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President: Mr. Eelco N. VAN KLEFFENS
(Netherlands).

AGENDA ITEM 3

Appointment of a Credentials Committee

FIRST REPORT OF THE CREDENTIALS COMMITTEE
(A/2752)

1. The PRESIDENT (*translated from French*): I think the Assembly can waive the formal submission of the report of the Credentials Committee, which is now before it. All representatives have had an opportunity of examining this report and it seems to me that we can proceed to consider without further delay the draft resolution recommended by the Committee.
2. I have received a request that the Assembly should vote first on the credentials of the representatives of China. I will, therefore, ask the Assembly to take a decision, first, on the proposal implicit in the recommendation made in the report, namely, that the Assembly should accept the credentials of the delegation of China, together with those of all the other delegations.
3. I therefore call upon the Assembly to vote on acceptance of the credentials of the representatives of China.

A vote was taken by show of hands.

4. The PRESIDENT (*translated from French*): I understand that the representative of India has asked to speak on a point of order. According to rule 90 of the rules of procedure, "after the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting". Accordingly, before announcing the result of the vote, I call upon the representative of India.

5. Mr. MENON (India): I raised a point of order so as to be able to express our opinion on the vote on China. But by the time I raised the point of order, the President had put the question to the vote, and naturally I could not raise it then. Therefore, I reserve my right to speak about this matter when I explain my vote.

The credentials of the representatives of China were accepted by 35 votes to 9, with 3 abstentions.

6. Mr. MENON (India): The General Assembly has just now approved the acceptance of the credentials of China and, therefore, the granting of permission to those who have submitted their applications to sit here as representatives of China. We voted against it and would have spoken against it if the vote had not come so quickly. I do not for a moment suggest that the President had no authority to do so.

7. The position of the Government of India on this matter is well known. We do not regard those to whom these credentials have been granted as representing China. We consider this to be against the provisions of Article 3 of the Charter. Rule 27 of the rules of procedure states:

"The credentials of representatives, and the names of members of a delegation shall be submitted to the Secretary-General if possible not less than one week before the date fixed for the opening of the session. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs."

Those credentials which have now been accepted could not have been issued by the Head of a State because there is no State known as Formosa. There is no government and there is no minister for foreign affairs which we would recognize.

8. If it is the view of the President that, owing to the resolution passed some time ago [473rd meeting] the Credentials Committee was not entitled to consider this question, then, so far as the Credentials Committee is concerned, this is a violation of rules 27, 28 and 29 of the rules of procedure. If we are not entitled to discuss the question of China, then the Credentials Committee's report should not have been brought up here at all, because the position of China is involved in that report. The resolution stated that the General Assembly would not discuss the position of China until the end of the calendar year.

9. The Credentials Committee's report asks us to express our views on China. Therefore, the Assembly is asked by the President, if that ruling is correct, to consider something which he has been asked not to consider. Consequently, I am entitled to accept one or the other of the President's rulings and, in conformity with the opinions of the Government of India, I accept his latter ruling. In view of that latter ruling,

we make this protest against the acceptance of these credentials and explain our vote against it.

10. The PRESIDENT (*translated from French*): I take note of the statement just made by the representative of India.

11. Mr. Yakov MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): The representative of the Soviet Union in the Credentials Committee objected and voted against recognizing the credentials we are now discussing.

12. The USSR delegation maintains its objection and has voted against accepting these credentials on the grounds that only a delegation of the People's Republic of China has the full legal right to represent China and the great Chinese people in the United Nations.

13. The USSR delegation associates itself fully with the considerations advanced by the preceding speaker—the Indian representative, Mr. Menon.

14. The PRESIDENT (*translated from French*): The statement just made by the representative of the Soviet Union is noted.

15. If no other representative wishes to speak, I shall call upon the Assembly to vote on the draft resolution contained in the report of the Credentials Committee [A/2752].

The draft resolution was adopted by 45 votes to none, with 8 abstentions.

AGENDA ITEM 8

Adoption of the agenda (*continued*)

FOURTH REPORT OF THE GENERAL COMMITTEE (A/2758)

16. The PRESIDENT (*translated from French*): The fourth report of the General Committee concerns three requests for the inclusion of additional items in the agenda. The General Committee has decided to recommend to the General Assembly the inclusion of the item proposed by the Czechoslovak delegation, which was the first request before the General Committee. In this connexion, I wish to inform the members of the General Assembly that a debate took place in the General Committee on whether the *Ad Hoc* Political Committee was the appropriate committee to which this item should be referred. I think I am expressing the views of the General Committee when I say that a recommendation to refer the item to that Committee was made on the understanding that it is always open to the General Committee to recommend the transfer of one or more items from the agenda of one Committee to that of another in the course of a session whenever such a step is considered to be in the interest of the Assembly's work.

17. Representatives will no doubt recall that, under rule 23 of the rules of procedure, debate on the inclusion of an item in the agenda is "limited to three speakers in favour of and three against the inclusion". Do any representatives wish to comment on the General Committee's recommendations concerning the item proposed by Czechoslovakia?

18. In the absence of any such comment, I think that we may consider the General Committee's

recommendation for the inclusion of this item in the Assembly's agenda as adopted.

It was so decided.

19. The PRESIDENT (*translated from French*): With regard to the second and third items considered by the General Committee, the General Committee decided to postpone for fourteen days its consideration of their inclusion in the agenda. These two items will therefore come before the General Committee again on 12 November.

20. I accordingly propose that the Assembly should vote on the General Committee's decisions as set out in its report.

21. Before proceeding with the vote, I call upon the representative of the Soviet Union.

22. Mr. VYSHINSKY (Union of Soviet Socialist Republics) (*translated from Russian*): I apologize, Mr. President, for interrupting you as you were about to call for a vote, but since you yourself have indicated that there could be speakers "for" and "against", I took it that we could still have an exchange of views.

23. One of the questions which remain to be settled by the General Assembly was raised by the Soviet Union earlier; that is the question of the violation of the freedom of navigation in the area of the China seas.

24. We know that the General Assembly has already considered the question of including our proposal in the agenda [492nd meeting] and that it decided to postpone the further consideration of the question for a few days. Enough time has elapsed for us to say that the General Assembly's decision has been carried out. In fact, nearly two weeks have gone by, but the situation in the area of the China seas has not changed; the attacks on merchant vessels, which we have quite properly described as acts of piracy, still continue, and constitute a gross violation of one of the most important principles of international law—the principle of the freedom of commercial navigation and the freedom of navigation on the high seas in general. As we see it, the General Assembly cannot possibly ignore these facts and remain indifferent to such a gross violation of the freedom of navigation in the area of the China seas.

25. We were told earlier that it was advisable to postpone the question of including this item in the agenda because the French Government was exercising its good offices in an endeavour to obtain from the Chiang Kai-shek group the release of the Soviet tanker *Tuapse* and its crew. We were told that negotiations were going on and that until they had been completed it would be inadvisable to intervene in the matter.

26. On that occasion we pointed out that the argument was invalid and specious. After all, we were not speaking merely of the tanker *Tuapse*, but of systematic acts which are nothing else than piracy, of violations of international law, of crimes committed against a whole series of merchant vessels of a number of different States. In this connexion, I might mention two Polish merchantmen—*Prezydent Gottwald* and *Praca*, which were seized by the Kuomintang naval forces, one on 13 May 1954 and the other on 4 October 1953. I should mention Danish and British vessels, for a number of countries have suffered such acts. We are naturally not taking it upon ourselves to defend the interests of other countries, but we deem it our duty to go beyond defending the interests of our own coun-

try and of our friends and to fight for the observance of international law.

27. We are surprised by the attitude of some representatives who coolly propose that the question should be postponed time and time again. One member of the General Committee, anxious to find some justification for the unlawful actions of his masters, went so far as to propose that the question should be adjourned *sine die*. The Committee rejected his proposal and decided to postpone the consideration of the question for two weeks. I am not sure that in two weeks' time—on 2 November, as the President said—the question will not be postponed for another two weeks, and then for two weeks more; and all the while these pirates, these sea-robbers, will continue their operations.

28. On 16 October, according to a United Press dispatch from Tokyo, Radio Peking announced that Shanghai coastal radio stations had received a message from the British merchant vessel *Inchshield* saying that it had been intercepted by Chiang Kai-shek's naval forces on Friday and told not to sail for the port of Shanghai. The dispatch says further that the ship was captured north of the island of Formosa, where these gentry are ensconced. It is most peculiar and improper for us, in the face of these facts, to continue postponing our discussion of these questions, as that can only mean that we consider them neither very important nor very urgent.

29. Consequently, although we did not agree either with the General Committee's decision of 5 October [95th meeting] or with the General Assembly's decision to postpone the consideration of this question for a few days, we asked the General Committee to place it tentatively on the agenda of the ninth session of the General Assembly. Since several days have now elapsed, and since we have waited faithfully, without troubling anybody or clamouring for the consideration of this question, we now insist that the question be at last included in the agenda. We insist all the more as in the General Committee I asked the French representative, Mr. Hoppenot, directly whether he could inform us of the results of the negotiations being carried on, through the good offices of France, with that group of people about the release of the tanker *Tuapse*. I repeat, the issue is not confined to the fate of this one tanker. Incidentally, we have information that the crew of this ship, like the crews of other ships, are being subjected to violence in an effort to force them to ask for asylum and to induce them, for example, not to return to their own country.

30. In the circumstances it is obvious that each additional fortnight facilities the commission of such illegal acts. For this reason, we could not accept the proposal, submitted in the General Committee on 19 October [96th meeting], that the question should be again postponed for two weeks.

31. We protest against such a decision, because it is wrong, unjust, entirely unjustified, and, I would say, unworthy of us, who should have at least a modicum of respect for our own Charter, for the principles which are set forth in it and which are now being openly and brazenly violated.

32. As regards the second question, it is a new item which we also asked to be included in the General Assembly's agenda. It is an item entitled "Acts of

aggression against the People's Republic of China and responsibility of the United States Navy for those acts".

33. Permit me to explain briefly the facts and considerations underlying our proposal. We consider that, as a result of the termination of the war in Korea and the restoration of peace in Indo-China, favourable conditions have been created for the settlement of a number of other unsolved international problems and for further relaxation of international tension. This is true not only of Europe, many of whose States, including the Soviet Union, have been working very hard in recent months, but also of Asia and the Far East, where problems important from the point of view of maintenance of peace in that region and therefore of the greatest significance to the maintenance of world peace still remain unresolved.

34. One of these important problems is that of Taiwan, which, in violation of existing international agreements, and of the sovereign rights of China, the People's Republic of China—suffice it to mention the Cairo Agreement—was occupied by the United States armed forces and is still under their military control.

35. We have been told that the United States does not exercise any such control and in general has nothing to do with the matter, but that is clearly refuted by the facts—for example, by the statements of outstanding personalities such as the former naval chief Admiral Spaatz, Senator Sparkman, member of the Senate Foreign Relations Committee, and lastly Mr. Dulles, who back in April 1953 said that the United States Seventh Fleet would continue to control the Taiwan area and who motivates such action by the need to defend the island against the army of the People's Republic of China. Mr. Dulles said that the United States Seventh Fleet would not prevent the Kuomintang from attacking China. That alone shows clearly enough what we have to deal with. Admiral Radford also stated that the Seventh Fleet would not stop any raids Chiang Kai-shek might wish to make on the mainland. But if the United States Seventh Fleet will not stop Chiang Kai-shek from making organized raids on the mainland, on China, on the Chinese people, on the People's Republic of China, it thereby assumes responsibility for such raids, especially since there are no other naval vessels or armed forces in that area that could rival the forces protecting the interests and the welfare of the men who have established themselves in Formosa.

36. Senator Sparkman, whom I have mentioned, also declared that the Nationalist Chinese forces, as he called them, operating in Formosa must be permitted to make raids on continental China. But someone who intends to permit something must have the power to do so, must be in control of activities in the area. He must have control of the region before he is able to permit or forbid any kind of action. Control involves responsibility. The responsibility for all the illegal acts committed against the People's Republic of China naturally rests with those who tolerate them when they could prevent them; who permit them when they could forbid them; who hold the power in the area and are able to do as they choose. In this case, they choose to abet and encourage acts of aggression against the People's Republic of China.

37. I feel that these facts are amply sufficient, and that I need not enumerate all the many acts of ag-

gression that have taken place. There is no need for me to cite such facts as the patrolling and so-called reconnaissance operations of the United States Navy in Chinese territorial waters from Swatow in the Kwangtung province in the south up to Tsingtao in the Shantung province in the north, or its occupation of the ports of Kao-hsiung and Keelung in Taiwan and of the Pescadores islands and a number of other islands which are an integral part of the People's Republic of China, the only country which may exercise sovereign rights over this territory.

38. It is quite obvious that all such acts are in gross contravention of the basic principles of the United Nations, which in its Charter has confirmed the sovereign rights of States in respect of their territories.

39. I think I need not expound further; it is clear from the facts I mentioned earlier concerning the continuing diversionary acts and acts of aggression against the People's Republic of China that there is every reason to include the question in the agenda of the ninth session.

40. I therefore wish to say that we cannot agree to postponement of the question even for two weeks. A postponement of two weeks in this case would amount to a repetition of the practice of the majority in the General Committee, the practice of postponing all the important and acute questions which require settlement.

41. Incidentally, many representatives have said that we must be grateful for the easing of international tension, and must not raise questions which might complicate international relations, as the mere discussion of such questions might adversely affect the political atmosphere and cause further irritation and deterioration of international relations.

42. It seems to me that these arguments are quite unfounded. Whether the tension increases or eases will not depend on the discussion of given questions, even acute questions; it will depend on the existence of certain facts which add to the tension and prevent its relaxation. If these facts did not exist or if they were related to bygone times, then of course, to summon up these shades of the past and to begin a discussion of questions involving mutual reproaches and recriminations would be unwise and prejudicial to our task of continuing the process of relaxing international tension which, fortunately for us all, has already begun.

43. But when it is a matter of the facts of today, when today acts are being committed which in themselves not only prevent the tension from being eased, but increase it, then it is our duty not to keep silent, not to drive the disease down inside. On the contrary we must discuss all these questions conscientiously, objectively and calmly, and take measures to put an end to these facts and to prevent their recurrence. It is not the discussion of evil and dangerous facts but the facts themselves that are prejudicial to peace, friendship, co-operation and an improvement in the political atmosphere.

44. The argument that, once there has begun an easing, a relaxation, of international tension, it would be inadvisable to raise certain questions, even though they require consideration by the General Assembly, is wrong and specious. We must not prevent the possibility of an objective and fair discussion of these questions and condemnation of these facts, but en-

deavour to see that the facts do not exist. This is my delegation's aim in urging the General Assembly to include this question in the agenda, so that we may at the proper time discuss these facts—quite objectively, I hope—and take a decision in accord with the Charter and its principles, with the dignity of the General Assembly and of the entire United Nations, and with the task of strengthening peace—a real strengthening and not a strengthening on paper only—and of eliminating all tension in international relations.

45. That is why we wish this question to be included in the agenda at this time and object to its postponement for another two weeks. Our delegation will not tire in its efforts to have this question included in the agenda because the facts which are now aggravating the political situation, and which are being used to their own advantage by those who are against maintaining friendly relations and who base their policy on a weakening of friendship and increasingly strained international relations, can no longer be tolerated and should not have been tolerated in the past. This is not our way, and we urge the General Assembly not to follow it.

46. One of the measures which would allow the General Assembly not to follow this way would, of course, be to ask the General Committee to include this question in the agenda at once, and not to postpone consideration of it, even for another two weeks.

47. The PRESIDENT (*translated from French*): I should perhaps draw the attention of representatives to the fact that the second and third paragraphs referred to in the General Committee's report which the Assembly is now considering are still before the General Committee and are not yet under discussion in plenary.

48. Mr. TSIANG (China): I would like to speak very briefly on paragraphs 2 and 3 of the report of the General Committee. Paragraph 3 is an item submitted by the Soviet Union entitled: "Violation of the freedom of navigation in the area of the China seas". In regard to this item, the General Committee recommended a postponement of two weeks. This suggestion for postponement of two weeks was made by the French delegation. I myself also requested postponement. Why do we ask for postponement of this item? During recent years, as is well known, the Chinese Communists have pushed their rebellion to a very high degree. We continue to try to put down this rebellion. One way is to seize the shipping of the Chinese Communists along the coast. That is not an international question. Secondly, we have tried to prevent the shipping of arms and strategic materials to the Chinese Communists. We have tried to achieve that purpose strictly within the limits of international law. Naturally, in matters of this kind, not only at this time but in all previous cases of a similar kind, Governments' opinions differ, conflict arises, incidents occur and cases of dispute arise. Where such incidents or cases arise it has been the consistent policy of my Government to treat each case by itself. Wherever representations have been made to my Government complaining about some act of our naval forces, we have always agreed to negotiate, and up to the present moment 90 per cent of such cases have been settled through negotiation. We have chosen this method because no two cases are alike; each case has its peculiar circumstances. I believe that that is the most efficient way in which law and justice can be carried out.

49. Because my Government has adopted the policy of negotiation in the individual case as it occurs, we gladly accepted the offer of the good offices of the French Embassy in my country to take up the case of the Soviet Union ship *Tuapse*. When the General Assembly discussed this question [492nd meeting], I informed it that my Government was carefully considering the offer of the French good offices. Since then, the French good offices have been accepted and after such acceptance, the chargé d'affaires in my country told my Government that he would wish to have the instructions of his Government on procedure. Later, he came back and told my Government that his first wish would be to visit the crew of the ship in order to learn about the present conditions under which the men were living. On 18 October, the French chargé d'affaires, accompanied by agents of my Government, was able to talk with all the members of the crew; and I hope that the French delegation here will soon receive a report and circulate it among representatives in the General Assembly.

50. Now, I believe that that is the wisest procedure and the best way to get results. If anyone wants propaganda, if anyone wants to heighten international tension, let him go ahead and have more debates. But if we wish to have a settlement of international differences, the method in which we have proceeded is the best.

51. The Soviet Union representative, from this rostrum, quoted some news agency or radio message to the effect that only yesterday, or the day before, my Government interfered with some ship. He gave the General Committee the same hearsay information. I took the trouble to inquire of my Government whether any recent incident of that kind had occurred. Only this morning I received my Government's reply that it was all pure fabrication; no such incident had taken place.

52. It is for these reasons that my delegation still believes that postponement is the best course to follow in dealing with this matter.

53. Another item has been proposed for inclusion in the agenda of the General Assembly, an item concerning so-called acts of aggression against the People's Republic of China. The General Committee also decided to postpone consideration of this question. This item, proposed by the Soviet Union delegation, is based entirely on a falsehood. The Soviet Union claims that the United States has seized the Island of Taiwan. That is just fantasy. There are no United States military bases on the Island of Taiwan. The United States has not occupied a single inch of territory or a single harbour or port. There are, on the Island of Formosa, no United States Army combat units whatever. My Government functions on the Island as freely as any other sovereign government in the world, without any interference, military or otherwise, from the United States, or from any other country. To say that the United States has seized the Island of Formosa is almost as fantastic as to accuse China of occupying Manhattan Island. As a matter of fact, there are more Chinese on Manhattan than there are Americans on the Island of Taiwan.

54. When the serious matter of an item for discussion by this body is based entirely on such a falsehood, I feel that it amounts almost to the degradation of this institution. Therefore, in the General Com-

mittee, I myself favoured merely throwing the item out.

55. There are other matters connected with that Soviet Union experiment. The representative of the Soviet Union, in the speech which he has just made, spoke of recent hostilities along the coast. Yes, there has been some amount of fighting along the coast. And it is true that all freedom-loving Chinese would like to overthrow the Communists and put them out. But, as a matter of fact, the recent fighting began on 3 September, with the Communist pouring shells on the Island of Quemoy held by my Government, and my Government started to retaliate against those bombardments. We have sent a few aircraft to destroy the batteries on the opposite shores. That is an act of retaliation; that is an act of self-defence, and for such acts of self-defence no self-respecting government or people needs the prompting or the instigation or the encouragement of any other government whatsoever. To say that these hostilities on the Coast constitute acts of aggression on the part of the United States is stretching the imagination too far.

56. I am in favour of throwing this item into the wastepaper basket. But, since the General Committee has recommended postponement, I think that that is the next best procedure.

57. Sir Pierson DIXON (United Kingdom): We have been discussing the second and third additional items suggested for inclusion in the agenda, according to document A/2758. I should like to make some remarks about the item entitled "Acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts: item proposed by the Union of Soviet Socialist Republics", because it was my delegation which was responsible for the proposal, accepted by 12 votes to 2 in the General Committee, that consideration of the inclusion of that item in the agenda should be postponed for fourteen days.

58. As Mr. Lloyd said in the Committee, it is clear from the phraseology of the Soviet Union item, memorandum, and draft resolution [A/2756] that this is a cold war item. One cannot hurl accusations of aggression about and expect that debate will be calm. One cannot expect that it will produce a helpful atmosphere. Her Majesty's Government in the United Kingdom is in favour of a different approach. We consider that differences should be settled calmly and by non-propagandist methods, and I think we have proved well enough our sincerity in holding this view and, indeed, in demonstrating that this is the better course. We cannot see how an item of the nature set down by the Soviet Union as item 2 could lead to any desirable result or help to reduce tension in the Far East.

59. My delegation therefore regrets the Soviet action, and regrets it all the more at a time when we are all working hard in the First Committee to make progress and to get an agreed resolution on disarmament. In order to prevent any unnecessary disturbance of the reasonably favourable atmosphere which has surrounded the discussion of the question of disarmament, Mr. Lloyd proposed in the General Committee on 19 October that there should be a postponement of this item for fourteen days. A large majority of the General Committee agreed with this view, and it is my hope that the Assembly will see fit to endorse it clearly today. If, of course, Mr. Vyshinsky could agree not to press

to a vote his arguments against the General Committee's decision, that would be even better.

60. Mr. LODGE (United States of America): As regards paragraph 3 in the report of the General Committee, concerning the *Tuapse* incident, the United States voted to postpone that for the very good reason that we understand that the good offices which are in progress through the representative of France in Taipei are producing results and hold out a good prospect of success. Certainly it is entirely within the spirit of the United Nations Charter to give every opportunity for those good offices to succeed.

61. As regards item 2, the charge against the United States Navy—of all things!—I listened very carefully to what the Soviet Union representative said in the General Committee. What he said here today was practically identical—and nowhere was there one single scintilla of proof. He cited as proof the following.

62. First, he cited a newspaper quotation from an article written in *Newsweek* by General Spaatz, a retired General—not an Admiral, by the way—a fine man, a splendid American, and a good friend of mine. But General Spaatz does not speak for the United States Government—and, of course, he does not claim that he does. He is a retired General who is writing magazine articles.

63. The representative of the Soviet Union also cited as proof a statement by an individual Senator. Certainly, no man respects the Senate and individual Senators more than I do. But I know of no Senator who would claim that, as an individual Senator, he speaks for the United States Government.

64. Those are two of the three so-called facts. The third was a quotation from Secretary Dulles. Now Secretary Dulles does speak for the United States Government. But the quotation that was given by the Soviet Union representative is totally unrelated to the point which he was trying to make and in no way, by any stretch of the imagination, indicates that the United States Navy is committing aggression on the Island of Formosa, or in that area—or anywhere else in the world, for that matter.

65. That is the technique that we have seen here. I saw it first when I came here in 1950. It is what I have called the "scrapbook technique"—taking scissors and cutting clippings out of newspapers and then coming here and reading them in a solemn voice, as though they were official utterances by the United States Government—totally, continuously, persistently ignoring the fact that, while the magazines and the press in the Soviet Union are the voice of the Soviet Government, the magazines and the newspapers in this country are not the official voice.

66. There is no use in my wasting the time of the Assembly by commenting on the falsity of these charges against the United States, and certainly there is no use in taking up the time of the Assembly to characterize the spirit which motivated the charges. Both the falsity and the motivation are authentic examples of the way in which the world has come to expect the Soviet Union representative to act here, year after year. As Mr. Lloyd so well said, this is a typical cold war item—if anything, more obvious than the usual ones are. In fact, this item is a hardy perennial—if I may use the words of agriculture. A similar item was brought here in 1950. It was introduced in the Security Council [493rd meeting]

by the Chinese Communists, and it was introduced at the fifth session of the General Assembly by the Soviet Union [item 75]—and I may add that it was decisively defeated in both places. Now they have taken this old thing off the shelf, and they have dusted it off and polished it up, and they are trying to present it to you again.

67. The fact that the introduction of this subject by the Chinese Communists and the Soviet Union in 1950 turned out to be the prelude to aggression in Korea—of which, incidentally, the Chinese Communists still stand convicted—understandably can justify every one of us here in asking this question: Is the revival of this subject today also intended to hide a plot to commit further aggression? Yes, that is something we can all ponder.

68. The United States is sure that the gross inaccuracy of this latest Soviet charge is clear to everybody and that its purpose will become clear as the debate progresses. We in the United States do not object—we did not object the other day in the General Committee, and we do not object now—to placing this matter on the agenda. When it became evident that a majority of the General Committee wanted to postpone this item, in order to avert the possibility of increasing world tension—that world tension which, of course, this item was designed to create—we had no objection to it, and therefore we went along with the proposal for postponement. But let us make it clear that we are not running away from anything. We have an absolutely clear and clean record, and we welcome a debate on this whole subject, because we know that our record is good and that these accusations are untrue.

69. Mr. HOPPENOT (France) (*translated from French*): The General Committee's decision to recommend to the Assembly that consideration of the item entitled "Violation of the freedom of navigation in the area of the China seas" should be postponed for fourteen days was taken on the basis of a proposal by my delegation, and I therefore beg leave to explain briefly the reasons for our action.

70. As representatives no doubt recall, the General Committee decided on 4 October and the General Assembly on 6 October to postpone consideration of this question for a few days. The main reason for this postponement was that the French Government had, at the request of the Soviet Union, offered its good offices in settling the incident of the seizure of the tanker *Tuapse*, and it seemed normal that, while French representatives were engaged in these negotiations at Formosa, all discussion of this question should be deferred.

71. I may say that the intervention of the French representative in Formosa was received with good will and alacrity by the Chinese Government. Our chargé d'affaires was given every facility requested to visit the ship, talk to the crew, and satisfy himself that all its members were being treated in accordance with the normal usages and rules of the law of nations. Negotiations for the settlement of this seizure are still in progress; and although I cannot say at what rate, the conditions under which they are proceeding seem encouraging and to be making for a speedy settlement. At all events, they have not yet been concluded.

72. When this question again came before the General Committee two days ago as a result of the initiative taken by the Soviet delegation, we found ourselves

confronted with two different proposals, a proposal by the USSR requesting the immediate inclusion of this item in the agenda; and a proposal by China requesting, on the contrary, the indefinite adjournment of its consideration. As I pointed out to the General Committee, such indefinite adjournment would, in fact, have been tantamount to a *sine die* adjournment and perhaps even to shelving the question altogether. Now, the French delegation—and this, I believe, also applies to the majority of the members of this Assembly—has no wish to decline the Soviet Union's request for the inclusion and discussion of the item it has proposed. It is merely seeking to ensure that its request is met in such a manner that it does not prejudice the settlement of the question.

73. By way of compromise between the two opposed positions, the French delegation accordingly proposed that, as had just been decided with regard to another similar item, consideration of the question should be postponed for fourteen days, which might give sufficient time for the talks in progress at Formosa, if not to lead to some result, at least to ready a sufficiently encouraging stage so that the consideration of the inclusion of the item and its discussion could not have a detrimental effect on their outcome. The General Committee adopted the French proposal by a considerable majority. May I now express the hope that the Assembly will endorse that decision today?

74. Mr. SKRZESZEWSKI (Poland) (*translated from Russian*): The Polish delegation wishes to draw the General Assembly's attention to two questions—paragraphs 2 and 3 of the report of the General Committee.

75. First, it is our sincere conviction that the General Committee's decision to defer consideration of the Soviet proposal concerning the acts of aggression against the People's Republic of China is basically wrong. We are deeply convinced that this question must be included in the agenda at once. The Polish delegation does not agree with the representatives of the various delegations who have spoken here against including the item in the General Assembly's agenda, nor with their arguments.

76. We feel that there is no ground for the belief that the inclusion of this item in the agenda will add to international tension. On the contrary, the inclusion of the item in the agenda and a calm, objective discussion of it will only benefit the international atmosphere, and that is why we maintain that the General Assembly should decide to include the item in its agenda at once and permit the appropriate committee to take it up, particularly as the majority of the delegations we have heard here do not in fact object to the inclusion of the item in the agenda. If we are all agreed that this item should be included in the General Assembly's agenda, there would seem to be no reason for postponing consideration of this question for a period of two weeks, or more, or less. The Polish delegation will therefore vote for the immediate inclusion of the item in the General Assembly's agenda.

77. I should now like to speak about the third point in the General Committee's report—the proposal for the inclusion in the General Assembly's agenda of the item entitled "Violation of the freedom of navigation in the area of the China seas". In spite of the importance of the problem and the fact that the Soviet Union formally proposed the item as early as 30 September 1954,

the proposal was not discussed by the General Committee until 5 October [*95th meeting*]; it was then discussed in plenary meeting on 6 October [*492nd meeting*], but we have still not gone beyond the stage of procedural discussion. We have not yet decided whether the item should be included in the agenda of this session of the General Assembly.

78. It is true that the frequent discussions relating to the problem of piracy in the area of the China seas, even though they may be of a purely procedural nature, serve to give wide publicity to the facts and to inform public opinion of these occurrences which endanger international peace and co-operation, and to make known who is responsible for these criminal actions.

79. Yet public opinion is not satisfied with mere publicity and procedural discussion on this question. It wants the United Nations to create conditions favourable to co-operation, to ensure observance of obligations under international law and accordingly to take steps to eliminate the threat to general navigation in the area of the China seas.

80. Poland, the country on whose behalf I am now speaking, is most concerned that the question should be included in the agenda of the current session of the General Assembly, that it should be discussed in substance, and that effective steps should be taken to prevent further violations of the freedom of the seas.

81. Two Polish merchant vessels, the *Praca* and *Prezydent Gottwald*, have been seized as a result of the piratical action of the Kuomintang ships which operate with the support of the United States air and naval forces. These vessels have not yet been returned to Poland, in spite of our protests and efforts to settle the matter.

82. The Polish delegation considers it deplorable that the representative of the group responsible for these acts of piracy should be allowed to speak in the high forum of the United Nations in defence of such acts.

83. The majority of the General Committee is trying for the second time to postpone consideration of the question, on the ground that it is the subject of diplomatic negotiations between the French representative on Taiwan and the Kuomintang authorities. Without going into the substance of these negotiations, the Polish delegation wishes to draw the General Assembly's attention to the fact that, as was noted in the General Committee and at the plenary meeting of 6 October 1954, France is using its good offices in respect of the seizure of one specific vessel. The problem of piracy is much wider and has become a serious factor, impairing peaceful co-operation and creating strained international relations in the Far East.

84. In its statement on 4 October in the general debate [*488th meeting*] and in its statement on 6 October [*492nd meeting*], the Polish delegation stressed the fact that many ships of different nationalities, flying the Polish, Soviet, United Kingdom, Danish, Greek, Netherlands, Japanese and other flags, had been the victims of piratical attack in recent years. These are no longer isolated incidents, but are part of an organized action violating the basic principles of international law and in particular the principle of freedom of navigation. These acts constitute attacks upon the flags, rights and interests of the Governments to which the ships belong.

85. The United Nations must give close consideration to these questions, as the afore-mentioned acts consti-

tute acts of piracy under international law and as such are condemned and prohibited. They constitute attempts to violate peace and international co-operation in the Pacific Ocean.

86. The decision taken by the majority of the General Committee is wrong, and the General Assembly must reject it in plenary meeting, particularly since there have been further seizures of ships in the meantime, showing that the postponement served no useful purpose.

87. The Polish delegation strongly urges the General Assembly, having regard to the principles and purposes of the United Nations Charter, promptly to include this item in its agenda.

88. The PRESIDENT (*translated from French*): If no other member of the Assembly wishes to speak, we can proceed with the vote.

89. A separate vote has been requested on paragraphs 1, 2 and 3 of the fourth report of the General Committee.

90. I think I should point out that, from a strictly procedural point of view, there is a difference, perhaps only a shade of difference, between paragraph 1 of the General Committee's report on the one hand, and paragraphs 2 and 3 on the other. In paragraph 1, the General Committee recommends that the General Assembly should place the item on its agenda. In paragraphs 2 and 3 there is no recommendation by the General Committee to the General Assembly; the the General Committee merely informs the General Assembly of its wish to postpone for fourteen days, that is until 2 November, its consideration of the question of including the items in the agenda of the session.

91. In that connexion, I should like to draw the Assembly's attention to rule 15 of our rules of procedure, according to which no additional item may be considered until a committee has reported upon the question concerned.

92. That being so, we can take a decision on paragraph 1 of the report relating to the inclusion in the agenda of the item proposed by Czechoslovakia concerning the prohibition of propaganda in favour of a new war. With regard to paragraphs 2 and 3, I feel that our vote can only signify approval or disapproval of the General Committee's decision.

93. If no one has any comments to make, I shall put to the vote first the recommendation contained in paragraph 1 of the fourth report of the General Committee [A/2758].

The recommendation was adopted by 50 votes to none, with 2 abstentions.

94. The PRESIDENT (*translated from French*): I now call upon the Assembly to vote on paragraph 2 of the report.

The paragraph was approved by 49 votes to 5, with 2 abstentions.

95. The PRESIDENT (*translated from French*): I call upon the Assembly to vote on paragraph 3 of the report.

The paragraph was approved by 43 votes to 6, with 9 abstentions.

96. The PRESIDENT (*translated from French*): I call upon the Assembly to vote upon the report as a whole.

The report as a whole was adopted by 45 votes to none, with 8 abstentions.

97. Mr. MATES. (Yugoslavia): I should like to explain the vote of the delegation of Yugoslavia on paragraph 2 of the report of the General Committee which was submitted by the Soviet Union delegation. It requests the inclusion in the agenda of an item entitled "Acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts".

98. The General Committee decided to postpone the consideration of the request for inclusion, and my delegation voted in favour of this recommendation of the General Committee. We voted thereby to approve a decision which we consider to be a wise decision, although we still stand on the principle that questions, if they have an international character and are submitted for consideration to the General Assembly, should normally be included in the agenda. We voted for the postponement of this item because we believed that this is a wise decision and that a discussion of this item would not facilitate the continuation and development of an atmosphere of constructive debate and co-operation, which happily began to develop in the course of this session, an atmosphere which is very important in view of the work which the Assembly still has ahead of it.

AGENDA ITEM 34

Question of South West Africa (*continued*)

STATEMENT BY THE PRESIDENT

99. The PRESIDENT (*translated from French*): I should now like to make an announcement to the Assembly about a matter which concerns the General Committee.

100. On Tuesday, 19 October, I informed the General Committee that I had received letters from the permanent representatives of Norway and Thailand stating that their Governments do not wish to continue as members of the Committee on South-West Africa. I requested the General Committee to arrange for nominations to fill these vacancies to be submitted to the General Assembly at a suitable moment.

101. For the time being, I merely wish to draw the Assembly's attention to this matter and inform it that the texts of the letters in question have already been distributed as documents A/2753 and A/2754.

AGENDA ITEM 27

Report of the United Nations High Commissioner for Refugees

REPORT OF THE THIRD COMMITTEE (A/2759 AND CORR.1)

Mrs. Tsaldaris (Greece), Rapporteur of the Third Committee, presented the report of that Committee.

102. The PRESIDENT (*translated from French*): I think I am speaking for all members of the General Assembly in thanking Mrs. Tsaldaris for her admirable report. Its conciseness and precision are worthy of all praise.

103. In accordance with rule 68 of the rules of procedure, I would request members of the General Assembly to inform me if they consider it necessary to discuss the report of the Third Committee. If not, I venture to draw attention to the draft resolution which that Committee submits for the Assembly's approval, the text of which appears in the report.

104. Mr. RODRIGUEZ FABREGAT (Uruguay) (*translated from Spanish*): I should like very briefly to explain my delegation's vote in favour of the draft resolution in the report of the Third Committee. I should like to associate myself very warmly with the terms in which the President greeted the work of our Rapporteur, Mrs. Tsaldaris, a few moments ago.

105. Mrs. Tsaldaris said, this draft resolution contains all the important provisions—and this has earned my delegation's vote—for it refers to the problem of refugees as a whole, a problem which is intimately bound up with the principle of social solidarity and which once again urgently calls for action by the United Nations on behalf of the conscience of mankind.

106. The men and women who are still, and will doubtless remain for some time to come, the social responsibility which the High Commissioner for Refugees has assumed on behalf of the United Nations, represent social groups and families who were uprooted from their lands and homes by the scourge of war or by political or religious persecution. It was my delegation's desire, meanwhile, to consider another aspect of the problem, namely the difficulty experienced by many governments in taking up this question as United Nations principles require.

107. My delegation proposed a principle by which we meant to direct attention to a fundamental matter in which all the governments and all the peoples of the world should work together. I am referring to the women and children among the refugees who, after all their sufferings and after all the confusion which has descended on their destinies, has clouded their lives and is driving them near to despair, await international action.

108. When this problem was studied my delegation proposed that when the High Commissioner, in the words of the draft resolution, undertook "a programme designed to achieve permanent solutions" to that problem, he should do so, as the draft resolution says, with "special regard to family groups", those groups which have maintained the sacred unity of the family in the face of the disruption of home life that the status of refugee implies.

109. Hence, my delegation wishes to take this opportunity of expressing its gratification at the Third Committee's vote and at the vote which the Assembly will certainly pass on this draft resolution, which presents from a new angle the possibility of solutions which had not been left entirely out of account before. It will no longer be the same when governments are asked to state, in apparently cold figures, the number of refugees they are prepared to receive; in future it will be clear that these figures mean women and children who must be regarded as family units and in maintaining whom we are all bound to assist; the figures will clearly refer to the community which still bears the unsought burden of the war or the unwanted burden of persecution on political or religious grounds.

110. Now our Governments must bear in mind, in the words of the High Commissioner for Refugees and under the draft resolution now before the Assembly, the destinies which must be safeguarded, destinies counted in children's lives which are as sacred as the lives of our own children; family groups which must be rebuilt, which must be maintained and which must at least be

given an opportunity to build their longed-for homes in other lands.

111. Mr. SAKSIN (Union of Soviet Socialist Republics) (*translated from Russian*): The General Assembly has now before it the report of the United Nations High Commissioner for Refugees [A/2648] and the draft resolution adopted by the Third Committee on 18 October, included in the Committee's report to the General Assembly.

112. When the question was discussed in the Third Committee, the USSR delegation explained at length its position both on the activities of the Office of the United Nations High Commissioner for Refugees and on the afore-mentioned draft resolution approving the activities and programme of work of the High Commissioner's Office. It will therefore merely explain its vote briefly in this plenary meeting.

113. The Soviet delegation considers the activities of the Office of the United Nations High Commissioner for Refugees unsatisfactory. These activities are contrary to the principles of the United Nations Charter and to resolution 8 (I) on refugees which the General Assembly unanimously adopted on 12 February 1946, in which it was stated that the main task concerning displaced persons was to encourage and assist in every way possible their early return to their countries of origin. Instead of assisting the refugees and displaced persons in every possible way to return to their countries of origin, the Office of the High Commissioner for Refugees serves the purpose of exploiting displaced persons as cheap labour and resettling them abroad for that purpose in such countries as the United States, Australia, Canada, and Brazil where they have to do the heaviest work. This is why, nine years after the end of the Second World War, the problem of the refugees has not yet been settled, and the General Assembly of the United Nations is forced to deal with this painful problem year in and year out.

114. Furthermore, according to the High Commissioner's report, more than 2 million refugees within the mandate of the Office of the High Commissioner are still living in extreme poverty and, because of various obstacles, are unable to return to peaceful and productive work in their countries of origin.

115. The USSR delegation is opposed to and will vote against continuing the activities of the Office of the High Commissioner for Refugees, which are contrary to the Principles of the Charter, and it will vote against the draft resolution approving these activities.

116. Mr. AZKOUL (Lebanon) (*translated from French*): The Lebanese delegation, in common with the delegations of the other Arab States, will abstain on the draft resolution of the Third Committee on which we are to vote. We shall abstain here as we did in the Third Committee simply because the draft resolution fails to bring out sufficiently the principle of international responsibility for refugees; it may even be said that certain passages in the draft resolution could be interpreted as denying international responsibility for refugees and as placing sole responsibility for them upon their countries of residence.

117. It is true that the sponsors of the draft resolution made reassuring statements in Committee, saying that in their view the principle of international responsibility for refugees was upheld in the draft resolution. We are glad that they should have made such statements; in our

opinion those statements should form the criterion for the future interpretation of the draft resolution.

118. Nevertheless, despite the efforts by the six Arab delegations on the one hand and by the sponsors of the draft resolution on the other, and despite the fact that those efforts have improved the draft resolution to a certain extent, we feel that in its present form the text is defective because it fails to affirm clearly and unambiguously the principle of United Nations responsibility for refugees. We are obliged to abstain purely in order to draw attention to that deficiency in the text of the draft resolution.

119. Our abstention is accordingly to be interpreted not as indicating a lack of interest in the fate of refugees but, on the contrary, as indicating in the most eloquent and emphatic way our adherence to the principle of international responsibility for refugees; only if this principle is upheld will refugees, whoever and wherever they may be, find it a real support and protection.

120. Mr. JOHNSON (United States of America): The problem of refugees has become such a familiar aspect of life in the present century that we are constantly in danger of forgetting that refugees are human beings with the same hopes, the same aspirations and the same desires that exist within the hearts of us all. In this turbulent world anyone might say, and might well say, "There, but for the grace of God, go I." The refugee problem is a human problem with which we are all concerned. We should all deal with it in a human way.

121. We were asked today to approve a draft resolution which will make possible another expression of the traditional assistance for refugees which the international community has extended through the United Nations and otherwise. The draft resolution before us is but a piece of paper which can have meaning only under two circumstances: the first is the provision of generous financial support by a large number of Governments, and the second is a vigorous implementation of the programme to reach permanent solutions for these refugees. I am confident that under the able leadership of Mr. van Heuven Goedhart the refugees will receive efficient and understanding aid. I hope that the Governments here will be in a position to provide him with the resources essential to his task.

122. It is with a good deal of personal satisfaction that I am able to express the support of the United States of America for this draft resolution, and to inform the Assembly that the executive branch of the United States Government will request Congress for authorization and appropriation for our contribution to this programme. I must also state that this obviously cannot be construed as a commitment at this time.

123. The Soviet delegation has claimed that there would be no refugee problem but for the political and economic purposes of the free world. The shallowness and the falsity of this allegation are so obvious that it needs no further elaboration here. No amount of words and no amount of verbal smog can obscure the true situation. As the High Commissioner so aptly said in his report:

"It must never be forgotten that the refugees are people who have made a sacrifice for the sake of freedom. There can be no question but that the free world is under an obligation to see that their sacrifice has not been meaningless."

124. The problem of the refugees is a concern for all of humanity. It is a problem with only one political aspect, and that is the conflict between the desire of the refugees to remain free and the desire of certain countries that these refugees should be forcibly returned to an uncertain fate in the lands from which they have fled. This demand for forcible repatriation is obviously unacceptable to free peoples anywhere.

125. The policy of my Government is to continue to make every possible effort to aid those in need. We are happy to join in support of this project, which touches the conscience of the freedom-loving world.

126. The PRESIDENT (*translated from French*): No one else has asked for the floor in order to explain his vote. I should like to thank those representatives who have just spoken for having observed the time-honoured custom of limiting explanations of vote to seven minutes.

127. I would now ask the General Assembly to vote on the draft resolution submitted by the Third Committee [A/2759].

The draft resolution was adopted by 44 votes to 5, with 8 abstentions.

The meeting rose at 5.5 p.m.