concluded between the Allied Military Command and the Government of Italy were in contradiction to certain obligations undertaken by the Allied and Associated Powers and Italy under the Treaty of Peace with Italy; would declare these agreements incompatible with the status of the Free Territory of Trieste and therefore null and void; and would call upon the Governments of the United Kingdom and the United States to avoid any future action contrary to the Treaty.

On 19 August, the representative of the Ukrainian SSR submitted a draft resolution (S/980) to the effect that the Security Council considered it urgently necessary to settle the question of the appointment of the Governor of the Free Territory of Trieste.\*

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\* See item 6 above entitled Appointment of a Governor for the Free Territory of Trieste.

On 19 August, the Yugoslav draft resolution received 2 votes in favour (Ukrainian SSR, USSR), with 9 abstentions, and was not adopted. The Ukrainian draft resolution received 4 votes in favour (China, Syria, Ukrainian SSR, USSR), with 6 abstentions, and also failed of adoption. The United Kingdom did not participate in the voting.

In a communication dated 3 July 1952 (S/2692), the USSR delegation requested circulation of the texts of notes sent by the USSR Government to the Governments of the United States of America and the United Kingdom. These notes dealt with the understanding between the Governments of the United States of America, the United Kingdom and Italy, published on 10 May 1952, concerning participation by Italy in the administration of the Anglo-American zone of the Free Territory of Trieste.

#### 16. THE HYDERABAD QUESTION

By a cable (S/986) dated 21 August 1948, confirmed by a letter of the same date, the Secretary-General of the Department of External Affairs of the Government of Hyderabad communicated to the President of the Security Council his Government's request that the dispute which had arisen between Hyderabad and India be brought to the Council's attention, in accordance with Article 35, paragraph 2, of the Charter. On 8 September 1948, he communicated a decision (S/996) by the Government of Hyderabad to become a party to the Statute of the International Court of Justice.

By cable (S/998) dated 12 September 1948, the Government of Hyderabad requested that its complaint be put on the agenda as soon as possible, in view of Indian preparations for an imminent invasion of Hyderabad. Another cable (S/1000) of 13 September stated that the invasion was taking place and hostilities had broken out in various parts of Hyderabad. On 15 September, the Government of Hyderabad submitted a memorandum (S/1001) in support of its application to the Council.

The communications of 21 August and 12 and 13 September (S/986, S/998 and S/1000) were placed on the provisional agenda of the 357th meeting (16 September) held in Paris. At that meeting, the Council decided by 8 votes in favour, with 3 abstentions, to include the question in its agenda. Several representatives made the reservation that this action did not prejudice the Council's competence or any of the merits of the case. Having been invited to take places at the Council table, the representatives of Hyderabad and India made statements at that meeting. The discussion continued at the 359th meeting (20 September).

By communications dated 22 September (S/1011/Add.1), the Nizam of Hyderabad requested the Secretary-General to note that the complaint made by his Government to the Security Council had been withdrawn by him and that the delegation to the Security Council had ceased to have any authority to represent him or his State.

By note dated 24 September (S/1015), the Hyderabad delegation gave its views on the situation in Hyderabad and stated that it was imperative that the Security Council should meet to review the situation.

The Council considered these communications at the 360th meeting (28 September) and heard statements by the representatives of Hyderabad and India.

By letter dated 6 October 1948 (S/1027), the Minister for Foreign Affairs of Pakistan requested that Pakistan be permitted to participate in the discussion of the Hyderabad question.

By letter dated 11 October (S/1031), the Head of the Hyderabad delegation informed the President of the Council that he did not propose to ask that the delegation be represented at the next Council meeting on the question.

By letter dated 20 November 1948 (S/1084), the Minister for Foreign Affairs of Pakistan requested the Council to deal with the question at an early date.

On 24 November, the leader of the Indian delegation informed the President of the Council that the Indian delegation dealing with the Hyderabad question, which on 6 October in a communication to the then President had requested that the item be removed from the agenda, had been withdrawn (S/1089). At its 382nd and 383rd meetings (25 November and 2 December 1948), the Council discussed certain procedural questions.

By letter dated 6 December (S/1109), the Minister for Foreign Affairs of Pakistan requested that a meeting of the Council be called as soon as possible to enable it to deal with this question before its adjournment.

By letter dated 10 December (S/1115), the Government of India informed the Security Council that conditions in Hyderabad were peaceful and normal. In the circumstances, India did not propose to send a representative to the Council to discuss the Hyderabad question.

In a letter dated 12 December (S/1118), the Head of the Hyderabad delegation stated that it was clear that the Nizam was virtually a prisoner of the Indian military authorities. Under the circumstances, his delegation considered it to be its duty to reassert its authority as originally appointed.

In a letter (S/1124) dated 13 December, the representative of India transmitted to the President of the Council a report on the situation in Hyderabad. The report was made without prejudice to the question of the Council's competence.

At the 384th meeting (15 December), the representative of Pakistan was invited to participate in the discussion of this question. Further consideration was postponed until after the Council's return to Lake Success.

By letter (S/1317) dated 4 May 1949, the Minister for Foreign Affairs of Pakistan requested an early meeting to consider the situation.

The representative of India, in a letter (S/1324) dated 18 May 1949, submitted that the question should be removed from the agenda and requested an opportunity to state his Government's views more fully on the question of competence.

The Council heard statements by the representatives of India and Pakistan at the 425th and 426th meetings (19 and 24 May). To date, no further meeting has been held concerning the question.

17. IDENTIC NOTIFICATIONS DATED 29 SEPTEMBER 1948 FROM THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE UNITED KINGDOM AND THE UNITED STATES OF AMERICA TO THE SECRETARY-GENERAL

On 29 September 1948, the Secretary-General received identic notifications (S/1020) from the Governments of France, the United Kingdom and the United States of America drawing attention to the serious situation which had arisen as a

result of the imposition, by the Government of the Union of Soviet Socialist Republics, of restrictions on transport and communications between the Western Zones of Occupation in Germany and Berlin. The notifications stated that this action by the Government of the Union of Soviet Socialist Republics was contrary to its obligations under Article 2 of the Charter and created a threat to the peace within the meaning of Chapter VII of the Charter. The three Governments requested that the Security Council consider this question at the earliest opportunity.

The identic notifications were placed on the provisional agenda of the 361st meeting (4 October 1948), but the adoption of the agenda was opposed by the representatives of the Union of Soviet Socialist Republics and the Ukrainian Soviet Socialist Republic. After further discussion at the 362nd meeting (5 October) the agenda was adopted by 9 votes to 2, whereupon the representatives of the USSR and the Ukrainian SSR stated that the Council majority's adoption of this question for consideration constituted a violation of Article 107 of the Charter and that accordingly their delegations would not participate in the consideration of this question in the Security Council.

The Council considered these notifications at the 363rd and 364th (6 October) and at the 366th meetings (15 October). The President requested certain additional information and the Council adjourned until 19 October to allow an opportunity for the representatives concerned to prepare the information which was furnished at the 368th meeting (19 October) by the representatives of France, the United Kingdom and the United States.

At the 370th meeting (22 October), a draft resolution (S/1048) was submitted by the representatives of Argentina, Belgium, Canada, China, Colombia and Syria. The Council adjourned the discussion until 25 October.

At the 372nd meeting (25 October) the joint draft resolution (S/1048) was put to the vote. It received 9 votes in favour and 2 against (Ukrainian SSR, USSR) but was rejected since one of the negative votes was cast by a permanent member of the Council.

By letter dated 4 May 1949 (S/1316), the representatives of France, the United Kingdom and the United States informed the Security Council that their respective Governments had concluded an agreement with the Government of the USSR providing for the listing of restrictions on communications, transportation and trade with Berlin.

Since the 372nd meeting the Council has not discussed this item.

## 18. INTERNATIONAL CONTROL OF ATOMIC ENERGY

### (a) Introductory Note

General Assembly resolution 1(I) of 24 January 1946, which established the Atomic Energy Commission, directed the Commission to submit its reports and recommendations to the Council and stated that the Council should issue directions to the Commission in matters affecting security.

### (b) First report of the Commission.

By letter dated 31 December 1946 (S/239) the Chairman of the Atomic Energy Commission transmitted the Commission's first report to the Council, which began its consideration on 13 February 1947. On 18 February the representative of the USSR submitted amendments and additions (S/283) to the report. No substantive decisions were reached by the Council upon either the report or the proposed amendments and additions, but it was agreed unanimously (S/286) on 10 March to return the whole problem to the Commission with a request for the formulation of the specific proposals provided for in the General Assembly resolution.

### (c) Second report of the Commission

By letter dated 11 September 1947 (S/557) the Chairman of the Commission transmitted to the Council the Commission's second report. The Council did not place the consideration of that report on its agenda.

### (d) Third report of the Commission

By letter dated 26 May 1948 (S/812) the Chairman of the Commission transmitted the Commission's third report to the Council, which considered it at three meetings between 11 and 22 June. The United States submitted a draft resolution (S/836) under which the Council would have accepted the three reports of the Commission and approved the general findings and recommendations of the first report, the specific proposals of the second report and the "report and recommendations" of the third report. In the voting on 22 June the United States draft resolution received 9 votes in favour and 2 against (Ukrainian SSR and USSR), but as a permanent member voted in the negative the

resolution was not adopted. It was then resolved (S/852) by 9 votes, with 2 abstentions (Ukrainian SSR and USSR), to direct the Secretary-General to transmit to the General Assembly, as a matter of special concern, the Commission's three reports together with the records of the Council's deliberations.

(e) The Commission's resolutions of 29 July and the Council's resolution of 16 September 1949

By letter dated 29 July 1949 (S/1377) the Chairman of the Commission transmitted to the Council the texts of two resolutions (AEC/42 and AEC/43) adopted by the Commission on 29 July, which questioned the usefulness of further discussion in the Commission in the absence of a basis for agreement among the six permanent members. When the Council considered the matter on 15 and 16 September, two draft resolutions were introduced: a Canadian draft resolution (S/1386) proposing that the Commission's resolutions be transmitted to the General Assembly and a USSR draft resolution (S/1391/Rev.1) requesting the Commission to continue its work with a view to fulfilling the tasks entrusted to it by the General Assembly's resolutions of 24 January and 14 December 1946. The Canadian draft resolution, as amended by the Ukrainian SSR, was adopted by 9 votes with 2 abstentions (Ukrainian SSR and USSR). The USSR draft resolution was rejected by 2 votes in favour (Ukrainian SSR and USSR) with 9 abstentions.

(f) Dissolution of the Atomic Energy Commission and creation of the Disarmament Commission

Since 16 September 1949 the Council has not discussed the international control of atomic energy. The subject, however, has been considered in consultations among the six permanent members of the Commission, between 9 August 1949 and 19 January 1950; at the fifth session of the General Assembly; in the Committee of Twelve (established by resolution 496(V)); and at the sixth session of the General Assembly particularly in a sub-committee consisting of the President as Chairman and the representatives of France, the USSR, the United Kingdom and the United States. At that session by



resolution 502(VI) of 11 January 1950, the General Assembly, noting the recommendation of the Committee of Twelve that the Assembly should establish a new Commission to carry forward the task originally assigned to the Atomic Energy Commission and the Commission for Conventional Armaments, established under the Security Council a Disarmament Commission. The Commission has the same membership as the previous commissions and reports periodically, for information, to the Security Council and the General Assembly. Discussion of international control of atomic energy has since continued in that Commission and at the seventh and eighth sessions of the General Assembly in connexion with reports of the Disarmament Commission. In accordance with General Assembly resolutions 502(VI) and 704(VII) three reports of the Disarmament Commission (DC/17, dated 29 May 1952, DC/20, dated 13 October 1952 and DC/32, dated 20 August 1953) have been transmitted to the Security Council, but have not been discussed. Resolution 715(VIII) adopted by the General Assembly on 28 November 1953 requested the Commission to report again not later than 1 September 1954.

#### 19. COMPLAINT OF ARMED INVASION OF TAIWAN (FORMOSA)

In a cable dated 24 August 1950 (S/1715), addressed to the President of the Security Council, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China stated that on 27 June President Truman had announced the decision of the Government of the United States of America to prevent by armed force the liberation of Taiwan by the Chinese People's Liberation Army. The fact that Taiwan was an integral part of China was based on history and confirmed by the Cairo Declaration of 1943 and the Potsdam communiqué of 1945. It was the Council's duty to take immediate measures to bring about the complete withdrawal of all the United States invading forces from Taiwan and from other territories belonging to China. The representative of the United States replied in a letter dated 25 August (S/1716).

At its 504th meeting (28 August), the Security Council included the question in its agenda under the title "Complaint of armed invasion of Taiwan (Formosa)".

After rejecting at subsequent meetings several proposals dealing, inter alia, with the question of an invitation to a representative of the Central People's Government of the People's Republic of China, the Council, at its 506th meeting (29 September) voted on an Ecuadorian draft resolution (S/1823/Corr.1), inviting a representative of the Central People's Government of the People's Republic of China to attend the meetings of the Council held after 15 November 1950 during the discussion of that Government's declaration regarding an armed invasion of Taiwan (Formosa). Parts of the preamble and the entire operative part of the draft resolution were adopted in votes on the individual paragraphs. When the draft resolution was put to the vote as a whole (S/1836), 7 votes were cast in favour and 3 against (China, Cuba, the United States), with one abstention (Egypt). The representative of China maintained that the final provision of the draft resolution (paraphrased above) was a question of substance and that his vote against the draft resolution should be regarded as a veto.

At the 507th meeting (29 September), the President asked the Council to vote on the question whether it regarded the vote taken on the Ecuadorian draft resolution as procedural. There were 9 votes cast in the affirmative and one (China) against, with one abstention (Cuba). The President stated that the proposal that the Ecuadorian draft resolution should be regarded as procedural had been adopted. The representative of China drew attention to the provisions of the Declaration made on 7 June 1945 by the Four Powers which had sponsored the San Francisco Conference, and stated that, since he had voted in the negative, the proposal that the Ecuadorian draft resolution should be regarded as procedural had not been adopted. The President ruled that, notwithstanding the objection of the representative of China, the vote which the Council had taken on the Ecuadorian draft resolution was procedural. A vote was then taken on the challenge to the President's ruling. No votes were cast in favour of the challenge, none were cast against and there were no abstentions. Accordingly, the President's ruling stood.

At the 525th meeting (27 November 1950), the President proposed that the Security Council should consider together the items entitled "Complaint of armed invasion of Taiwan (Formosa)", and "Complaint of aggression upon the Republic of Korea". A USSR objection to the President's proposal was rejected.

In accordance with the Security Council resolution of 29 September, (S/1836), the representatives of the Central People's Government of the People's Republic of China attended the meetings at which the Council considered the two items together.

At the 530th meeting (30 November), the Security Council rejected the following two draft resolutions by similar votes of one in favour (USSR), 2 against, with one member (India) not participating in the voting.

(a) a draft resolution submitted on 2 September (S/1757) by the representative of the Soviet Union, providing, inter alia, that the Council should (i) condemn the action of the United States Government as an act of aggression and as an intervention in the internal affairs of China; and (ii) propose to the United States Government that it immediately withdraw all its air, sea and land forces from the island of Taiwan and from other territories belonging to China;

(b) a draft resolution submitted on 28 November (S/1921) by the representative of the Central People's Government of the People's Republic of China and sponsored by the representative of the Soviet Union, providing, inter alia, that the Council should (i) condemn the United States Government for its criminal acts of armed aggression against the Chinese territory of Taiwan; and (ii) demand the complete withdrawal by the United States Government of its forces of armed aggression from Taiwan, in order that peace and security in the Pacific and in Asia might be ensured.

At the same meeting, the Council voted on the draft resolution (S/1894) submitted jointly by Cuba, Ecuador, France, Norway, United Kingdom and the United States. In voting on the draft resolution as a whole, there were 9 votes in favour, and 1 against (USSR), with one member (India) not participating in the voting. The negative vote being that of a permanent member, the resolution was not adopted.

Since the 530th meeting the Security Council has not discussed this agenda item.

20. COMPLAINT OF BOMBING BY AIR FORCES OF THE TERRITORY OF CHINA

By a cable dated 28 August 1950 (S/1722), the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China informed the Secretary-General that, on 27 August, military aircraft of the United States forces in Korea had flown over Chinese territory on the right bank of the Yalu river, had strafed buildings, railway stations and railway carriages and had killed or wounded a number of people.

By a letter dated 29 August (S/1727), the representative of the United States of America informed the Secretary-General that the instructions under which air-craft were operating under the Unified Command in Korea strictly prohibited them from crossing the Korean frontier into adjacent territory. No evidence had been received to indicate that those instructions had been violated, but the United States would welcome an investigation on the spot by a Commission appointed by the Security Council.

By a cable dated 30 August (S/1743), the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China charged that United States military aircraft had again flown over Chinese territory, on 29 August, and had killed or wounded a number of people.

At its 493rd meeting (31 August), the Security Council included the question in its agenda under the title "Complaint of bombing by air forces of the territory of China".

After rejecting at its 499th meeting (11 September) a USSR proposal (S/1759) that a representative of the Chinese People's Republic be invited to its meetings, the Security Council considered the following draft resolutions:

(a) a USSR draft resolution submitted on 31 August (S/1745), which, after revision (S/1745/Rev.1), provided that the Council should, inter alia, condemn the illegal acts of the United States Government referred to in the above cables dated 28 and 30 August, and call upon the United States Government to prohibit such acts;

(b) a United States draft resolution submitted on 1 September 1950 (S/1752), providing, inter alia, for the establishment of a Commission composed of the two representatives, one appointed by the Government of India and one by the Government of Sweden, to investigate the allegations contained in the above cables dated 28 and 30 August.

The two draft resolutions were put to the vote at the 501st meeting (12 September). There were 7 votes in favour of the United States draft resolution, one against (USSR), with 2 abstentions (India, Yugoslavia) and one member (China) not participating. It was not adopted, the vote against being that of a permanent member. The USSR draft resolution was then rejected by 8 votes to one (USSR), with one abstention (Yugoslavia) and one member (China) not participating.

By a letter dated 2 October 1950 (S/1832), the representative of the United States informed the Secretary-General that a detailed investigation of the charges in the communications dated 28 and 30 August had disclosed that two aircraft of the United Nations Command had by mistake flown over the territory of China and fired on an airstrip near Antung. The investigation had corroborated none of the other alleged violations.

Since the 501st meeting the Security Council has not discussed this agenda item.

21. COMPLAINT OF FAILURE BY THE IRANIAN GOVERNMENT TO COMPLY WITH  
PROVISIONAL MEASURES INDICATED BY THE INTERNATIONAL COURT OF  
JUSTICE IN THE ANGLO IRANIAN OIL COMPANY CASE

a. Inclusion of the item in the agenda

On 26 May 1951, the United Kingdom instituted proceedings in the International Court of Justice against Iran in connexion with the application of the Agreement of 1933 between the Imperial Government of Persia and the Anglo-Persian Oil Company, Limited. A court order dated 5 July 1951 (S/2239), issued at the request of the United Kingdom, granted interim measures of protection in accordance with Article 41 of the Statute of the Court. The order stated, inter alia, that the indication of such measures in no way prejudged the question of the jurisdiction of the Court to deal with the merits of the case but was intended to preserve the respective rights of the parties pending the Court's decision.

In a letter dated 28 September 1951 (S/2357), the deputy permanent representative of the United Kingdom requested the President of the Security Council to place on the provisional agenda the item: "Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company case". He enclosed a draft resolution (S/2358) providing, inter alia, that the Council (1) call upon the Government of Iran to act in all respects in conformity with the provisional measures indicated by the Court and in particular to permit the continued residence at Abadan of the staff affected by the recent expulsion orders or the equivalent of such staff, and (2) request the Government of Iran to inform the Council of the steps taken by it to carry out the resolution.

The matter was taken up at the 559th meeting (1 October 1951), when the Council decided, by 9 votes to 2 (USSR, Yugoslavia) to include the question in its agenda. The representative of Iran was then invited to participate in the discussion.

b. Discussion by the Security Council

The Security Council discussed the question in a series of meetings held during the month of October 1951. In the course of the discussion, the representative of the United Kingdom submitted in turn two revisions (S/2358/Rev.1 and 2) of the draft resolution sponsored by his delegation, the second revision incorporating amendments (S/2379) submitted jointly by India and Yugoslavia. Under the second revision, the proposal called for (1) the resumption of negotiations at the earliest practicable moment in order to make further efforts to resolve the differences between the parties in accordance with the Purposes and Principles of the Charter; and (2) the avoidance of any action aggravating the situation or prejudicing the positions of the parties.

On 17 October, the representative of Ecuador submitted a draft resolution (S/2380) under which the Council, without deciding on the question of its own competence, would advise the parties concerned to reopen negotiations as soon as possible with a view to making a fresh attempt to settle their differences in accordance with the Purposes and Principles of the Charter.

After further discussion, on 19 October, the Security Council adopted, by 8 votes to one (USSR), with 2 abstentions (United Kingdom, Yugoslavia), a French motion to adjourn the debate until the Court had ruled on its own competence in the matter.

(c) Judgment of the International Court of Justice

On 19 August 1952 the Secretary-General communicated to the members of the Security Council for their information a copy of the judgment of the International Court of Justice, given 22 July 1952, in which the Court by 9 votes to 5, found that it had no jurisdiction in the case (S/2746). It was noted that the Court's Order of 5 July 1951 indicating Provisional Measures of Protection in the Anglo-Iranian Oil Company case (S/2239) ceased to be operative upon delivery of this judgment and that the Provisional Measures lapsed at the same time.

22. QUESTION OF AN APPEAL TO STATES TO ACCEDE TO AND RATIFY  
THE GENEVA PROTOCOL OF 1925 FOR THE PROHIBITION OF THE  
USE OF BACTERIAL WEAPONS

On 14 June 1952, the representative of the USSR submitted a draft resolution (S/2663) calling on the Security Council to appeal to all States, Members and non-members of the United Nations, which had not ratified or acceded to the Protocol for the prohibition of the use of bacterial weapons, signed at Geneva on 17 June 1925, to accede to and ratify the Protocol.

The Council included the item in its agenda at the 577th meeting (18 June 1952). At that meeting the representative of the United States proposed that the USSR draft resolution be referred to the Disarmament Commission.

At the 583rd meeting (26 June 1952) the USSR draft resolution (S/2663) failed of adoption, the vote being one in favour (USSR), with 10 abstentions.

In view of this decision, and noting that the question of the control and elimination of weapons of mass destruction was under discussion in the Disarmament Commission, the representative of the United States withdrew his proposal.

Since the 583rd meeting the Council has not discussed this item.

23. QUESTION OF A REQUEST FOR INVESTIGATION OF ALLEGED BACTERIAL WARFARE

On 20 June 1952, the representative of the United States submitted a draft resolution (S/2671) under the terms of which the Security Council, noting, inter alia, the concerted dissemination by certain governments and authorities of grave accusations charging the use of bacterial warfare by United Nations forces and recalling that the Unified Command had immediately denied the charges and requested that an impartial investigation be made of them, would request the International Committee of the Red Cross to investigate the charges and to report the results to the Security Council.

The Council included the item in its agenda at the 581st meeting (25 June 1952).

At the 585th meeting (1 July 1952) a USSR draft resolution (S/2674/Rev.1) calling for invitations to representatives of the People's Republic of China and a representative of the Korean People's Democratic Republic to attend the meetings of the Council at which the item was discussed, was rejected by 10 votes to one (USSR).

At the 587th meeting (3 July 1952) the United States draft resolution (S/2671) was put to the vote. The vote was 10 in favour and one against (USSR). Since the negative vote was cast by a permanent member of the Council, the draft resolution was not adopted.

At the same meeting the representative of the United States submitted a draft resolution (S/2688) under the terms of which the Security Council, noting, inter alia, that by reason of the negative vote of the USSR the Council was prevented from arranging for an impartial investigation of the charges in question, would (1) conclude that these charges must be presumed to be without substance and false and (2) condemn the practice of fabricating and disseminating such false charges.

At the 590th meeting (9 July 1952) the United States draft resolution (S/2688) was put to the vote. The vote was 9 in favour, one against (USSR) and one abstention (Pakistan). Since the negative vote was cast by a permanent member of the Council, the draft resolution was not adopted.

Since the 590th meeting the Council has not discussed this item.