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ON THE
WORK OF THE ORGANIZATION
1 July 1950 - 30 June 1951**



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Foreword

I submit herewith my sixth annual report to the General Assembly on the work of the Organization from 1 July 1950 to 30 June 1951.

The review of the world situation which, in previous years, I have included as an Introduction to my annual report will this year be submitted, at a date nearer to the opening of the sixth session, as an addendum to the present document.

A handwritten signature in black ink, appearing to read 'Trygve Lie', written in a cursive style.

Trygve LIE
Secretary-General

15 August 1951

Chapter I

POLITICAL AND SECURITY QUESTIONS

This chapter gives an account of the activities of the Organization on political and security matters between 1 July 1950 and 30 June 1951. It covers action taken by the General Assembly at its fifth session and by the Security Council, as well as by the various committees and commissions established by those bodies to deal with political and security matters.

During the period under review, the General Assembly, in the course of its fifth session, elected Brazil, the Netherlands and Turkey as non-permanent members of the Security Council for a term of two years to replace Cuba, Egypt and Norway, as from 1 January 1951. Corresponding changes consequently took place in the membership of subsidiary bodies of the Security Council, such as the Atomic Energy Commission and the Commission for Conventional Armaments.

1. The Question of Palestine

(a) ACTION TAKEN BY THE SECURITY COUNCIL WITH REGARD TO COMPLAINTS OF ALLEGED VIOLATIONS OF THE ARMISTICE AGREEMENTS

(i) *The Lebanese plane incident*

In a cablegram dated 26 July 1950, the Minister for Foreign Affairs of Lebanon informed the Secretary-General that a fighter aircraft of the Jewish air force had attacked, over Lebanese territory, a Lebanese civil aircraft, killing two passengers and wounding seven. He requested that an investigation should be ordered and that the Security Council should take the measures it considered most effective to ensure the maintenance of peace and the payment of compensation due to the victims. The Lebanese protest was later supported by the Foreign Ministers of the Hashemite Kingdom of Jordan, Syria, Iraq and Saudi Arabia.

Subsequently, by a letter dated 28 July, which was brought to the attention of the Secretary-General by the representative of Israel, its representative on the Mixed Armistice Commission claimed that the Lebanese aircraft had been observed flying over Israel territory, north of Rosh Pinna, and that the Israel pilot had fired a warning burst after it had disregarded landing signals. Owing to the time taken by the pursuit and the warning signals, the Lebanese aeroplane had managed to cross

into Lebanese territory. The Government of Israel had submitted a formal complaint to the Mixed Armistice Commission, which was dealing with the incident.

(ii) *Charges of alleged violation of Egyptian territory by Israel forces*

By a letter dated 21 July 1950, the Minister for Foreign Affairs of Egypt informed the Secretary-General that, on 30 June 1950, Israel armed forces had crossed the armistice line east of Rafah and had also crossed into Egyptian territory in the same locality, attacking and firing upon the local civilian population. In a further communication dated 9 September, the Acting Minister for Foreign Affairs of Egypt informed the Secretary-General that, on 20 August 1950, the Israel authorities had begun to drive out of the El Auja area all the Bedouins settled in that demilitarized zone and its surrounding areas and that, by 3 September, the number of Bedouins so expelled had reached 4,071. The Egyptian Government expressed the hope that the United Nations would intervene and investigate those events with a view to stopping the expulsion of the remnants of the Arab population in Palestinian territory then under Jewish control, and that the new refugees would receive effective assistance from the United Nations Relief and Works Agency for Palestine Refugees in the Near East, so that they might return to their homes and recover their lost or damaged property, or receive compensation.

(iii) *Report of the Chief of Staff of the United Nations Truce Supervision Organization*

On 18 September, the Chief of Staff of the United Nations Truce Supervision Organization in Palestine reported to the Security Council that an investigation of the Egyptian complaint had revealed that Arab refugees, representing five Bedouin tribes, concurred in the following statements: (1) that they had lived in the Beersheba area under British Mandate but had moved to El Auja about two years ago because of pressure by Israel; (2) that, since 20 August, the Israelis had conducted operations to clear the Bedouins, employing army troops and reconnaissance aircraft; (3) that, after driving the Bedouins across the border, the Israelis had burned tents, crops and possessions; and (4) that thirteen Bedouins had been killed by the Israelis during these operations.

(iv) *Charges of alleged violation of Jordan territory by forces of Israel*

In a cablegram dated 10 September 1950, the Minister for Foreign Affairs of the Hashemite Kingdom of Jordan complained to the Secretary-General that Jewish armed forces had violated the northern frontiers of Jordan by occupying a stretch of land situated at the confluence of the Yarmuk and Jordan Rivers. The cablegram requested the Security Council to instruct the Jewish forces to withdraw from the territory. In a further cablegram, the Foreign Minister of Jordan requested the President of the Council to include this complaint in the Council's agenda; in a letter dated 21 September addressed to the Secretary-General, he forwarded detailed comments regarding the complaint.

(v) *Reply of the Government of Israel*

In a letter dated 15 September, the representative of Israel informed the Secretary-General that Jordan's protest was the latest of a long series of groundless complaints addressed by the Arab Governments to the Security Council on matters connected with the General Armistice Agreements, and denied that Israel was occupying any territory which was not its own under those Agreements. Subsequently, on 16 September, he requested the Secretary-General to add to the agenda of the Security Council certain additional items containing Israel's complaints alleging violations by both Egypt and Jordan of the General Armistice Agreements.

(vi) *Security Council resolution of 17 November 1950*

The Security Council considered various complaints during six meetings held from 16 October to 17 November 1950. It invited the Chief of Staff of the Truce Supervision Organization and the former United Nations Acting Mediator on Palestine, together with representatives of Israel and Jordan, to take part in the discussion.

In the course of the discussion, the question of freedom of navigation in the Suez Canal was the subject of statements made by the representatives of Israel and of the United Kingdom. Since the discussion had shown that the Chief of Staff was of the opinion that all the complaints before the Council could, in the main, be handled within the framework of the Mixed Armistice Commissions, the representatives of the United States of America, France and the United Kingdom submitted a joint draft resolution which, after amendment, was adopted on 17 November. The resolution set forth certain principles and requested the Chief of Staff of the Truce Supervision Organization to report to the Council on compliance with the resolution and on the status of operations of the various Mixed Armistice Commissions.

(vii) *Reports of the Chief of Staff of the Truce Supervision Organization on activities, decisions and status of operations of the Mixed Armistice Commissions*

In a series of letters dated 12 March 1951, the Chief of Staff of the Truce Supervision Organization submitted three reports dealing, respectively, with the activities of the Special Committee provided for in the

Egyptian-Israel General Armistice Agreement, with decisions taken by the Jordan-Israel Mixed Armistice Commission, and with the status of operations of the Mixed Armistice Commissions.

A cablegram dated 12 June 1951 supplemented the first report by stating that the Special Committee of the Egyptian-Israel Mixed Armistice Commission had decided that the Commission did not possess the right to request the Egyptian Government not to interfere with the passage of goods to Israel through the Suez Canal.

The second report stated that the Jordan-Israel Mixed Armistice Commission had agreed, on 14 February 1951, to consider, *inter alia*, that about 1,600 metres of the disputed stretch of Wadi Araba in the Negev Sector, was to be a Jordan-controlled territory, whereas the remainder of the stretch should be considered to be in Israel territory, it being understood that those two decisions should not in any way prejudice the rights, claims and positions of either party in the ultimate peace settlement between them.

In the third report, the Chief of Staff said that the Israel project for straightening and deepening the bed of the Jordan River at the southern end of Lake Huleh had led to complaints to the Israel-Syrian Mixed Armistice Commission by the Syrian delegation. That delegation had contended that the carrying out of the project would remove a natural military obstacle, in contravention of article 2, paragraph 1, of the Israel-Syrian General Armistice Agreement. Following a request by the Mixed Armistice Commission for an opinion as to whether or not the work undertaken by Israel constituted such a contravention, the Chief of Staff had submitted a memorandum which concluded that: (1) in draining Lake Huleh, the Israelis would not enjoy any military advantage not equally applicable to the Syrians; (2) neither party to the Armistice Agreement enjoyed rights of sovereignty within the demilitarized zone and that, therefore, any laws, regulations or ordinances in force, prior to the Armistice Agreement, affecting areas in the demilitarized zone should be held in abeyance; (3) until such time as a mutual agreement was reached between Israel and Syria, the Palestine Land Development Company was not justified in continuing such work and should be instructed forthwith to cease all operations within the demilitarized zone.

The Israel delegation, however, had contended that the Chief of Staff had been asked to express an opinion whether or not the work being done by Israel was a contravention of the General Armistice Agreement; it had not been in order for him to go beyond the scope of this request as he had done in his memorandum.

On 10 March, the Chairman of the Israel-Syrian Mixed Armistice Commission had requested the delegation of Israel to ensure that instructions were issued in order that Israel's work on Arab-owned lands in the demilitarized zone should be stopped until action had been taken by the Commission. This request of the Chairman had been ignored by the Israel authorities.

(viii) *Israel-Syrian dispute over the drainage of the Huleh marshes*

In a series of communications to the President of the Security Council, starting on 29 March 1951, the

representative of Syria alleged that Israel had violated its obligations under the Israel-Syrian General Armistice Agreement of 20 July 1949. These violations, Syria charged, consisted mainly of the following: (1) draining by Israel of the Huleh marshes and the straightening and deepening of the bed of the Jordan River between Lake Huleh and Lake Tiberias; (2) military occupation of the demilitarized zone by forces of Israel; (3) firing on Syrian military outposts; (4) forcible evacuation of indigenous Arab inhabitants of the demilitarized zone and the demolishing of their villages; and (5) finally, bombing of El Hamma and of Syrian military outposts.

On the other hand, Israel complained to the Security Council, through its permanent representative and its Foreign Minister, that Syria had allegedly violated its obligations under the General Armistice Agreement and that these violations had reached their climax on 4 April 1951, when Syrian forces had penetrated the El Hamma district, situated within the demilitarized zone, and had attacked an Israel police patrol, killing seven and seriously wounding three others. Israel noted that, although the drainage work on the Huleh marshes had proceeded unhampered since October 1950 and with the knowledge of Syria and of the United Nations, attempts had subsequently been made by the Syrians to bring this work to a standstill by firing upon civilian workers within the demilitarized zone.

Meanwhile, by means of several cabled reports, the Acting Chief of Staff of the Truce Supervision Organization in Palestine informed the Security Council as follows:

(1) He had requested the stoppage by the Israelis of work on the eastern bank of the Jordan River and that the Israel-Syrian Mixed Armistice Commission had met with a view to finding a solution to the whole dispute. In the course of the Commission's meetings, the Chairman had suggested that the Israelis should cease all work in connexion with the Huleh project until he had completed his investigation of the dispute, but the Israelis had refused to do so, contending that the Chairman was not competent to make such a request. Moreover, the delegation of Israel to the Commission was reported to have expressed its unwillingness to continue sitting at the Commission's meetings if there were to be further discussion of the stoppage of work;

(2) On 4 April, in the course of the Commission's meeting, news of fighting in El Hamma had reached the Commission. It became known later that, as a result of the incident, seven Israel policemen had been killed;

(3) Subsequently, Israel had informed the Acting Chief of Staff that, as a result of a *crise de confiance*, the Israelis had found themselves unable to attend further meetings under the chairmanship of Colonel Georges Bossavy, then Chairman of the Israel-Syrian Mixed Armistice Commission. Israel had charged that Syrian forces had killed the seven policemen. The next day, following Syrian complaints, United Nations observers had found evidence of aerial bombing and strafing of Syrian territory;

(4) On 6 April, three United Nations observers had been surrounded by a group of armed Israelis, near

Mishmar Hay Yarden, and threatened with death. They had been told that the next time they were found there they would be shot;

(5) On 7 April, following complaints by Israel, United Nations observers had confirmed that there had been no Syrian troops in the demilitarized zone of El Hamma;

(6) Some Arab civilians, inhabiting the demilitarized zone, had been evacuated from their villages and there had been evidence of damage to these villages caused by explosion;

(7) Efforts had been made to have both parties agree on the following four points suggested by the Acting Chief of Staff: (a) all military and para-military forces to be withdrawn from the demilitarized zone; (b) fire not to be opened under any circumstances across demarcation lines or in the demilitarized zone; (c) United Nations observers to be given all facilities to carry out their assigned tasks; and (d) the authority of the Chairman of the Mixed Armistice Commission in the demilitarized zone to be confirmed in accordance with article V of the Israel-Syrian General Armistice Agreement. Both Israel and Syria had accepted these conditions.

(ix) *Security Council resolutions of 8 and 18 May 1951*

When the Security Council met on 17 April 1951, the President drew attention to United Nations Press reports that Israel and Syria had accepted the points submitted by the Acting Chief of Staff as a prerequisite to the resumption of normal activities by the Mixed Armistice Commission. Subsequently, the representative of Syria made a detailed statement explaining his Government's charges. At the suggestion of the representative of the United Kingdom, the Council invited the Chief of Staff of the Truce Supervision Organization to express his views on the question.

When the Council reconvened on 25 April, it heard the representative of Israel, who made a detailed analysis of the situation and rejected the Syrian charges; he maintained that the demilitarized zone was under Israel's jurisdiction. The Chief of Staff then made a statement in which he expressed his belief that the underlying issue of the whole dispute concerned the extent to which either party was or was not free to undertake civilian activities in the demilitarized zone. The General Armistice Agreement did not in any way deal with the question of territorial sovereignty in that zone; hence the matter would have to rest in abeyance while the Agreement was in effect, unless the parties mutually agreed to the contrary. After quoting from a statement by the former Acting Mediator on Palestine which he had been authorized to use, the Chief of Staff declared that neither Israel nor Syria could validly claim to have a free hand in the demilitarized zone over civilian activity. He concluded that the entire dispute could have been avoided had there been more patience and restraint and less determination to undertake unilateral decisions with regard to the exercise of administrative authority and civilian activity in the demilitarized zone; the machinery provided by the Armistice Agreement would have been entirely adequate to deal with the matter had it been properly used.

On 2 May, the Chief of Staff answered questions addressed to him by the representatives of the United States of America, the United Kingdom, Ecuador, France, the Netherlands, Israel and Syria. These questions dealt, mainly, with two subjects: civilian control in the demilitarized zone and the Huleh project.

In the meantime, between 17 April and 2 May, several reports had been received by the Security Council from the Acting Chief of Staff. These reports covered the works of the Israel-Syrian Mixed Armistice Commission, concerning alleged provocations by both parties, negotiations between the Acting Chief of Staff and the two governments concerned, and investigations made by United Nations observers into incidents in the demilitarized zone.

On 2 May, the representative of Israel informed the Council of alleged Syrian aggression at Tel el Mutilla, within Israel territory, and called upon the Council to order the prompt withdrawal of the aggressive forces. Later, the Acting Chief of Staff reported that United Nations observers had found that armed Arabs in civilian dress were occupying Israel-controlled territory at Tel el Mutilla and that fighting between civilian Arabs and Israelis had been taking place in the Shamalneh sector, in the demilitarized zone; that observers in the Shamalneh area had seen no evidence of Syrian intervention and that observers in Israel-occupied territory who had arrived where shells were alleged to have fallen had seen no evidence of shell impacts; finally, that United Nations observers reported that Israelis had occupied all positions held by Arabs in Shamalneh, including one position in the demilitarized zone. However, both parties had agreed to observe a cease-fire.

The deterioration in the situation prompted the representatives of France, Turkey, the United Kingdom and the United States of America to submit to the Council, on 8 May 1951, a joint draft resolution calling upon the parties in the area to cease fighting. This joint draft resolution was adopted, at the same meeting, by 10 votes to none, with one abstention (USSR). Both parties agreed to observe the resolution.

Subsequently, the Security Council received a number of cabled reports from the Acting Chief of Staff covering the progress of the Mixed Armistice Commission's endeavours to negotiate a lasting cease-fire between the parties, the investigation of United Nations observers into various armed clashes in the demilitarized zone, and further charges and counter-charges of the two governments. United Nations observers, the reports said, found, at Tel el Mutilla, a quantity of arms, all of French manufacture, bearing Arabic inscriptions. Moreover, they had visited the Shamalneh area, in the demilitarized zone, and had found several bullet impacts on Syrian outpost buildings.

A few days after the adoption of the cease-fire resolution, United Nations observers reported that the whole demilitarized zone was quiet.

The Security Council reconvened on 16 May. The representatives of France, Turkey, the United Kingdom and the United States of America submitted another joint draft resolution which, *inter alia*, (1) called upon Israel to cease all operations in the demilitarized zone until such time as an arrangement was made through

the Chairman of the Mixed Armistice Commission for the continuation of those operations; (2) considered it inconsistent with the objectives and intent of the Armistice Agreement to refuse to participate in meetings of the Commission; (3) found that the aerial action of Israel on 5 April, and any aggressive action by either party in the demilitarized zone constituted a violation of the Council's resolution of 15 July 1948 and were inconsistent with the terms of the Armistice Agreement and the obligations of the parties under the Charter; and (4) decided that Arab civilians, who had been removed from the demilitarized zone by Israel, should be permitted to return to their homes under the supervision of the Commission, and that no such transfer should be undertaken in the future without the prior consent of the Chairman of the Commission. The Chief of Staff was called upon to report to the Council on compliance with this resolution. The joint draft resolution was discussed at two meetings, and was finally adopted on 18 May, by 10 votes to none, with one abstention (USSR).

(x) *Communications received by the Security Council, subsequent to the resolution of 18 May 1951*

After its adoption of the last-named resolution, on 18 May, the Security Council received several communications from the Syrian representative and from the Chief of Staff.

The Syrian communications protested against the decision of the Chief of Staff to authorize the Palestine Land Development Company to resume its work on non-Arab lands in the demilitarized zone and the non-implementation by Israel of the Council's decision concerning the return of Arab civilians to that zone.

The communications of the Chief of Staff reported, in connexion with the negotiations concerning the resumption of the drainage work, that the Arab landowners had rejected any proposal to rent, sell or exchange any of their lands. He also reported that, until 26 June 1951, there had been no implementation of the provisions of the Council's resolution calling for the return of Arab civilians to the demilitarized zone and the withdrawal of Israel police from that zone.

(b) *REPORTS OF THE UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE, AND THE QUESTION OF PALESTINE REFUGEES*

(i) *Reports of the Conciliation Commission and repatriation of Palestine refugees*

Seventh progress report. In its seventh progress report dated 17 July 1950, the Conciliation Commission recalled that, on 29 March 1950, it had submitted concrete proposals to both the Arabs and the Israelis for the establishment of a new procedure, combining direct negotiations in mixed committees with mediation by the Commission itself. In their joint reply dated 14 April, the Governments of Egypt, Jordan, Lebanon and Syria had declared that they would be prepared to send representatives to sit with representatives of Israel on mixed committees to study the implementation of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948 concerning the return of refugees to their homes or concerning their compensa-

tion, provided that the Government of Israel declared that it accepted the principle embodied in that paragraph and agreed to its implementation. As regards the other outstanding questions, they expressed themselves in favour of maintaining the procedure followed hitherto, but asked the Commission to complete, through mediation, its task of conciliation. On the other hand, the Government of Israel, on 6 May, without requesting concessions or undertakings in advance, had declared itself ready to negotiate a peace settlement directly with any Arab State wishing to do so. To this end, it had asked the Commission to inform it which Arab State or States were ready to negotiate.

In a second note, dated 11 May 1950, the Commission had been careful to stress certain points to both parties and had emphasized that the principles laid down in the General Assembly resolution of 11 December 1948 were to be respected. In their reply dated 19 May, the four Arab governments had reiterated their previous position. The Government of Israel had replied, on 20 May, that it presumed, since the Commission was not yet in a position to communicate to that Government the names of the Arab State or States which might be ready to negotiate with Israel, that the Commission would deem it preferable, before considering the next step, to await clarification of the Arab attitude on the question of direct negotiations.

The Commission had considered that it would be desirable to clarify for the parties certain aspects of its memorandum of 29 March. Thereupon, it had emphasized, in a note dated 30 May, the inappropriateness of laying down, for the initiation of a procedure in conformity with the Assembly resolution of 11 December 1948, conditions dealing with principles already laid down by that resolution. It had pointed out also that all those principles must be respected and that one of them could not be singled out for special recognition without impairing the equilibrium of the resolution as a whole. Finally, the note had stated that the Commission felt sure that the parties recognized and meant to respect these principles, but that their implementation gave rise to complex problems. It was with these problems that negotiations in the proposed mixed committees would deal. In replying to the Commission's note, the Arab governments had declared that they maintained their previous attitude as regards the conditions under which they would be ready to co-operate in the work of mixed committees as proposed by the Commission.

The Commission concluded its report by stating that it was clear from the replies of the Arab States that they had not considered sufficient the statement contained in the Commission's note of 11 May, reiterated in that of 30 May, that the new procedure would be based on the recognition and respect by the parties of all principles contained in the resolution of 11 December 1948, since these principles formed a homogenous whole and could not be separated from one another. In those circumstances, the Commission had decided to pursue its task of conciliation through first-hand contacts with all the governments concerned.

General progress report. In its general progress report dated 2 September 1950, the Commission pointed

out that, during its stay in the Middle East from 1 August to 6 September of that year, it had established direct contact with the interested governments. However, the exchange of views with these governments had made it clear that their attitude to the Commission's proposal of 29 March had not changed. The Commission had therefore been obliged to admit that, for the present, there were no grounds on which it could pursue its efforts to set up mixed committees.

Supplementary report. On 23 October 1950, the Commission submitted to the Secretary-General a supplementary report in which it noted that the present relations between Israel and neighbouring States were governed by Armistice Agreements negotiated under the auspices of the United Nations, but that the state of armistice could not last for ever; the Commission proposed that it should be replaced with a system of a more permanent character, which would lead to a final peace. This could, in the opinion of the Commission, result only from a compromise by which, firstly, Israel would do its best to counteract the dislocations caused by its own establishment among the Arabs and, secondly, the Arab countries would endeavour to adapt their policy to the new state of affairs. Furthermore, the Commission agreed that of all the problems raised by the Palestine crisis, the refugee question was the one demanding the most urgent solution. The Commission believed that international assistance to refugees could be effected in the following ways: (1) the return to Israel of that number of refugees which would be consistent with their own best interests; (2) the immediate payment of compensation for property of non-returning refugees; (3) the adoption of measures by the Arab States to assure the full reintegration of non-returning refugees; and (4) the provision of all necessary facilities for resettlement by the governments directly concerned, with the technical and financial assistance of the United Nations.

In conclusion, the Commission considered that the present situation required discussion, by the parties, of all questions outstanding between them; it believed that the General Assembly should urge the parties to engage without delay in direct discussions, under the auspices of the United Nations and with its assistance; and it considered that, within the framework of those negotiations, the refugee question should be given priority of consideration.

Action by the General Assembly at its fifth session. In a series of cablegrams dated 17 and 18 August 1950, the Ministers for Foreign Affairs of Egypt, Syria, Iraq and Saudi Arabia requested the Secretary-General to include in the general item on the provisional agenda of the fifth session of the General Assembly relating to Palestine, a sub-item on the repatriation of Palestine refugees. A similar request was made by the representative of Yemen in a letter dated 29 August 1950. Explanatory memoranda regarding this sub-item and referring to General Assembly resolutions 194 (III) of 11 December 1948 and 302 (IV) of 8 December 1949 were subsequently submitted by Egypt and Saudi Arabia.

The General Assembly, on 26 September, decided to include the general item "Palestine" in its agenda, and

to refer it to the *Ad Hoc* Political Committee for consideration.

The *Ad Hoc* Political Committee, at its 31st to 36th meetings and its 61st to 72nd meetings inclusive, considered the sub-item relating to the repatriation of Palestine refugees, together with another sub-item relating to the report of the Conciliation Commission. At its 31st meeting on 1 November, the Committee decided, without objection, to invite the representative of the Hashemite Kingdom of Jordan to sit at the Committee table during the discussion of questions relating to Palestine.

In the course of the debate, five draft resolutions were submitted, which may be summarized as follows:

A draft resolution submitted by Egypt, subsequently revised, provided that the General Assembly should request the Conciliation Commission to establish an agency for the repatriation and compensation of Palestine refugees. The agency would make arrangements for the repatriation of refugees and remit, to the persons legally entitled thereto, sums due as compensation; it would also, in collaboration with competent governments and authorities, take measures to safeguard the property of the refugees. The competent governments and authorities would be invited to furnish binding guarantees that refugees returning to their homes would be treated without any discrimination in law or in fact. The director of the agency would be appointed by the General Assembly before the end of the fifth session, and the Secretary-General would be authorized to make available to him the funds and staff essential for the discharge of his responsibilities. A refusal by any government or authority to comply with the terms of the resolution would prove the existence of a breach of the peace under the meaning of Article 39 of the Charter and would require immediate investigation by the competent organs of the United Nations, with a view to the adoption of appropriate measures in conformity with the Charter.

A joint draft resolution submitted by France, Turkey, the United Kingdom and the United States of America urged the governments concerned to engage, without delay, in direct discussions in order to arrive at a peaceful settlement of all questions outstanding between them. It directed the Conciliation Commission to establish an office under its direction to make arrangements for the assessment and payment of compensation to refugees pursuant to paragraph 11 of resolution 194 (III), to work out arrangements for the implementation of the other objectives of that paragraph, and to continue to consult the parties regarding measures to protect the rights, property and interests of the refugees. It also called upon the governments concerned to ensure that refugees, whether repatriated or resettled, would be treated without any discrimination either in law or in fact.

A draft resolution submitted by Israel urged the governments concerned to engage without delay in direct discussions under the auspices of the Conciliation Commission, in order to arrive at a peaceful settlement of all questions outstanding between them. It directed the Commission to render all possible assistance to the parties in order to ensure the implementation of

the resolution, and to avail itself of the services of United Nations organs and agencies, particularly the Relief and Works Agency for Palestine Refugees in the Near East. It also recommended that the governments concerned should give special and urgent consideration in their negotiations to the refugee question.

A joint draft resolution submitted by Ethiopia and Pakistan directed the Conciliation Commission to establish an office to: (1) take effective measures, pursuant to paragraph 11 of resolution 194 (III), to facilitate at the earliest practical date the repatriation of all refugees wishing to return to their homes and to live at peace with their neighbours; (2) take effective measures for the assessment and payment of compensation in respect of properties of those refugees not wishing to return, as well as for the implementation of the other objectives of paragraph 11; (3) take effective measures for the preservation of the properties, rights and interests of the refugees, pending the attainment of the foregoing objectives. The joint draft resolution further called upon the governments concerned to undertake measures to ensure that refugees, whether repatriated or resettled, would be treated without any discrimination in law or in fact; urged those governments to collaborate with the proposed office in the implementation of paragraph 11 of resolution 194 (III) and of the new resolution, and instructed the Conciliation Commission to report periodically to the Security Council on the progress of the work of the office and on the implementation of the resolution.

A draft resolution submitted by the Union of Soviet Socialist Republics resolved to terminate the Conciliation Commission, considering that it had proved incapable of discharging its duty of settling the disputes between the parties in Palestine.

Several amendments to the various draft resolutions were submitted by the USSR, China and the Philippines. A USSR amendment to the four-Power joint draft resolution envisaged the deletion of the first sentence of the preamble and the second paragraph of the operative part, as well as the deletion of the words "under the auspices of the United Nations Conciliation Commission for Palestine" in paragraph 1. The Chinese amendment to the same draft resolution urged the governments and authorities concerned to seek agreement by negotiations conducted either through the Conciliation Commission or directly, with a view to the final settlement of all outstanding questions.

On 6 December, the Philippine amendment having previously been withdrawn, the *Ad Hoc* Political Committee proceeded to vote on the various draft resolutions and the amendments thereto. In view of a request by the representative of Egypt that the voting on his draft resolution should be deferred until after a vote had been taken on the four-Power draft resolution, the Committee voted first on the USSR amendments to the latter draft; these amendments were rejected. The Chinese amendment having been adopted by 33 votes to 13, with 9 abstentions, the four-Power joint draft resolution, as amended, was approved, by 43 votes to 5, with 5 abstentions. The representatives of Israel, of Ethiopia and Pakistan, and of Egypt then withdrew their respective draft resolutions. Finally, the USSR

draft resolution was rejected by 46 votes to 5, with one abstention.

The General Assembly considered the report of the *Ad Hoc* Political Committee on 14 December. The USSR draft resolution calling for the termination of the Conciliation Commission was reintroduced, and two USSR amendments to the draft resolution recommended by the Committee were submitted, the first urging the governments and authorities concerned to seek agreement by direct negotiations, with a view to the final settlement of all outstanding questions and the second requesting the deletion of paragraph 2 of the draft resolution.

The Assembly first voted on the USSR draft resolution, which was rejected by 48 votes to 5, with one abstention. The first USSR amendment to the text proposed by the Committee was rejected by 46 votes to 6, with 2 abstentions. The first part of the draft resolution recommended by the Committee was adopted by 38 votes to 5, with 3 abstentions, and paragraph 2 by 48 votes to none with 5 abstentions. (The second USSR amendment was not voted upon, since it requested the deletion of paragraph 2.)

Finally, the Assembly adopted the draft resolution as a whole by 48 votes to 5, with 4 abstentions (resolution 394 (V)).

(ii) Assistance to Palestine refugees

United Nations Relief and Works Agency for Palestine Refugees in the Near East. The United Nations Relief and Works Agency for Palestine Refugees in the Near East, established by General Assembly resolution 302 (IV) of 8 December 1949 to supersede the United Nations Relief for Palestine Refugees created in 1948, has endeavoured, during the period under review, to carry out direct relief and works programmes in collaboration with local governments, as recommended by the United Nations Economic Survey Mission for the Middle East in 1949.

The Director of the Agency and the Advisory Commission, consisting of representatives of France, Turkey, the United Kingdom and the United States of America, undertook a series of visits to the Governments of Lebanon, Egypt, the Hashemite Kingdom of Jordan, Syria, Saudi Arabia, Iraq and Israel during the summer of 1950. A works programme of road building, afforestation and other undertakings was initiated in Lebanon, Syria and Jordan, reaching a peak employment of some 12,500 men in the month of November.

By the autumn of 1950, however, it became apparent that the prerequisite conditions that formed the basis of the Economic Survey Mission's recommendations had not been fulfilled. In the first place, whereas the setting up of UNRWAPRNE had been planned for January 1950, unforeseen circumstances in fact delayed its organization, and the new Agency assumed its duties on 1 May. Secondly, the Agency inherited a relief roll of over 950,000 persons, instead of the 751,000 estimated by the Economic Survey Mission to be the number of genuine refugees. Thirdly, the number did not decrease with the rapidity anticipated by the Eco-

nomical Survey Mission, since the public works which, in the absence of a clear understanding on resettlement, were all that could be undertaken did not increase the absorptive capacity of the countries concerned sufficiently to enable refugees to become self-supporting. Lastly, the contributions received from the governments of Member and non-member States were less than the amounts recommended by the Economic Survey Mission, and were insufficient to do more than cover the cost of minimum urgent relief needs.

These facts were set out in an interim report by the Director of UNRWAPRNE to the fifth session of the General Assembly, in conjunction with certain recommendations put forward jointly by the Advisory Commission and the Director.

Action by the General Assembly at its fifth session. The *Ad Hoc* Political Committee, to which the general question of Palestine had been referred, considered sub-item (b) on assistance to Palestine refugees at its 31st to 36th meetings inclusive, and at its 57th meeting.

At its 31st meeting, on 1 November, the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East presented his report.

On 6 November, the Chairman of the United Nations Conciliation Commission for Palestine made a statement in connexion with the sections of the Commission's report relating to the question of refugees.

On 7 November, a joint draft resolution was presented by France, Turkey, the United Kingdom and the United States of America. This draft resolution noted that contributions sufficient to carry out the programme authorized in General Assembly resolution 302 (IV) had not been made, and urged governments which had not yet done so to make every effort to give voluntary contributions. It recognized that direct relief could not be terminated by 31 December 1950, as envisaged in resolution 302 (IV), and authorized the Agency to continue to furnish direct relief to refugees, estimating that approximately \$20 million would be needed for this programme for the period 1 July 1951 to 30 June 1952. It considered that the reintegration of the refugees into the economic life of the Near East, either by repatriation or resettlement, was essential, and instructed the Agency to establish a reintegration fund, to which not less than \$30 million should be contributed during the period 1 July 1951 to 30 June 1952. The Secretary-General was authorized to advance funds not exceeding \$5 million from the Working Capital Fund to finance operations pursuant to the resolution. The Secretary-General and the specialized agencies were called upon to utilize to the fullest extent the Agency's facilities in co-ordinating the technical assistance programmes in the countries in which the Agency was operating. The resolution expressed appreciation of all the assistance rendered by specialized agencies, non-governmental organizations and private organizations as well as of the work of the Director and staff of the Agency and the Advisory Commission.

Paragraph 8 of the joint draft resolution regarding the method of financing was left blank, and the sponsors proposed that the *Ad Hoc* Committee should seek ad-

vice from the Fifth Committee concerning the method of financing to be included in the draft resolution.

At the 36th meeting, the sponsors of the joint draft resolution accepted an amendment proposed by Pakistan to insert in paragraph 4 the words "without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948".

On 27 November 1950, the Committee considered a letter from the President of the General Assembly transmitting the advice of the Fifth Committee regarding the method of financing the proposed relief and reintegration programme. The Fifth Committee had recommended the inclusion in the joint draft resolution of a paragraph (paragraph 8) providing for the appointment by the President of the General Assembly of a negotiating committee of seven or more members to consult, during the current session of the General Assembly, with Member and non-member States as to the amounts which governments might be willing to contribute on a voluntary basis. The draft paragraph also requested that, as soon as the negotiating committee had ascertained the extent to which Member States were willing to make contributions, all delegations should be notified by the Secretary-General in order that they might consult their governments. As soon as the negotiating committee had completed its work, the Secretary-General would, at the Committee's request, arrange, during the current session of the General Assembly, a meeting of Member and non-member States at which Members might commit themselves to their national contributions and the contributions of non-member States might be made known. As regards paragraph 9 of the proposed draft resolution, the Fifth Committee noted that the maximum sum likely to be available from the Working Capital Fund during July and August 1951 was estimated at \$2,500,000, and therefore hoped that the demands upon the Fund might be limited to that amount.

The sponsors of the joint draft resolution accepted paragraph 8 as recommended by the Fifth Committee.

The *Ad Hoc* Political Committee accordingly recommended that the General Assembly should adopt the resolution as finally amended.

The General Assembly, on 2 December, considered the report of the *Ad Hoc* Political Committee and, by 46 votes to none, with 6 abstentions, adopted the resolution (393 (V)).

Work of UNRWAPRNE since the adoption of General Assembly resolution 393 (V). In pursuance of resolution 393 (V), the work of UNRWAPRNE during the first six months of 1951 has been devoted to the maintenance of the relief operation; the gradual tapering off of public works, which had ceased completely by the end of May; and preparations for reintegration. Close and continuing liaison on this subject with governments in the area has been maintained by the Advisory Commission and the Director. Plans are under consideration for the reintegration of refugees on State Domain property in Syria and Jordan, and for the reintegration in Sinai of a portion of those from the Gaza Strip. Small loans to a total amount of \$100,000 have been made on minor industrial reintegration schemes.

General Assembly resolution 302 (IV), establishing the Agency, requested the Director to appoint a representative to attend the meetings of the Technical Assistance Board as an observer so that the technical assistance activities of the Agency might be co-ordinated with other technical assistance programmes of the United Nations and the specialized agencies; and, further, to place at the disposal of the Technical Assistance Board full information concerning any technical assistance work which might be done by the Agency.

The existing working relationship between the Agency and the Technical Assistance Board was established at the sixth meeting of the Technical Assistance Board in September 1950. In accordance therewith, the Agency established a Technical Assistance Division to explain technical assistance to governments in order to stimulate requests from them; to effect liaison with specialized agencies; to represent UNRWAPRNE at meetings of the Technical Assistance Board and at other meetings; to maintain close relations with the United Nations Technical Assistance Administration; to co-ordinate the activities of the various experts of UNRWAPRNE as they relate to technical assistance; to provide technical assistance from UNRWAPRNE and other sources to the governments of the area; and to maintain as complete files as possible on the technical assistance projects in the countries with which UNRWAPRNE is concerned.

General Assembly resolution 393 (V) requested the President of the General Assembly to appoint a Negotiating Committee for the purpose of consulting with Member and non-member States as to the amounts which governments might be willing to contribute on a voluntary basis towards the current programme for relief and works for the period ending 30 June 1951 and for the programme of relief and reintegration projects for the year ending 30 June 1952.

The Negotiating Committee has held a series of meetings, and a total of twenty-two governments have to date pledged participation in the Palestine programme. Many of the contributions require confirmation by the legislative bodies of the countries concerned. Assuming this confirmation, the total available in cash and in kind amounts to the equivalent of \$37,145,100, as against a total estimated need of \$50 million, which need was established at a time when the price of food was materially lower than at present. The position was described as not very hopeful at the last meeting of the Negotiating Committee, and the Committee decided to remain in being and to consider other methods of fund-raising.

The operation of the Agency has been gravely handicapped throughout by the uncertainty with regard to the availability of funds. In order to meet outstanding needs, to continue the relief programme and to make advance purchases of food, the Agency on two occasions was forced to request advances from the Working Capital Fund. These advances have been repaid, but a future request for an additional advance may be necessary to tide over the Agency between its two fiscal periods. There is still outstanding an obligation to the International Refugee Organization for repayment of a loan of \$2,800,000. The repayment, many times deferred, must in fact be made before 1 October 1951.

It is clear that no programme such as the Agency is endeavouring to prosecute can be successful unless finances are assured over a prolonged period. Moreover, the need for further contributions remains especially acute if the Agency is to initiate a schedule of works projects leading towards reintegration, which alone can result in any reduction of the unproductive burden of direct relief.

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The Director of the Agency, Mr. Howard Kennedy, completed his agreed term of service on 30 June 1951, and Mr. John B. Blandford, Jr., United States member on the Advisory Commission, was appointed by the Secretary-General as Director of UNRWAPRNE as from 1 July.

(c) QUESTION OF THE INTERNATIONAL RÉGIME FOR THE JERUSALEM AREA AND THE PROTECTION OF THE HOLY PLACES

As mentioned in the last annual report, the General Assembly, on 9 December 1949, decided (resolution 303 (IV)) that Jerusalem should be internationalized, and directed the Trusteeship Council to complete the preparation of the Statute of Jerusalem. The Council approved that Statute on 4 April 1950 and requested its President to ask the governments of the two States at present occupying the area and city of Jerusalem for their full co-operation and to report thereon to the Council. At the seventh session of the Council, Mr. Roger Garreau, the former President, stated that he had issued an invitation to both governments concerned to discuss with him the implementation of his task, but that he had received no reply from the Hashemite Kingdom of Jordan. As a result, he had consulted only the Government of Israel, which had communicated to him new proposals. He concluded that the results of his mission had proved disappointing and that the implementation of the Statute would seem to be seriously compromised under present conditions. The Council therefore submitted a special report to the General Assembly on the question.

On 26 September, the General Assembly decided to include the question in its agenda, and to refer to the *Ad Hoc* Political Committee for consideration the special report of the Trusteeship Council.

The *Ad Hoc* Political Committee considered the item from 7 to 13 December inclusive. The representative of the Hashemite Kingdom of Jordan participated in the debate, pursuant to a previous decision of the Committee.

On 7 December, the Committee heard a statement by the President of the Trusteeship Council.

In the course of the discussion, two draft resolutions were submitted, one by Sweden and the other by Belgium. Section A of the Swedish draft resolution invited the Governments of Israel and of the Hashemite Kingdom of Jordan to give pledges to observe the principles of article 18 of the Universal Declaration of Human Rights; to give free access to the Holy Places, maintaining existing privileges in that respect, to

abstain from measures of taxation detrimental to the Holy Places; to respect the property rights of religious bodies; to reduce armed forces in Jerusalem; and to co-operate with a commissioner to be appointed by the United Nations. Section B provided for United Nations supervision of the protection of, and free access to, the Holy Places, to be exercised through a commissioner to be appointed for three years by a committee of the General Assembly, to which he would be responsible and report annually. The jurisdiction over and control of each part of the Jerusalem area was to be exercised by the States concerned, subject to specified powers granted to the commissioner as regards the supervision of the protection of, and free access to, the Holy Places.

The Belgian draft resolution instructed four persons, to be appointed by the Trusteeship Council, to study, in consultation with the governments exercising *de facto* control over the Holy Places and with the other States, authorities and religious bodies concerned, conditions of settlement capable of ensuring, under the supervision of the United Nations, the effective protection of the Holy Places and of spiritual and religious interests in the Holy Land; it invited the four persons to report to the General Assembly at its sixth session, and requested the States concerned to co-operate fully in giving effect to the resolution.

An amendment to the Swedish draft resolution submitted jointly by the United Kingdom, the United States of America and Uruguay, and accepted by the representative of Sweden, substituted for the seventh paragraph of the preamble the words "pending further decisions by the United Nations with respect to the interests of the international community in the Jerusalem area". The amendments to the operative part left section A, which became paragraph 1, unchanged except for drafting modifications consequent on the substitution for the entire section B of three paragraphs, numbered 2, 3 and 4. Paragraph 2 provided for a United Nations representative to represent the interests of the United Nations in the Holy Places in the implementation of paragraph 1, and to report to the General Assembly with such recommendations as he might consider appropriate with regard to the Jerusalem question. He was to be appointed, on the nomination of the Secretary-General, by a General Assembly committee composed of the eleven States members of the Security Council. Paragraph 3 called upon the governments of the States in the Holy Land to co-operate fully with the United Nations representative. Paragraph 4 requested the Secretary-General to furnish the necessary staff and facilities to the United Nations representative. An oral suggestion by the representative of the Netherlands was accepted by the sponsors, for inclusion in paragraph 2, to the effect that the United Nations representative should report to the sixth session of the General Assembly.

On 13 December, China submitted some amendments to the Belgian draft resolution but, since these amendments were not accepted by the representative of Belgium, they were later withdrawn.

At the same meeting, the representative of Lebanon submitted several amendments to the Belgian draft

resolution. One of these amendments proposed the insertion, after the first paragraph of the preamble, of a new paragraph as follows: "Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948 and 303 (IV) of 9 December 1949".

This amendment was accepted by the representative of Belgium; the remainder were later withdrawn.

At the same meeting, after the Committee, on the motion of the representative of Chile, had decided, by 30 votes to 18, with 10 abstentions, to vote first on the Belgian draft resolution, the latter, as amended, was approved by 30 votes to 18, with 11 abstentions. Subsequently, on the motion of the representative of Lebanon, the Committee decided, by 25 votes to 18, with 12 abstentions, not to vote on the Swedish draft resolution as amended.

On 15 December 1950, the General Assembly voted, without discussion, on the draft resolution recommended by the *Ad Hoc* Political Committee. The result of the vote was 30 in favour, 18 against, with 9 abstentions. Having failed to obtain the required two-thirds majority, the draft resolution was not adopted.

2. The Greek question

(a) REQUEST FOR THE INCLUSION OF AN ITEM REGARDING GREECE IN THE AGENDA OF THE SECURITY COUNCIL

On 31 August 1950, the representative of the Union of Soviet Socialist Republics placed on the provisional agenda of the Security Council an item entitled "The unceasing terrorism and mass executions in Greece" and submitted a draft resolution under the terms of which the Council, noting that the military courts in Greece were continuing to pass death sentences on the leaders of the national resistance movement and that the number of persons sentenced to death amounted to 2,877, and guided by the humane approach of the General Assembly at its third and fourth sessions to the protection of the victims of political terror in Greece, would request the Greek Government, *inter alia*, to prohibit any further executions of political prisoners.

In making the proposal, the representative of the USSR stated that the barbarous and inhuman treatment of prisoners in Greek concentration camps and fascist jails was provoking indignant protests all over the world.

The representative of Yugoslavia supported the proposal to admit the question to the agenda.

Those who opposed the proposal, while not dealing with the substance of the question, held that the matters alleged did not constitute a threat to peace and were not within the jurisdiction of the Security Council, and that all aspects of the Greek question which came properly within the sphere of the United Nations would be considered when the General Assembly took up the question of Greece at its forthcoming fifth session.

By 9 votes to 2 (USSR and Yugoslavia), the Security Council decided not to include the item in its agenda.

(b) REPORTS OF THE UNITED NATIONS SPECIAL COMMITTEE ON THE BALKANS TO THE GENERAL ASSEMBLY

The problem of "Threats to the political independence and territorial integrity of Greece" has been considered annually by the General Assembly since the Greek question was removed in September 1947 from the list of matters of which the Security Council was seized. General Assembly resolution 109 (II) of 21 October 1947 established the United Nations Special Committee on the Balkans with functions of conciliation and observation. The Special Committee's terms of reference are contained in resolutions 109 (II), 193 A (III) and 288 A (IV), and have been outlined in previous reports.

On 31 July 1950, the Special Committee submitted a report covering the period between mid-September 1949 and July 1950. The Committee stated that diplomatic and good-neighbourly relations did not exist between Albania and Bulgaria, on the one hand, and Greece, on the other hand. Diplomatic relations between Greece and Yugoslavia did exist and an agreement had been reached in May 1950 for an exchange of ministers. The Committee concluded, *inter alia*, that (1) in view of the elimination of large-scale guerrilla activity in the northern areas of Greece, the threat to the political independence and territorial integrity of that country had altered in character, the organized guerrilla movement within Greece consisting at that time of the activity of scattered groups, although the guerrilla leaders had not abandoned their propaganda or their aims; (2) while frontier relations between Yugoslavia and Greece had been correct, Albania and particularly Bulgaria had continued to give moral and material assistance to guerrillas; (3) States known to be harbouring such guerrillas had failed to heed the General Assembly's recommendations with respect to the verification of their disarming and disposition; (4) the Committee had been unable to assist in achieving any solution of the problem of repatriation to Greece of Greek nationals then in countries to the north of Greece as a result of the retreat of Greek guerrilla forces, or of the problem of the repatriation of Greek military personnel captured by the Greek guerrillas and removed to those countries; (5) no Greek children removed from Greece during the course of the guerrilla warfare had yet been repatriated to that country; (6) the vigilance of the United Nations with respect to the political independence and territorial integrity of Greece had been, and remained, a significant factor in maintaining peace in the Balkans; (7) among the problems the urgent solution of which was a prerequisite for the restoration of normal relations between Greece and its neighbours were the international verification of the disarming and disposition of Greek guerrillas outside Greece, the repatriation of Greek children, of detained Greek soldiers and other Greek nationals, and the conclusion of frontier conventions.

The recommendations of the Committee were in line with its conclusions and the terms of previous General Assembly resolutions.

The Special Committee submitted two supplementary reports to the General Assembly in October. The first presented evidence of active help by Albania and Poland

to the Greek guerrilla movement; the second drew attention to incidents on the Greek-Bulgarian frontier and stressed the need for compliance with the Committee's recommendations regarding the peaceful settlement of frontier disputes.

(c) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

(i) *Proceedings in the First Committee*

On 26 September 1950, the General Assembly referred to the First Committee, for consideration and report, the question of "Threats to the political independence and territorial integrity of Greece" under the following sub-headings: (a) report of the United Nations Special Committee on the Balkans; and (b) repatriation of Greek children: report of the Secretary-General. The Committee dealt with the question on 30 September and from 10 to 15 November.

Repeal of death sentences. On 30 September, during the discussion of the agenda, the representative of the USSR proposed that the Committee should request the President of the General Assembly to enter into negotiations with representatives of the Greek Government concerning the repeal of death sentences passed by the military courts in Athens on Greek patriots.

As the Committee, however, decided at that meeting to give priority to the question of Korea, no discussion took place on the USSR proposal.

Discussion of the Greek question began on 10 November. Since he considered it contrary to the Charter to permit debate on the internal affairs of Greece, the representative of Greece asked for an immediate vote on the USSR proposal, which he characterized as slander against Greece. No one had been executed in that country since 1 October 1949; Greece, although temporarily obliged to employ rigorous measures, had reverted to clemency, which had even been made retroactive, as soon as the danger had become less acute.

After stating that death sentences had been pronounced against fifty-nine "democratic Greeks" in the month of August 1950 alone and that nearly 3,000 prisoners condemned to death were living in fear of execution, the representative of the USSR argued that a precedent regarding the First Committee's competence to deal with the question had been established at the third session of the General Assembly in Paris; the troubles on the Greek frontier, he added, were the result of a reactionary government and, to put an end to the tension in the Balkans, terrorism in Greece had to be stopped.

After closure of the debate on the USSR draft resolution had been decided on 11 November, it was rejected by 31 votes to 6, with 12 abstentions.

Repatriation of members of the Greek armed forces. On 10 November, Greece submitted a draft resolution under the terms of which the General Assembly, considering the conclusions of the United Nations Special Committee on the Balkans concerning those members of the Greek armed forces who had been captured

by the guerrillas and taken into countries north of Greece, and noting that, with the exception of Yugoslavia, the other States concerned were still detaining them without justification, (1) recommended the repatriation of all such members of the Greek armed forces who expressed the wish to be repatriated; (2) called upon the States concerned to take the necessary measures for the speedy implementation of the resolution; and (3) instructed the Secretary-General to request the International Committee of the Red Cross and the League of Red Cross Societies to assure liaison with the national Red Cross organizations of the States concerned with a view to implementing the resolution.

Continuation of the Special Committee. Another draft resolution was submitted by Australia, France, Pakistan, the United Kingdom and the United States of America on 10 November, and revised on 13 November. The draft resolution, having noted that, although a certain improvement had taken place in the situation on the northern frontiers of Greece, there nevertheless remained a threat to the political independence and territorial integrity of that country, (1) approved the report of the Special Committee; (2) continued the Special Committee in being until the sixth session of the General Assembly, in accordance with the terms of reference and administrative arrangements contained in General Assembly resolutions 109 (II), 193 (III) and 288 (IV), unless meanwhile the Special Committee should recommend to the Interim Committee its own dissolution; and (3) authorized the Interim Committee to act on such a recommendation as it might deem proper.

Draft resolution proposed by the Union of Soviet Socialist Republics. On 11 November, the USSR submitted a draft resolution recommending, with a view to normalizing the situation in Greece, (1) the declaration of a general amnesty in Greece and the abolition of the concentration camps for Greek democrats; (2) the holding of universal and free parliamentary elections on the basis of proportional representation; (3) the cessation of military and political intervention in Greek affairs by the United States of America and the United Kingdom; (4) the establishment of diplomatic relations between Greece and Albania and also between Greece and Bulgaria; and (5) the dissolution of the United Nations Special Committee on the Balkans.

Repatriation of Greek children. On 13 November, the representatives of Australia, Denmark, France and the Netherlands submitted a draft resolution concerning the repatriation of Greek children which, after noting that not a single Greek child had yet been returned to his native land and that, except for Yugoslavia, no country harbouring Greek children had taken definite action to comply with the resolutions unanimously adopted in two successive years by the General Assembly, (1) requested the Secretary-General and the International Committee of the Red Cross and the League of Red Cross Societies to continue their efforts to implement resolutions 193 (III) and 288 B (IV) of the General Assembly; (2) urged all States harbouring Greek children to make all the necessary arrangements in co-operation with the Secretary-General and the international Red Cross organizations, for their early return to their parents; and (3) es-

established a standing committee, to be composed of representatives of Peru, the Philippines and Sweden, to act in consultation with the Secretary-General and to consult with the representatives of the States concerned, with a view to the early repatriation of the children.

Decisions taken in the First Committee. The representative of the USSR and others who opposed the Special Committee's report and the joint draft resolution, argued that the retention of the Greek question on the Assembly's agenda was an attempt to distract attention from the reign of terror in Greece and the sinister designs of Greece against Albania and Bulgaria. They considered that the real problem was not the threats to the political independence and territorial integrity of Greece, but the return to a normal situation in that country and the cessation of Anglo-American intervention there. The charges against Albania and Bulgaria were falsehoods and distortions of facts made in bad faith and based on the testimony of false witnesses and *agents provocateurs*. The Special Committee was an instrument of the ruling circles of the United Kingdom and the United States of America and, by its hostility to Albania and Bulgaria, had only delayed the re-establishment of friendly relations between those countries and Greece. With reference to the re-establishment of diplomatic relations and frontier conventions, these representatives recalled that it was Greece which had raised the question of frontier modification and had said that it was waiting for a suitable opportunity to take possession of Northern Epirus. If there were to be any improvement in relations between Albania and Greece, the Greek Government would have to state that it was prepared to recognize the existing frontiers between Albania and Greece. It was pointed out that the presence of Greek guerrillas in Albania and Bulgaria had never been denied, but that they were disarmed and that it could hardly be considered a crime to give refuge to men striving for their liberty against a reactionary clique.

In reply to such criticisms, supporters of the joint draft resolution voiced general approval of the Special Committee's report. The representative of Greece said, *inter alia*, that it was strange that the USSR should accuse Greece of expansionist views with regard to Albania and Bulgaria, since, at the Peace Conference at Paris in 1946, the USSR had asked for the legalization of various annexations in Eastern Europe. The Government of Bulgaria had pursued an aggressive policy both before and after the conclusion of the Paris Peace Treaty of 1947 and had, unlike Greece, rejected the proposals of the Conciliation Committee established by the First Committee in 1948 and made demands, similar to those proposed by the USSR, which revealed an intention to intervene in the domestic affairs of Greece. Certain representatives, he said, seemed disturbed by United States assistance to Greece which was calculated to restore the Greek economy.

The Greek representative added that the Government of the USSR, as did the Governments of Albania and Bulgaria, regarded the Special Committee as illegal because they were disturbed by its own presence and that of its observers. He declared that some 15,000 guerrillas who had crossed into the countries to the

north of Greece had bases there for military training and intensive indoctrination, both of guerrillas, civilian refugees and abducted children, aimed at creating hatred of Greece. Their principal activity was still subversive action against that country.

In reply to criticism of his Government's policy in Greece, the representative of the United States of America pointed out that American economic aid to Greece was conditioned by the consent of the Greek people, but would cease when the General Assembly found that the assistance furnished by the United Nations made continuance of that aid unnecessary.

At the conclusion of the discussion on 14 November 1950, the Committee approved the draft resolution on the repatriation of members of the Greek armed forces (see resolution 382 A (V) below) by 53 votes to 5, with one abstention. It approved the joint draft resolution on the continuation of the Special Committee (see resolution 382 B (V) below) by 52 votes to 6, with no abstentions. On the same day, the draft resolution proposed by the USSR was rejected by 51 votes to 5, with 2 abstentions.

With regard to the four-Power draft resolution concerning the repatriation of Greek children, the representative of the USSR proposed the deletion of the preamble, which, he said, condemned those countries which had extended shelter and care to Greek children. He also proposed the deletion of the latter part of paragraph 2 and the whole of paragraphs 3 and 4 as unnecessary, since the procedure for repatriation was contained in previous resolutions adopted by the General Assembly. On 15 November, the Committee rejected the amendments proposed by the representative of the USSR and approved the four-Power draft resolution (see resolution 382 C (V) below) by 53 votes to none, with 5 abstentions. (See also sub-section (f) below.)

(ii) *Proceedings in the General Assembly*

Resolutions 382 A and B (V). The General Assembly, on 1 December 1950, adopted resolution 382 A (V) as recommended by the Committee, by 53 votes to 5, with one abstention, and resolution 382 B (V) by 53 votes to 6, with no abstentions.

Resolution 382 C (V). On 1 December, the General Assembly also adopted, by 50 votes to none, with 5 abstentions, the third draft resolution recommended by the First Committee relating to the repatriation of Greek children, after rejecting three amendments submitted by the USSR.

Draft resolutions submitted by the Union of Soviet Socialist Republics. On 1 December 1950, the General Assembly, by 38 votes to 6, with 11 abstentions, rejected the draft resolution concerning the repeal of death sentences which had been reintroduced by the USSR.

On the same day, the General Assembly rejected, by 50 votes to 5, with 3 abstentions, a second USSR resolution previously submitted to the First Committee, which made certain recommendations with a view to normalizing the situation in Greece.

(d) WORK OF THE UNITED NATIONS SPECIAL COMMITTEE ON THE BALKANS SINCE 31 JULY 1950

In accordance with General Assembly resolutions 109 (II), 193 (III), 288 (IV) and 382 (V), the Special Committee has continued its observation of the compliance with those resolutions by the countries concerned. For this purpose, it has continued to maintain observers, although in reduced numbers, along the northern frontiers of Greece.

The Special Committee has reorganized its working methods in order to maintain a balanced survey of the developing situation, which was described in the reports to the fifth session of the General Assembly (see sub-section *(b)* above). It has established *ad hoc* committees which have, *inter alia*, inquired into the problems of subversive agents coming into Greece from abroad and the exact nature of the assistance rendered to Greek sabotage groups by other countries; studied the tension in the Balkans engendered by hostile Press and radio campaigns, especially that emanating from the "Free Greece" radio located in Romania; and reviewed observation policy and organization.

On 10 January 1951, a letter from the Special Committee to the Secretary-General was, at the Committee's request, circulated to all Members. The letter denied charges made by the "Free Greece" radio and stated that no preparations for military aggression were being made in Greece.

In April 1951, the Special Committee came to the conclusion that there now existed in Central and East European countries a co-ordinated system for returning Greek guerrillas to Greece in order to carry out political agitation and to create unrest within the country.

Complaints concerning small-scale incidents along the Greek-Albanian and Greek-Bulgarian frontiers have continued to be sent by the Governments of Albania and Bulgaria and of Greece to the Secretariat of the United Nations, which has transmitted them to the Special Committee for its information.

Representatives of the Special Committee made tours of inspection along the Greek-Albanian and Greek-Bulgarian frontiers between 11 and 13 April and 7 and 11 May 1951 respectively.

The Special Committee has continued to study and receive information on the problems of refugees in Greece and the repatriation of Greek children and of Greek nationals and members of the Greek armed forces in countries to the north of Greece. The Special Committee has continued to co-operate with the organizations charged with dealing with these problems.

At the request of the Special Committee, the Secretary-General has frequently communicated, since August 1950, with Albania, Bulgaria, Greece, Yugoslavia and other countries concerned in connexion with the Committee's efforts to carry out certain of its tasks. Among the problems involved were the repatriation of Greek army officers; the demarcation of frontiers between Greece and its northern neighbours; the return of a Bulgarian frontier guard by the Greek authorities; the co-operation of Albania, Bulgaria and

Yugoslavia with the Special Committee; the availability of the Committee's good offices; the participation of Poland and the USSR in the work of the Committee; the verification of the disarming and disposition of Greek guerrillas in Albania and Bulgaria; the compliance of Members of the United Nations with the General Assembly's recommendation to refrain from providing arms to Albania and Bulgaria until they had ceased their assistance to the Greek guerrillas; and the repatriation of adult Greek civilians from certain States to the north of Greece in accordance with paragraph 10 of resolution 288 (IV).

(e) REPATRIATION OF MEMBERS OF THE GREEK ARMED FORCES

On 6 December 1950, the text of resolution 382 A (V) was communicated by the Secretary-General to the Governments of Albania and Bulgaria and to the International Committee of the Red Cross and the League of Red Cross Societies.

No reply has been received from the Governments of Albania and Bulgaria.

In reply to an inquiry by the Secretary-General as to what action had been taken in accordance with the resolution, the International Committee of the Red Cross, on 26 April 1951, informed him that the matter fell within the traditional field of its activity; it pointed out that, since 1948, it had been trying, on its own initiative, to render assistance to captured members of the Greek armed forces and had succeeded in obtaining, for a certain number, the right to correspond with their families. As the first stage in the practical examination of the question, the Greek Red Cross Society had been asked for information on the countries in which these persons were being detained and the approximate number in each. The attention of the Society had been drawn to the fact that the International Committee of the Red Cross must, in principle, act only with the full agreement of all the authorities concerned and that, consequently, in the problem of the repatriation of members of the Greek armed forces, it had first of all to be sure that such agreement existed.

The League of Red Cross Societies replied to the Secretary-General, on 5 May 1951, that the matter was being dealt with by the International Committee of the Red Cross. On 16 January 1951, it had informed the Secretary-General that if the governments concerned accepted the resolution and decided to proceed to repatriation, asking the assistance of their national Red Cross societies, the League would examine what assistance it might give the societies concerned.

The United Nations Special Committee on the Balkans has continued to interest itself in the problem. It was informed by the Greek Government that, by 1 January 1951, a total of sixty-three Greek military personnel had been repatriated from Yugoslavia. By 31 May 1951, the Committee had received from the Greek Red Cross a list of 146 members of the Greek armed forces detained outside Greece, with their last known address, and from the Greek Government a further list of sixty-five such persons. These were said to be distributed among the following countries: Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania,

the Union of Soviet Socialist Republics and Yugoslavia. More than half were reported in Albania. In addition, the Greek Red Cross Society had informed the Special Committee that it had received requests from relatives for information about 2,804 non-repatriated Greek military personnel whom it had not located. The Greek Government had also made available to the Special Committee a list, prepared by the Greek General Staff, of 3,295 members of the Greek armed forces captured by the guerrillas and detained outside Greece.

(f) REPATRIATION OF GREEK CHILDREN: IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTIONS 193 C (III), 288 B (IV) and 382 C (V)

The problem of the repatriation of Greek children came before the General Assembly for the third time at its fifth session.

In addition to a report by the Secretary-General, the Assembly had before it a report by the international Red Cross organizations, dated 18 September 1950, concerning the efforts made, without success, by these organizations to carry the General Assembly's earlier resolutions into effect. The report concluded that, without wishing to judge the reasons for the situation, which was beyond their control, the International Committee of the Red Cross and the League of Red Cross Societies were compelled to state that they would be obliged to consider relinquishing the mission they had accepted from the United Nations if the latter, and the countries concerned in the problem of the displaced Greek children, did not afford them the assistance necessary for the accomplishment of their task, assistance which was specifically called for in paragraph 2 of the operational part of General Assembly resolution 288 B (IV) of 18 November 1949, which, unfortunately, had not yet been put into practice. A supplement to the Secretary-General's report communicated to the General Assembly on 13 November 1950, announced, however, that the Greek and Yugoslav Red Cross Societies, on the one hand, and the Swedish Red Cross Society, on the other, with the full consent of the International Committee and the League of Red Cross Societies, undertook to lend their assistance in identifying and repatriating the children in Yugoslavia.

On 1 December 1950, in a third resolution (382 C (V)), adopted on the report of the First Committee, the General Assembly noted "with grave concern" the reports of the Secretary-General and of the international Red Cross organizations and particularly the statement that "not a single Greek child has yet been returned to his native land". The Assembly renewed its recommendations to the countries harbouring Greek children to comply with the resolutions it had unanimously adopted at two successive sessions. Furthermore, it urged the States concerned to allow the international Red Cross organizations free access to their territories, whenever necessary, for the purpose of facilitating the early return of the children to their parents. It also established a Standing Committee, composed of the representatives of Peru, the Philippines and Sweden, to act in consultation with the Secretary-General and to consult with the representatives of the States concerned, with a view to the early repatriation of the children.

Following the adoption of this resolution by the General Assembly, the Secretary-General officially brought the terms thereof to the attention of the governments directly concerned.

The resolution was also communicated to the international Red Cross organizations, which informed the Secretary-General that they would continue their efforts and would leave nothing undone that was likely to produce the desired results. The Secretary-General talked personally with the directors of these organizations during his journey to Geneva in January 1951. He also held conversations with the Greek and Yugoslav authorities in the course of his journey to south-east Europe early in April.

The Secretary-General convened the Standing Committee established by the General Assembly to meet for the first time on 8 February. He reported to it concerning the conversations he had held at Geneva. The Committee has since met twice and has been regularly informed of all the steps taken by the Secretary-General or by the international Red Cross organizations to carry the General Assembly's resolution into effect, and of the progress made in this direction.

The Committee also took note of the report of the international Red Cross organizations describing their further approaches to the Bulgarian, Hungarian, Romanian, and Czechoslovak Red Cross Societies proposing conversations in the course of which all aspects of the case of the Greek children might be examined. These proposals contemplated three possible procedures: the sending of representatives of the International Committee and of the League to the capital of each of the four countries concerned; the sending of representatives of the national Red Cross societies of these countries to Geneva; or more general conversations to be held, in a place to be agreed upon, when the representatives of the national societies of various reception countries might exchange views with the representatives of the International Committee and the League. The international Red Cross organizations also asked the national societies, if none of the three solutions met with their approval, to indicate if they had any other solution in mind. Neither the societies themselves nor their governments, which had also been informed of these approaches, have replied to the proposals made by the international Red Cross organizations. The Committee is now studying other possibilities of solving the problem in a satisfactory manner.

Accordingly, except in Yugoslavia, where definite results have been obtained, no satisfactory progress has been made in any other of the reception countries.

So far as Yugoslavia is concerned, three parties of children from that country have returned to Greece and have been restored to their parents under the supervision of representatives of the international Red Cross. The first party, consisting of twenty-one children, reached Salonika on 25 November 1950; the second, consisting of fifty-four children, crossed the frontier on 14 March 1951; and the third, consisting of 214 children, arrived at Salonika on 25 May. There is reason to hope that the rate of repatriation from Yugoslavia will be still further increased in the months to come.

3. Libya

(a) REPORTS OF THE UNITED NATIONS COMMISSIONER IN LIBYA AND OF THE ADMINISTERING POWERS

General Assembly resolution 289 A (IV) of 21 November 1949 provided, *inter alia*, for the appointment of a United Nations Commissioner in Libya to assist the people of Libya in the formulation of a constitution and the establishment of an independent government. The Assembly appointed a Council of ten members to aid and advise the Commissioner in this task. An account of the activities of the Commissioner and of his Council up to 30 June 1950 is contained in the preceding annual report of the Secretary-General.

(i) *Report of the United Nations Commissioner in Libya*

According to the advice given to the Commissioner by the Council for Libya on 14 June 1950, the Amir of Cyrenaica and the Chief of the territory of the Fezzan were to nominate seven representatives from each of those territories to the Preparatory Committee which the Commissioner had suggested should be entrusted with the task of establishing the National Assembly (Committee of Twenty-One). As regards Tripolitania, the Commissioner was to consult the political leaders thereof, and then propose for the advice of the Council the names of seven representatives of that territory on the Committee. On 7 July, the Commissioner reported to the Council the list of candidates selected. After some debate, the Council, by 6 votes to none, with 4 abstentions, advised the Commissioner that Tripolitania should be represented by the list which he had submitted, as amended during the debate.

On 4, 7 and 19 July 1950, the Commissioner communicated to the Council the information supplied by the Administering Power regarding Cyrenaica, Tripolitania and the Fezzan respectively, in reply to the advice of the Council given on 11 May 1950 concerning information to be obtained regarding action by those Powers in pursuance of paragraph 10 (a) and (b) of General Assembly resolution 289 (IV).

The Committee of Twenty-One, as approved by the Council for Libya, met on 27 July 1950. On 7 August, the Committee agreed that the National Assembly should be composed of sixty representatives, on the basis of equal representation for each of the territories of Libya. On 30 August, the Committee rejected a proposal to the effect that representatives to the National Assembly should be chosen by means of election.

On 4 September 1950, the Commissioner transmitted to the Secretary-General his report, which had been prepared in consultation with the Council for Libya. The report dealt with the activities of the Commissioner and of the Council and with the political conditions and developments in Libya during the period covered; it also included a section on technical assistance. The Commissioner concluded that the concept of Libyan unity had grown steadily throughout the country during his stay in Libya. Nevertheless, there appeared to be different views concerning the form of a unified Libyan State. Equality of representation of the territories in the Committee of Twenty-One had been neces-

sary to secure the acceptance of the Committee by Cyrenaica and the Fezzan, but there remained a certain amount of influential opposition to the principle of equality among Tripolitanian political figures. The Commissioner stated his belief that, if the Libyan political leaders continued to show the sense of responsibility and constructive attitude increasingly displayed over the previous eight months, the goal set by the General Assembly would be attained within the stated time. Stressing the need for a properly organized and competent administration with a carefully planned budget, and supported by a viable economy, the Commissioner stated that he shared the feeling of the Libyan people that the United Nations has a special responsibility towards Libya to provide assistance through the United Nations or other sources. Financial and technical assistance was particularly required in the interim period before Libya became a Member of the United Nations. In that connexion, the need of an immediate decision that an independent Libya not yet a Member should be entitled to United Nations assistance was stressed.

On 22 September, the Commissioner transmitted a supplementary report to the Secretary-General, on which he had not been able to consult the Council for Libya, since that body was not in session. The supplementary report outlined the work of the Committee of Twenty-One and, in particular, the discussion of the manner in which representatives to the National Assembly were to be appointed. On 8 September, the Committee had adopted a resolution calling for the Commissioner's assistance in the matter. The report summarized conversations between the Commissioner and political leaders in the three territories. On 16 September, the Commissioner had informed the Committee of the outcome of the conversations, following which the Committee had decided to postpone continuation of its work until 9 October. A second supplementary report was transmitted to the Secretary-General by the Commissioner on 24 October. This report stated that the Committee of Twenty-One had, on 22 October, unanimously approved a resolution embodying the following points:

The National Assembly was to be composed of sixty members;

Representation of the three territories was to be on a basis of equality;

Representation in the National Assembly was to be by means of selection, with consideration being given to equitable representation of the National Arab parties in the various areas, and also of independent individuals and leading personalities, particularly where the territory of Tripolitania was concerned;

Selection of the representatives was to be made in Cyrenaica by the Amir El Senussi, in the Fezzan by the Chief of the territory, and in Tripolitania by the Chairman of the Committee of Twenty-One, in accordance with the unanimous proposal of the Tripolitanian representatives in that Committee;

The list of candidates selected from Tripolitania would be submitted to the Committee of Twenty-One not later than 26 October;

Non-national minorities, according to the resolution, were not to be allowed to participate or to be

represented in the National Assembly, though it was stressed that all rights of minorities and foreigners should be fully safeguarded in the future constitution of Libya;

The National Assembly was to hold its first meeting on 25 November 1950.

(ii) *Reports of the Administering Powers in Libya*

By a letter dated 6 September 1950, the United Kingdom transmitted to the Secretary-General its report on the British administration of Cyrenaica and Tripolitania. The report was mainly devoted to financial and economic questions and to the steps taken to increase the role of Libyans in the administration. The report of the French Government concerning the administration of the Fezzan, transmitted to the Secretary-General on 13 September, covered a somewhat wider field, including an account of the establishment of a transitional régime in the Fezzan and data concerning such matters as agriculture, public health, social conditions and the development of the territory.

(iii) *Consideration by the General Assembly at its fifth session*

On 26 September 1950, the General Assembly decided to refer the question of Libya to the *Ad Hoc* Political Committee. The Committee considered the question during eleven meetings held from 9 to 19 October. On 9 October, the Committee decided to invite a representative of Italy to take part in the discussion; the United Nations Commissioner was also invited to take part therein. On 10 October, the Committee decided, by 33 votes to 11, with 10 abstentions, to accede to a request of the United Nations Council for Libya in inviting the Chairman and another member of the Council (the representative of Pakistan) to sit at the Committee table.

During the general debate, the Union of Soviet Socialist Republics submitted a proposal providing that the parts of Libya should be united in a single State; that all foreign troops and military personnel should be withdrawn from Libya within three months; and that military bases should be dismantled. On 12 October, Canada, Chile, Ecuador and Greece submitted a joint draft resolution which took note of the reports which had been received; recommended that the Administering Powers should press forward with the formation of governmental institutions for Libya in order to facilitate the establishment of an independent and sovereign Libya not later than 1 January 1952; urged the Economic and Social Council, the specialized agencies and Members of the United Nations to continue to aid Libya, through technical and financial assistance, to develop a sound and viable economy; and reaffirmed the recommendation that Libya should be admitted to membership in the United Nations upon its establishment as an independent State.

On 13 October, Egypt, Indonesia, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen submitted a draft resolution calling upon the authorities concerned to ensure the full and effective implementation of resolution 289 A (IV) and, particularly, to safeguard the

unity of Libya and the early transfer of power to an independent Libyan government; it also recommended that a National Assembly, representative of the inhabitants of Libya, should be convened not later than 1 January 1951, and that the National Assembly should set up a provisional government not later than 1 March 1951, to which would be transferred all powers exercised by the Administering Powers.

On 14 October, the Committee decided to adjourn so as to permit informal consultations with a view to producing a single text. These consultations resulted in the submission, on 17 October, of a joint draft resolution sponsored by Canada, Chile, Ecuador, Egypt, Greece, India, Indonesia, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen to replace the two draft resolutions referred to above.

Under the terms of this joint draft resolution, the General Assembly expressed its confidence that the Commissioner, aided by the Council, would take the necessary steps toward the achievement of the independence and unity of Libya pursuant to resolution 289 A (IV); called upon the authorities concerned to ensure the early, full and effective implementation of that resolution and, particularly, the realization of the unity of Libya and the transfer of power to an independent Libyan government; recommended that a National Assembly, to be convened before 1 January 1951, should establish a provisional government in such a manner as to ensure that all powers would be transferred to the duly constituted Libyan government by 1 January 1952, and that the Commissioner, aided by the Council, should draw up a programme for this transfer of power in co-operation with the Administering Powers; urged the Economic and Social Council, the specialized agencies and the Secretary-General to extend to Libya such technical and financial assistance as it might request; and reaffirmed the recommendation that an independent Libya should be admitted to membership in the United Nations.

Various amendments to this joint draft resolution were submitted during the course of the debate, but were subsequently withdrawn following a declaration by the Vice-Chairman to the effect that various clarifications would be included in the report of the Committee.

The USSR representative proposed an oral amendment to delete from the preamble of the joint draft a reference to increasing co-operation of the Administering Powers with the United Nations Commissioner.

On 19 October, the Committee, by 38 votes to 13, with 7 abstentions, rejected the USSR draft resolution as a whole. The USSR amendment to the joint draft resolution was rejected by 42 votes to 5, with 6 abstentions. The joint draft resolution as a whole was approved by 53 votes to one, with 5 abstentions.

The General Assembly considered the report and draft resolution of the *Ad Hoc* Political Committee at meetings held on 16 and 17 November 1950. The representative of Egypt submitted an amendment to the latter providing for the words "elected and" to be introduced in sub-paragraph (a) of paragraph 3 so that the text would read "a National Assembly to be

duly elected and representative of the inhabitants of Libya . . .". The United Nations Commissioner in Libya pointed out to the Assembly that it would be impossible to have a National Assembly elected before 1 January 1951. The representative of El Salvador, therefore, proposed an amendment to substitute the dates 1 March 1951 for 1 January 1951 regarding the convocation of a National Assembly, and 1 June 1951 for 1 April 1951 as the target date for the establishment of the provisional government of Libya. The majority in the General Assembly opposed these amendments on the grounds that they reopened the entire question and would retard considerably the attainment of independence by Libya. Those supporting the amendments maintained that the changes in dates would make it possible to carry out such elections, and that elections were necessary if Libya was to be established on a democratic basis.

The Egyptian amendment, which received 24 votes in favour to 20 against, with 15 abstentions, was not adopted, having failed to obtain a two-thirds majority. The amendment submitted by the representative of El Salvador was therefore not put to the vote. The draft resolution recommended by the *Ad Hoc* Political Committee, with a drafting change in paragraph 4 proposed by the Union of South Africa, was adopted by 50 votes to none, with 6 abstentions.

The USSR draft resolution, reintroduced in the General Assembly, was rejected.

(b) ECONOMIC AND FINANCIAL PROVISIONS RELATING TO LIBYA

During the consideration of the reports of the United Nations Commissioner and of the Administering Powers by the *Ad Hoc* Political Committee, the United Kingdom submitted, on 9 October 1950, a draft resolution relating to the economic and financial provisions to be applied in Libya in accordance with annex XIV, paragraph 19, of the Treaty of Peace with Italy. On 12 October, the Committee decided to establish a sub-committee of seven members to consider this draft resolution and to report back to the Committee with recommendations. The United Nations Commissioner in Libya, the Chairman of the Council for Libya and the representative of Italy were to participate in the sub-committee's work in an advisory capacity. It was also agreed that the report of the sub-committee would form the subject of a separate report by the *Ad Hoc* Political Committee to the General Assembly.

The Sub-Committee held twenty-eight meetings between 12 October and 11 December, the date on which it submitted its report. The *Ad Hoc* Political Committee considered the report at meetings held on 13 and 14 December, during which a USSR proposal to defer further consideration of the matter until the sixth session of the General Assembly was rejected by 26 votes to 5, with 9 abstentions. The draft resolutions submitted by the Sub-Committee were approved by 34 votes to 5, with 3 abstentions.

The General Assembly considered the report of the *Ad Hoc* Political Committee on 15 December. The USSR proposal to postpone discussion until the sixth session was reintroduced and was rejected by 44 votes

to 6, with 5 abstentions. The draft resolutions submitted by the *Ad Hoc* Political Committee were then adopted (388 (V)).

The main resolution (388 (V)) contained ten articles governing matters relating to Italian assets in Libya. Some categories of property were to be transferred to Libya, while others were to form the subject of special agreements to be concluded between Italy and Libya. The resolution also included sections concerning private property and assets. Provision was made for the establishment of a United Nations Tribunal authorized (1) to give to the various authorities such instructions as might be required for the purpose of giving effect to the resolution; and (2) to decide all disputes arising between those authorities concerning the interpretation and application of the resolution.

(c) TECHNICAL AND FINANCIAL ASSISTANCE TO LIBYA AND THE PROBLEM OF WAR DAMAGES

During a meeting of the *Ad Hoc* Political Committee held on 13 December 1950, the representative of Egypt submitted a draft resolution concerning the problem of war damages suffered by Libya. The draft resolution recognized that Libya, as a result of the last war, had suffered extensive damages to public and private property and to its system of communications, and that the necessity of repairing them represented one of the major economic and financial problems to be taken into consideration in order that an independent Libya might be established with a sound basis for economic and social progress. It instructed the Secretary-General to study the problem of war damages in connexion with the technical and financial assistance which Libya might request, and to report to the General Assembly at its sixth session.

The Egyptian draft resolution was approved, on 14 December, by 40 votes to none, with one abstention.

The General Assembly considered the report of the *Ad Hoc* Political Committee on this matter on 15 December, and adopted unanimously the proposed draft resolution.

The war damage has officially, though provisionally, been estimated at about £8 million in the province of Cyrenaica, the most heavily damaged territory. The damage to Tripolitania was extensive in the city and port of Tripoli, as well as to roads and bridges generally. This damage has to some extent been made good by the British administration of the territory. In Cyrenaica, the repairs are estimated to be 50 per cent complete for Benghazi harbour, the surfacing of main roads and the provision of plants, tools and equipment; 30 per cent complete for urban waterworks, electricity and sewage; 25 per cent complete for government offices, workshops, sheds, hospitals, demolition and clearance of towns. Such reconstruction as has been undertaken was necessarily limited to that required for the continuation of an orderly and effective administration and to meet the pressing needs of that country.

It soon became apparent from consultations with the United Nations Commissioner in Libya, the United Nations and specialized agencies, and technical assistance experts assigned to Libya, that the extent and

manner of the repair and replacement of damaged properties and facilities must be taken into account in assessing the resources of Libya, as well as in connexion with its economic development planning. Many of the damaged installations, in Cyrenaica in particular, had been constructed by the former Italian administration for public and private purposes; these disappeared with the withdrawal of the Italian population. The question must be explored whether the remaining damaged facilities should be repaired or replaced or whether new and different facilities would be needed by the Libyan State.

A number of the damaged facilities are naturally in the category of military establishments of the former régime, and will no longer be required by Libya. Nevertheless, the repairing of war damages still represents one of the major economic and financial problems to be considered. The technical assistance experts preparing the appraisal of the Libyan economy have borne this question in mind but, pending the completion of the study, it has not been practicable to proceed with a detailed analysis.

However, it is intended to appoint a qualified expert to work with the Libyan technical assistance team to prepare a report for the General Assembly regarding the necessary and desirable repairs which should be undertaken, and suggesting ways and means of finding the necessary funds in conjunction with the economic development of Libya. This report will be available to the General Assembly at a later date.

(d) APPROPRIATE ADJUSTMENT OF THE FRONTIERS BETWEEN EGYPT AND THE FORMER ITALIAN COLONY OF LIBYA, WITH PARTICULAR REFERENCE TO PARAGRAPHS 2 AND 3 OF ANNEX XI OF THE TREATY OF PEACE WITH ITALY

By a letter dated 12 July 1950, the permanent representative of Egypt requested the inclusion of this item in the provisional agenda of the fifth session of the General Assembly. On 26 September, the General Assembly referred the item to the *Ad Hoc* Political Committee for consideration and report.

At a meeting of the Committee held on 13 December, the representative of Egypt explained that the oasis of Djarabub, the western portion of the plateau of Sollum, and certain other strips of territory had been detached from Egypt and incorporated in what was at present Libya, during the period subsequent to the First World War, as a result of promises made to Italy by the United Kingdom. Public opinion in Egypt had reacted strongly against the cession of these territories under foreign pressure, and the Egyptian people had continued to regard the cession as unjust. The Egyptian representative also stressed the strategic importance to Egypt of the areas concerned, an importance which had been demonstrated during the Second World War. In view of the friendly relations between Libya and Egypt, and his Government's concern that Libya should become a unified and independent State in accordance with General Assembly resolution 289 A (IV), Egypt wished to avoid any discussion of its claims which might create an atmosphere prejudicial to the implementation of that resolution. He therefore proposed

that the item should be retained on the agenda of the General Assembly and that discussion should be postponed until the sixth session. The Committee took note of the Egyptian representative's explanation and agreed to make a recommendation to the General Assembly in this sense.

The General Assembly, on 14 December 1950, adopted a resolution incorporating the recommendation of the *Ad Hoc* Political Committee.

(e) ACTIVITIES OF THE UNITED NATIONS COMMISSIONER IN LIBYA AND OF THE COUNCIL FOR LIBYA SINCE THE ADOPTION OF GENERAL ASSEMBLY RESOLUTION 387 (V)

Following the adoption of General Assembly resolution 387 (V) on 17 November 1950, the Commissioner returned to Tripoli, where, on 19 December 1950, he made a statement informing the Council for Libya of the discussions on the Libyan question during the fifth session of the General Assembly. Since then, the work of the Commissioner and of the Council has been mainly concerned with constitutional and political development, and with studies of economic, financial and currency matters.

In the meantime, on 2 December, the Libyan National Assembly had adopted a resolution declaring that Libya should be a federal State under the Amir of Cyrenaica as King. It adopted a further resolution on 21 February 1951, calling upon the Amir of Cyrenaica (the King-designate of Libya) to request the Administering Powers to set up "local provisional governments in Tripolitania, Cyrenaica and the Fezzan".

On 5 March, the Chief Administrator of Tripolitania proclaimed the establishment of a "Government with the powers of a Council of Regency" in Tripolitania. A President, Vice-President and Ministers were to be appointed in consultation with the Amir of Cyrenaica as King-designate of Libya. The Tripolitanian Government was empowered to deal only with local affairs, and its competence was to be finally determined by the Libyan constitution to be drafted by the National Assembly of Libya. The Chief Administrator became the British Resident as from 8 March. On 29 March, the National Assembly unanimously adopted a resolution establishing a "provisional federal government" for Libya as provided in General Assembly resolution 387 (V). The Government was to establish contact with the Commissioner concerning the transfer of power to it from the Administering Powers in Libya.

A proclamation establishing a provisional cabinet, composed of from three to six ministers to assist the Chief of the territory, was published on 1 April by the French Resident in the territory of the Fezzan.

On 13 March, the United Nations Council for Libya, by 5 votes to 3, with 2 abstentions, adopted a resolution advising the Commissioner that he might appropriately offer suggestions to the National Assembly with regard to the future constitution of Libya. The position of the minority of the members of the Council, as it emerged during the debate, was that the constitution to be prepared by the National Assembly should be considered as a draft to be enacted in a provisional form, but which would require final approval

and, if necessary, amendment by a parliament to be elected by the Libyan people as a whole. The position of the majority of the Council was that the National Assembly was a competent body such as the General Assembly had had in mind in its resolutions of 1949 and 1950 and also that the final determination of the provisions of the constitution rested with the existing National Assembly. The Council adopted, in response to the Commissioner's request for advice, the following suggestions for the National Assembly regarding the future constitution of Libya:

(1) That the Libyan constitution should provide for a parliament consisting of two chambers, the upper one to be composed of representatives of the three territories on a basis of equality, such representatives either to be elected, or, should the National Assembly prefer, to be designated by the government of each territory and appointed by the King. The National Assembly might find it desirable that a limited portion of such representatives should be nominated by the King on his own initiative. The lower chamber would be elected on a proportional basis that would ensure just and balanced representation to the population of the three territories.

(2) That the constitution might suitably contain provisions for amendment by decision of the Libyan parliament in accordance with its legislative procedures, and that the constitution as a whole might be reviewed by that parliament in the light of experience after a minimum period of, say, five years. A special majority, such as two-thirds or three-fourths of both houses, or some other exceptional procedure, should be required for approval of constitutional amendments.

(3) That members of the Libyan cabinet should be required to appear before the lower chamber or both chambers to give an accounting of its stewardship and to answer questions; that detailed provisions regarding the responsibilities of the cabinet and the means by which it might be removed from office should be elaborated by the National Assembly.

(4) That control over Libyan State revenue and expenditure should be within the competence of parliament and that initiative in such matters should rest with the lower chamber, to which the State budget should be submitted in the first instance.

In a letter dated 3 April, addressed to the President of the National Assembly, the Commissioner made a number of observations on these suggestions.

He recalled his previous declaration before the General Assembly that the constitution to be prepared by the National Assembly should be considered a draft to be enacted in provisional form, which would require final approval and, if necessary, would be amended by the parliament to be elected by the Libyan population as a whole. Considering that the upper chamber, on the basis of the suggestions of the Council for Libya, might be founded on the equal representation of the three territories, it appeared preferable to him that the lower chamber should be composed in accordance with the principle of proportional representation directly related to the population or number of voters. Moreover, it appeared to him that any attempt to reach

through negotiations an agreed formula of representation other than a proportional one might give rise to almost insoluble difficulties between the territories.

Concerning the suggestions for amendment or review of the constitution, the Commissioner noted that the differences between the two procedures had not been indicated in exact terms. He pointed out that the amendment procedure was a normal characteristic of the constitutions of practically all countries, whereas the general review procedure was not so prevalent but did occur in the Charter of the United Nations. Two reasons for which the National Assembly might consider the latter procedure useful were: (1) the fact that the constitution being elaborated would be the work of an appointed body; and (2) that Libya, having no precedent of constitutional government in the modern sense of the word, might wish to give itself an opportunity, after a fixed number of years, to look back over its experiences and determine through democratic procedure whether the State required structural changes.

With regard to the question of the responsibility of the cabinet to parliament, the Commissioner considered it preferable in the case of Libya to make the cabinet responsible to the lower chamber only. Most constitutions and, in particular, several recent ones of the federal type were based on that system.

With regard to the control of State financial matters, the Commissioner held the view that, while in principle the lower chamber should have the last word on such matters, the question of the competence of the upper chamber would have to be considered, since the National Assembly had decided, on 2 December 1950, that Libya would be a federal State.

On 20 April 1951, a group of experts representing Egypt, France, Italy, the United Kingdom and the United States of America, under the chairmanship of the Commissioner, started a series of conversations for the purpose of examining the needs of the future Libyan State in the fields of currency, public finance and economic development. These conversations, held in Geneva, were a continuation of similar talks held in London in the middle of March. The Commissioner was accompanied by the Minister of Finance of the provisional Libyan Government.

4. Eritrea

An outline of the activities of the United Nations Commission for Eritrea, established by the General Assembly on 21 November 1949, is contained in the Secretary-General's last annual report to the General Assembly.

(a) CONSIDERATION OF THE REPORT OF THE UNITED NATIONS COMMISSION FOR ERITREA BY THE INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

The Interim Committee considered the report of the Commission for Eritrea, which was presented by the Commission's Rapporteur on 13 July 1950, during five meetings held between 13 and 31 July. On 13 July, it decided to invite a representative of Italy to attend its meetings on this subject. On 31 July, the Committee

decided to incorporate, in its report to the General Assembly, a statement made on that date by the Chairman to the effect that, while informal discussions among the delegations to the Committee had resulted in a compromise formula which could serve as a useful basis for further discussion in the General Assembly, time did not permit consideration of that formula by the Committee itself.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

On 26 September 1950, the General Assembly referred the question of Eritrea to the *Ad Hoc* Political Committee. The Committee considered this question in the course of fourteen meetings held between 8 and 30 November 1950.

On 8 November, the Union of Soviet Socialist Republics submitted a draft resolution calling for the granting of immediate independence to Eritrea, for the withdrawal of British occupation forces within three months, and for the cession of part of the territory of Eritrea to Ethiopia to secure the latter's access to the sea through the port of Assab.

On 10 November, Iraq submitted a draft resolution, revised on 23 November, providing that the question whether Eritrea should enter into some form of federation with Ethiopia or become an independent State should be determined by a national assembly duly representative of the people of Eritrea, suitable access to the sea being granted to Ethiopia. The members of the assembly were to be appointed by a United Nations Commissioner entrusted with the task of assisting the people of Eritrea to decide this question. The Commissioner was to be aided and guided by a Council consisting of representatives of seven countries and three representatives of the people of Eritrea. The Administering Power was to co-operate with the Commissioner and help to secure the transfer of all powers to a duly constituted government for Eritrea not later than 1 January 1953.

A joint draft resolution was submitted, on 20 November, by Bolivia, Brazil, Burma, Canada, Denmark, Ecuador, Greece, Liberia, Mexico, Panama, Paraguay, Peru, Turkey and the United States of America. It included a detailed plan whereby Eritrea was to constitute an autonomous unit federated with Ethiopia under the sovereignty of the Ethiopian Crown. An Eritrean government was to be organized and a constitution prepared and put into effect during a transition period not to extend beyond 15 September 1952. The appointment of a United Nations Commissioner, to be assisted by experts appointed by the Secretary-General, was also called for by this proposal.

A Polish draft resolution, submitted on 22 November, provided for the granting of independence to Eritrea after three years, during which period it was to be governed by a council of six members, including one Ethiopian, two Arab and three Eritrean representatives, the latter to include one representative from the European population. This proposal called for the withdrawal of British occupation forces within three months

and for the cession to Ethiopia of territory necessary to secure its access to the sea through the part of Assab.

On 24 November, Pakistan submitted a draft resolution recommending that Eritrea should be constituted an independent and sovereign State not later than 1 January 1953, and that a national assembly, to be convened not later than 1 October 1951, should frame a constitution and set up a provisional government, bearing in mind 1 April 1952 as a target date. This proposal also envisaged the appointment of a United Nations Commissioner and a council, the latter to consist of representatives of five countries and three representatives of the people of Eritrea. Upon its establishment as an independent State, Eritrea was to be admitted to membership in the United Nations, in accordance with Article 4 of the Charter.

On 20 November, the Committee adopted, by 31 votes to 16, with 9 abstentions, a Guatemalan proposal to invite the Chairman of the delegation of the Moslem League of Eritrea to participate, as on previous occasions, in the debate in the Committee relating to Eritrea. On the same date it adopted an Ethiopian proposal to extend the same privileges to all political parties in Eritrea which might request them. The Chairman of the Moslem League delegation made statements and replied to questions.

The majority of speakers, supporting the joint draft resolution, pointed to the observations of three of the five members of the United Nations Commission for Eritrea as indicating that a majority of the Eritrean people favoured union with Ethiopia, and as demonstrating strong economic reasons against independence. The federation envisaged by the joint proposal was regarded as sufficient to safeguard the interests of the minorities. Among the arguments opposed to these views were the following: that the Commission had been divided in its conclusions, and that there had been no "majority" in it; that the evidence indicated support for the idea of independence; that the activity of terrorist groups had prevented part of the population from expressing itself freely; that the statements concerning the lack of economic viability of the territory were not realistic; and that the Eritrean people should in any case be enabled to decide the issue themselves.

The Committee voted on the various proposals before it on 24 and 25 November. The draft resolutions proposed by the USSR, Poland, Pakistan and Iraq were rejected. The joint draft resolution was approved by 38 votes to 14, with 8 abstentions.

On 30 November the Committee approved, by 28 votes to 4, with 4 abstentions, a proposal relating to the establishment of a Committee to nominate candidates for the position of United Nations Commissioner in Eritrea.

The General Assembly considered the report of the *Ad Hoc* Political Committee at two meetings held on 2 December 1950. The draft resolution included in the report was adopted by 46 votes to 10, with 4 abstentions. The additional proposal concerning the appointment of a Commissioner was adopted by 45 votes to 5, with 6 abstentions (resolution 390 (V)). The USSR and Polish draft resolutions, which had been re-

introduced in the General Assembly, were both rejected in paragraph by paragraph votes.

On 14 December, the General Assembly, on the basis of three candidates nominated by the Committee established for that purpose, elected by secret ballot Mr. Eduardo Anze Matienzo as United Nations Commissioner in Eritrea.

(c) ACTIVITIES OF THE UNITED NATIONS COMMISSIONER IN ERITREA SINCE THE ADOPTION OF GENERAL ASSEMBLY RESOLUTION 390 (V)

The United Nations Commissioner in Eritrea arrived in Asmara on 9 February 1951. Following an invitation from the Emperor of Ethiopia, he visited Addis Ababa on 18 February. Thereafter, the Commissioner visited various sections and provinces of Eritrea, explaining the purposes of the General Assembly resolution and ascertaining the views of the population.

At a Press conference held on 1 May, the Commissioner announced that he had decided to postpone formal consultations with the inhabitants of Eritrea owing to the continuing illegal activities of the "shifita" which endangered the people of the country. On 19 June, the British Administration in Eritrea declared a general amnesty to all "shifita" irrespective of past activities. Severe action was to be taken against those refusing to surrender or committing outrages subsequent to the publication of the amnesty terms. The Commissioner simultaneously issued a statement strongly supporting these measures.

On 24 May, the Commissioner visited Addis Ababa for the second time, and proceeded, on 28 May, to hold formal consultations with the Minister for Foreign Affairs of Ethiopia on the preparation of a draft Eritrean constitution. The Commissioner presented an *exposé* of the basic principles to be incorporated in the draft. On 29 May, the Minister for Foreign Affairs presented his Government's views with regard to both the preparation of the constitution and the constitutional problems involved. He visited Asmara on 30 June, where the consultations with the Commissioner were to be continued.

On 29 June, the Commissioner made a statement to a meeting of political, religious and civic leaders, and of representatives of the Press, giving a provisional list of questions on which he would require the views of the inhabitants of Eritrea in preparing the draft Eritrean constitution. These questions included the following: the number of assemblies to be established and the period for which they should be elected; the composition, nomination and term of office of the executive; relations between the executive and the assembly; whether the Emperor of Ethiopia should be represented in the executive, and also whether the Emperor should take part in constituting the government; whether universal suffrage should be established and, if so, in what form; and, if a system of indirect voting were adopted, how it could best be carried out in view of the movements of the nomadic tribes which formed approximately one-third of the population. Other questions concerned the official and recognized languages of Eritrea and the flag of the federation and of Eritrea.

5. Procedure to be adopted to delimit the boundaries of the former Italian colonies in so far as they are not already fixed by international agreement

(a) REPORT OF THE INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

In resolution 289 C (IV) of 21 November 1949, the General Assembly called upon the Interim Committee to study the procedure to be adopted to delimit the boundaries of the former Italian colonies in so far as they were not already fixed by international agreement, and to report to the fifth session of the General Assembly. The Interim Committee decided, on 7 February 1950, to postpone consideration of the item until full information was available to it concerning the draft Trusteeship Agreement for Somaliland which the Trusteeship Council had been called upon to prepare.

On 15 September, the Committee had before it a draft resolution proposed by the United States of America but decided, in view of the limited time available for consultation and discussion before the opening of the fifth session of the Assembly, to annex the draft resolution to its report to the Assembly.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

On 26 September 1950, the General Assembly referred the question to the *Ad Hoc* Political Committee for consideration and report. The Committee considered the matter during one meeting held on 13 December 1950. A draft resolution submitted by the United States of America proposing a procedure for delimiting certain of the boundaries of the former Italian colonies, was approved by 35 votes to 5, with one abstention.

Prior to the approval of the resolution, the representative of the USSR declared that the General Assembly could not consider the matter, since annex XI of the Treaty of Peace with Italy provided that it was to be dealt with by the four Powers responsible for that Treaty. The General Assembly was empowered to decide only the question of the final disposal of the former colonies.

The General Assembly considered the report of the *Ad Hoc* Political Committee on 15 December, and adopted, by 44 votes to 5, the draft resolution recommended by the Committee.

In the resolution (392 (V)), the General Assembly recommended, with respect to Libya, that the portion of its boundary with French territory not already delimited by international agreement should be delimited, upon Libya's achievement of independence, by negotiation between the French and Libyan Governments, assisted on the request of either party by a third person to be selected by them or, failing their agreement, to be appointed by the Secretary-General.

The boundaries of Somaliland with British Somaliland and Ethiopia should be delimited by bilateral negotiations between the United Kingdom or the Ethiopian

Government respectively and the Administering Power. In the event of disagreement, a United Nations Mediator, to be appointed by the Secretary-General, was to assist the parties. In the event of further disagreement, resort was to be had to a procedure of arbitration. With respect to any other boundaries not delimited by international agreement, the General Assembly recommended that the parties concerned should seek to reach agreement by negotiation or arbitration.

6. Observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms

(a) ADVISORY OPINIONS OF THE INTERNATIONAL COURT OF JUSTICE

The General Assembly, on 22 October 1949, adopted resolution 294 (IV) concerning the question of the observance of human rights and fundamental freedoms in Bulgaria, Hungary and Romania. The resolution expressed increased concern at the grave accusations made against Bulgaria, Hungary and Romania and provided for the submission of four questions to the International Court of Justice for an advisory opinion and for the retention of the question on the agenda of the fifth regular session.

On 30 March 1950, the International Court of Justice gave an advisory opinion answering the first two questions submitted by the General Assembly. A summary of the replies was given in last year's report.

On 18 July 1950, upon failure of the three Governments to appoint their representatives to Treaty Commissions in accordance with their obligations under the Peace Treaties, the International Court of Justice delivered its opinion on question III put by the Assembly, namely, that if one party failed to appoint a representative, the Secretary-General of the United Nations was not authorized to appoint the third member of the Commission upon the request of the other party to a dispute. The refusal to appoint Commissioners had made impossible the constitution of valid Commissions. In view of the negative answer to the third question, the Court did not consider it necessary to discuss question IV.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

On 26 September 1950, the General Assembly referred to the *Ad Hoc* Political Committee, for consideration and report, the question of the observance in Hungary, Bulgaria and Romania of human rights and fundamental freedoms.

The Committee considered the matter during five meetings held between 2 and 5 October. On 2 October, the representative of Australia introduced a draft resolution which, *inter alia*, expressed the grave concern of the General Assembly at the failure of the Governments of Bulgaria, Hungary and Romania to fulfil their obligation, confirmed by the International Court of Justice, to appoint representatives to the Treaty Commissions, and expressed the opinion that the con-

duct of those Governments in the matter indicated that they were aware of breaches of their Treaty obligations to secure the enjoyment of human rights and fundamental freedoms in their countries. It noted that serious accusations on these matters continued to be made against the three Governments without satisfactory reiteration, and invited Member States to submit to the Secretary-General all evidence available to them in relation to the question.

At the next meeting, the representative of Cuba introduced amendments to the above draft resolution, condemning the attitude of the Governments of Bulgaria, Hungary and Romania with regard to their violation of human rights and fundamental freedoms, considering that their refusal to appoint representatives demonstrated that those Governments were incapable of complying with international obligations, and deciding that, as long as they did not modify their attitude, their applications for membership in the United Nations should not be entertained. At the same meeting, the representative of Bolivia proposed, *inter alia*, the insertion in the Australian draft resolution of a declaration that every violation of human rights and fundamental freedoms concerned the United Nations as a whole. On 5 October, the representative of Australia introduced a revised draft resolution, as amended by agreement with Bolivia and Cuba.

The majority of speakers placed emphasis on violations of religious freedom, denial of equality before the law, distortion of the judicial process into an instrument of political oppression, suppression of freedom of the Press and denial of essential political rights. The three Governments, accused of violating human rights and fundamental freedoms of their peoples, had refused to carry out their international obligations to comply with pertinent Peace Treaty provisions providing for arbitration procedure and objective inquiry. Their obstructive attitude was an indication of guilt.

Several representatives commented that the ruling of the International Court of Justice on question III might have the effect of making most of the arbitration and conciliation treaties optional in character, and declared that a State which had assumed the obligation of submitting disputes to arbitration could not evade that obligation by refusing to carry out the accessory actions necessary to implement its primary obligation.

Opponents of the draft resolution, including the Union of Soviet Socialist Republics, stated that discussion of the question was illegal; the Charter prohibited the United Nations from intervening in the internal affairs of any State (Article 2, paragraph 7) and did not authorize the discussion of matters arising out of the Second World War. It was said also that the International Court of Justice was not competent to give an advisory opinion on the matter, since Article 96 of the Charter authorized advisory opinions on legal questions only. Moreover, the opinion of the Court was illegal since it dealt with a non-existent dispute. The Peace Treaties required that one party to any dispute must be Bulgaria, Hungary or Romania, while the other party must be the United States of America, the United Kingdom and the Union of Soviet Socialist Republics acting jointly. Since the USSR did not rec-

ognize the validity of the charges, the Court was incompetent to act without the joint consent of the three States. The inconsistency of the action of the General Assembly was further revealed in the rejection by the Court of the absurd thesis that a legal Treaty Commission could be constituted in disregard of the specific requirements of the Treaties. Further, the Constitutions of Hungary, Bulgaria and Romania provided full and adequate protection for human rights and fundamental freedoms; all citizens were equal before the law and all must bear the responsibility for their crimes, regardless of their rank or position. Therefore, the prosecution of persons who had sought to overthrow the existing government and had been engaged in subversive and criminal activities against the State, was not a violation of human rights but a sovereign right and a legal duty of the State concerned, the more so since the Governments of Bulgaria, Hungary and Romania were fully complying with all provisions of the Peace Treaties, and especially the specific provision authorizing the outlawing of all fascist organizations and groups seeking to undermine the State. The failure of direct interference by the ruling circles of the United States of America and the United Kingdom in the internal affairs of the people's democracies forced them to embark upon a campaign of slander and defamation of those Governments, by using alleged violations of the Peace Treaties as their pretext.

On 5 October, the *Ad Hoc* Political Committee approved the revised version of the original Australian draft resolution by 39 votes to 5, with 13 abstentions.

Subsequently, cablegrams from the Governments of Romania, Hungary and Bulgaria dated 13, 18 and 28 October respectively, protested discussion of the question by the General Assembly as an interference in their internal affairs and a violation of Article 2, paragraph 7, of the Charter; denied, as unfounded and arbitrary, the alleged violations of the Peace Treaties and of human rights; and declared measures described as violations of human rights to be legitimate measures taken in accordance with the Peace Treaties against conspirators, terrorist groups and fascist elements involved in subversive and spying activities aiming at the overthrow of democratic regimes in the above States and the restoration of a fascist system hostile to the people. The communications stated that the accusation in question was nothing but a pretext for the Governments of the United States and the United Kingdom to interfere, under cover of the United Nations, in the domestic affairs of the three States and to prevent their admission to the United Nations.

After considering the Committee's report at two meetings, the General Assembly adopted, on 3 November, by 40 votes to 5, with 12 abstentions, the draft resolution submitted by the Committee. In the resolution (385 (V)) the General Assembly, considering that one of the purposes of the United Nations was to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms, and having regard to its previous resolutions 272 (III) and 294 (IV), took note of the advisory opinion delivered by the International Court of Justice; condemned the wilful refusal of the Governments of Bulgaria, Hungary and Romania to fulfil their obliga-

tions under the provisions of the Peace Treaties to appoint representatives to the Treaty Commissions; was of the opinion that the conduct of those Governments in the matter was such as to indicate that they were aware of breaches being committed to those articles of the Peace Treaties under which they were obligated to secure the enjoyment of human rights and fundamental freedoms in their countries; noted with anxiety the continuance of serious accusations on these matters against those Governments, which had made no satisfactory refutation of the accusations; invited Members of the United Nations to submit to the Secretary-General all evidence which they then held or which might become available in future in relation to the question; and invited the Secretary-General to notify Members of any information he might receive in connexion with it.

The text of the resolution has been transmitted to the Governments of Bulgaria, Hungary and Romania and to all the Members of the United Nations.

7. The India-Pakistan question

- (a) REPORT OF THE UNITED NATIONS REPRESENTATIVE FOR INDIA AND PAKISTAN APPOINTED ON 12 APRIL 1950

On 12 April 1950, the Security Council appointed Sir Owen Dixon as United Nations representative for India and Pakistan, the Governments of those two countries having agreed to accept the transfer to him of the powers and responsibilities previously exercised by the United Nations Commission for India and Pakistan.

On 15 September, Sir Owen Dixon transmitted to the Security Council his report outlining his visits to New Delhi, Karachi and Kashmir for the purpose of gathering information, and summarizing his efforts to secure settlement of the dispute between India and Pakistan through negotiations conducted with the Prime Ministers of the two countries during the period from 20 July to 23 August 1950. The report also contained a request by Sir Owen Dixon for formal termination of his position as United Nations representative.

During the course of his mission, he had put forward various plans and proposals. The initial plan related to the primary objective of demilitarization of the State of Jammu and Kashmir. The first step was to have consisted in the withdrawal of the Pakistan regular forces commencing on a named day. The disarming and disbandment of the *Asad* Kashmir forces and the Northern Scouts, the withdrawal of the regular forces of the Indian Army, the withdrawal or disarming and disbandment of the State forces and the disarming of the State militia were to have followed. According to this plan, armed forces might be retained on either side of the cease-fire line for certain specified purposes.

The second proposal envisaged bringing into existence for the plebiscite period a single government for the whole State. Three alternative plans had been put forward by the United Nations representative: (1) for the bringing into existence of a coalition government; (2) for the formation of an administration for the en-

ture State composed of trusted persons outside politics; and (3) for an administration to be constituted entirely of United Nations representatives. However, none of the suggestions or proposals put forward had commended themselves to the Prime Minister of India.

Si. Owen Dixon, having ascertained that the Prime Ministers considered that there was no longer any hope of agreement on demilitarization with a plebiscite to settle the future of the whole State in view, had asked the Prime Minister of India the attitude of his Government towards (1) a plan for taking a plebiscite by sections or areas and the allocation of each section according to the result of the vote therein; or (2) a plan for the allocation of those areas certain to vote for accession to one side or another, with the plebiscite being confined to the uncertain areas only. Following the adjournment of the conference with the Prime Ministers, the Government of India had communicated a tentative set of principles, providing for the direct allocation of certain areas to India or to Pakistan and for a plebiscite in the Valley of Kashmir. The Government of Pakistan had declined to attend another conference to discuss, in the light of the position taken by India, the possibility of settling the dispute, primarily because of its unwillingness to depart from the stand that the future of the State should be decided by an over-all plebiscite, and also on the ground that such discussions would have to be based upon more definite proposals by India.

As a last possibility of saving the situation, the United Nations representative had tried to secure the agreement of the two Governments to the holding of a conference in order to consider a plan for a partial plebiscite in a limited area, mainly the Valley of Kashmir, and for partition of the rest of the State; the plan was to be prepared by him complete except for details. The Government of Pakistan had accepted this suggestion after having been given the assurance that its position on an over-all plebiscite would not be prejudiced as a result, but had made its acceptance conditional upon acceptance by India of specific practical measures to ensure the freedom and fairness of the plebiscite.

The United Nations representative had informed the Prime Minister of India of the assurances given to Pakistan and of the measures proposed. The Prime Minister of India had refused to agree to any such provisions.

In the circumstances, the United Nations representative had come to the conclusion, concurred in by the two Prime Ministers, that no hope existed of an agreement for a plebiscite by which the fate of the Valley of Kashmir could be decided, and that no acceptable expedient for disposing of the Valley could be suggested. If there were any chances of settling the dispute over Kashmir by agreement between India and Pakistan, he considered that it now lay in partition and in some means of allocating the Valley, rather than in an over-all plebiscite. For himself, the United Nations representative doubted whether it might not be better to leave the parties to themselves in negotiating terms for the settlement of the problem.

(b) COMMUNICATION DATED 14 DECEMBER 1950 FROM PAKISTAN

In a letter dated 14 December 1950, addressed to the President of the Security Council, the Minister for Foreign Affairs of Pakistan expressed concern over the serious delay in dealing with the United Nations representative's report. He called the Council's attention to the proposed convening of a constituent assembly by the Maharaja's Government in Kashmir to determine "the future shape and affiliations of the State". That move, reportedly welcomed by the Prime Minister of India, sought to nullify the international agreement between India and Pakistan embodied in the resolutions adopted on 13 August 1948 and 5 January 1949 by the United Nations Commission for India and Pakistan, which had been endorsed by the Security Council, and was a challenge to the authority of the Council. He requested that the Security Council should give urgent consideration to the Kashmir question and should take measures to implement as soon as possible the above-mentioned agreement. The Council was also requested to call upon India to refrain from proceeding with the proposal for a constituent assembly and from taking any other action which might prejudice the holding of a free and impartial plebiscite.

(c) CONSIDERATION BY THE SECURITY COUNCIL

The Security Council considered that part of the India-Pakistan question relating to Jammu and Kashmir during nine meetings held between 21 February and 2 April 1951.

During the discussion, the representative of India emphasized that India was the complainant and that its complaint had been proved to be true in an aggravated form. Pakistan, not content with assisting the invading tribesmen, had itself become an invader and its army was still occupying a large portion of Kashmir. He emphasized that the Commission's resolutions of 13 August 1948 and 5 January 1949, agreed to by the parties, contained adequate provision for a free and impartial plebiscite under United Nations auspices, and that the Government of India could not make any further concessions. The existing legal position was that the State of Jammu and Kashmir was a unit of the Indian Federation, subject to federal jurisdiction in respect of the broad categories of defence, external affairs and communications, but completely autonomous in almost all other matters. The State was entitled to frame its own constitution and, for that purpose, to convene a constituent assembly of its own people. So far as the Government of India was concerned, the constituent assembly, the main purpose of which would be to provide a proper elected legislature for the State, was not intended to prejudice the issues before the Security Council, or to come in its way. Pointing out that the Governments of India and Pakistan had managed to reach agreement on several matters recently, he said that the Security Council might do worse than to follow the United Nations representative's advice, and let the initiative pass back to the parties.

The representative of Pakistan stated that the whole argument of the Indian representative rested on the untenable assumption that India was in lawful occupa-

tion of Kashmir. The fact was that that occupation had been brought about as the result of a conspiracy between the Hindu ruler of Kashmir and the Hindu leaders of India. Reviewing the history of the Kashmir question, he emphasized that the real problem at issue was to persuade the Government of India to agree to carry out what it had undertaken to do under the resolutions of 13 August 1948 and 5 January 1949, which had been accepted by India and Pakistan and endorsed by the Security Council. He stressed that the so-called "aggression" attributed to Pakistan could have nothing to do with the case, inasmuch as those resolutions had been adopted and accepted by India at a time when the Security Council, the Commission and the Government of India had all known of the situation.

On 21 February, the representatives of the United Kingdom and the United States of America submitted a joint draft resolution. A revised form of this proposal was submitted on 21 March and was adopted by the Council on 30 March by 8 votes to none, with 3 abstentions (India, USSR and Yugoslavia). The representative of India abstained from voting in accordance with Article 27, paragraph 3, of the Charter.

In the resolution, as adopted, the Security Council reminded the Governments and authorities concerned of the principle that the final disposition of the State of Jammu and Kashmir would be made in accordance with the will of the people, expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations. This principle had been embodied in various resolutions of the Security Council and of the Commission for India and Pakistan. The Council affirmed that the convening of a constituent assembly, as recommended by the General Council of the "All Jammu and Kashmir National Conference", and any action that that assembly might attempt to take to determine the future shape and affiliations of the entire State or any part thereof, would not constitute a disposition of the State in accordance with that principle.

The Council observed, from the United Nations representative's report, that the main points of difference preventing agreement between the parties were (1) the procedure for and the extent of the demilitarization of the State preparatory to the holding of a plebiscite; and (2) the degree of control over the exercise of the functions of government in the State necessary to ensure a free and fair plebiscite. Sir Owen Dixon's resignation was accepted in compliance with his request, and a new representative was to be appointed to succeed him. This representative was to proceed to the sub-continent and, after consultations with the two Governments, was to effect the demilitarization of the State on the basis of the Commission's resolutions of 13 August 1948 and 5 January 1949. He was to report to the Council within three months from the date of his arrival on the sub-continent. If, at the time of the report, he had not effected demilitarization as set out above, or obtained the agreement of the parties to a plan for effecting such demilitarization, he was to report to the Council those points of difference between the parties in regard to the interpretation and execution of the agreed resolutions which he considered must be resolved to enable such demilitarization to be carried out.

In the same resolution, the Security Council called upon the parties, should their discussions with the United Nations representative fail, in his opinion, to result in full agreement, to accept arbitration on all outstanding points of difference reported by the representative; this arbitration was to be carried out by an arbitrator, or a panel of arbitrators, to be appointed by the President of the International Court of Justice after consultation with the parties. The Governments of India and Pakistan were requested to ensure faithful observance of the cease-fire agreement and were called upon to take all possible measures to ensure the creation and maintenance of an atmosphere favourable to the promotion of further negotiations and to refrain from any action likely to prejudice a just and peaceful settlement.

The representative of India declared that the Security Council's resolution sought to reopen in favour of Pakistan issues which had been settled by the Commission's resolution of 13 August 1948. It sought to give Pakistan a voice in matters in which that country, as an invader of the State of Jammu and Kashmir, had been rightly denied any voice under the older resolution, and it sought to transfer to arbitrators the right to make vital decisions which, under that resolution, required India's agreement. Subject to this view on the question of arbitration, his Government had no objection to a new United Nations representative visiting India and Pakistan to make a fresh attempt to assist, by suggestions, advice and mediation, in determining how proposals regarding demilitarization, under the resolutions of 13 August 1948 and 5 January 1949, should be implemented with due regard to the assurance given to his Government in that connexion.

The representative of Pakistan stated that his Government accepted the resolution, including the provisions relating to arbitration.

On 30 April 1951, the representatives of the United Kingdom and the United States of America proposed that the Security Council should appoint Mr. Frank P. Graham as United Nations representative for India and Pakistan. The Council approved the nomination by 7 votes to none, with 4 abstentions (India, the Netherlands, USSR and Yugoslavia). The representative of India explained that he had abstained in accordance with Article 27, paragraph 3, of the Charter.

The United Nations representative arrived in Karachi on 30 June.

(d) CONSIDERATION BY THE SECURITY COUNCIL OF COMMUNICATIONS DATED 4 AND 10 MAY 1950 FROM PAKISTAN

On 4 May 1951, the Minister for Foreign Affairs of Pakistan addressed a letter to the President of the Security Council, in which the attention of the Council was drawn to reports that the Yuvaraja of Jammu and Kashmir had issued a proclamation on 30 April convening a constituent assembly in the State and containing details concerning the procedure in that matter. This move, it was stated, was a challenge to the authority of the Council, and was an attempt to nullify its resolution of 30 March. The Council was requested to

take adequate measures to stop the Government of India, and the authorities concerned in the State of Jammu and Kashmir, from pursuing a course of action which, besides prejudicing further negotiations for the implementation of the international agreement embodied in the Commission's resolutions of August 1948 and January 1949, was bound to create an explosive situation charged with grave possibilities affecting the maintenance of international peace.

On 10 May, the permanent representative of Pakistan, in a letter addressed to the President of the Council, brought to the Council's notice a statement made on 4 May by the Prime Minister of the India-occupied portion of Kashmir, to the effect that the constituent assembly was to decide the future shape and affiliations of Kashmir and that no Power could veto its decision.

The Security Council considered the two communications at a meeting held on 29 May. The representative of India reaffirmed the position taken by his delegation and repeated that, so far as the Government of India was concerned, the constituent assembly was not intended to prejudice the issues before the Security Council, or to come in its way. While the constituent assembly might, if it so desired, express an opinion on the question of accession, it could take no decision on it.

On the proposal of the representative of the United Kingdom, the Security Council approved, by 9 votes to none, with 2 abstentions (India and the USSR), the text of a letter to be sent by the President of the Council to the Governments of India and Pakistan. The letter noted with satisfaction the assurances of the representative of India, and stated that it was the sense of the Council that the reports contained in the communications from Pakistan, if correct, would involve procedures in conflict with the commitments of the parties to determine the future accession of Jammu and Kashmir by a fair and impartial plebiscite under United Nations auspices. The Council reminded the two Governments of the provisions of its resolution of 30 March, and trusted that they would do everything in their power to ensure that the authorities in Kashmir did not disregard the Council.

(e) FURTHER COMMUNICATIONS FROM THE PARTIES

On 31 May, the alternate representative of India transmitted to the President of the Security Council a message from the Prime Minister of India to the effect that he had nothing to add to what had already been stated by the Indian delegation.

In a letter dated 15 June, addressed to the President of the Security Council, the Minister for Foreign Affairs of Pakistan took note of the President's letter and recalled statements made by various members of the Council during the discussion prior to its adoption. He cited further statements made by the Prime Minister of India to the effect that a constituent assembly was being convened with the full approval of the Government of India and that India would not co-operate in any way in the implementation of the resolution of 30 March 1951, which it had not accepted. If the Government of India were permitted to pursue the course it

had set itself, all chances of a pacific settlement of the dispute would be undermined and the creation of a grave threat to international peace would result. The hesitance of the Security Council to assert its authority and to enforce its resolutions relating to Kashmir had encouraged the Government of India and Sheikh Abdullah to persist in their intransigence and had immensely increased the difficulties which the United Nations representative would have to face. The Government of Pakistan urged the Security Council to retrieve the situation by taking effective and adequate measures to stop the Government of India and the authorities concerned in the Jammu and Kashmir State from convening the proposed constituent assembly.

By a letter dated 30 June, the permanent representative of India transmitted a communication dated 29 June from the Prime Minister and Foreign Minister of India to the President of the Security Council. In this communication, the Government of India invited attention to a series of violations of the cease-fire line and of the agreement between India and Pakistan which had been committed by Pakistan during the previous fortnight. Particular mention was made of three incidents, involving Pakistani attacks on Indian troops, within Indian territory. Coupled with the warmongering propaganda that was daily growing in Pakistan, those occurrences justified the suspicion that they were part of a planned programme calculated to lead, if unchecked, to the outbreak of hostilities between the two countries. The Government of India took a very serious view of the happenings, and a continuation of such incidents might well result in developments which it would be difficult to control and which it would fain avoid. Protesting strongly against the violations, the Government of India considered that Pakistan should be made to realize the responsibility of implementing its obligations under the cease-fire agreement.

8. The Indonesian question

(a) REPORTS SUBMITTED BY THE UNITED NATIONS COMMISSION FOR INDONESIA TO THE SECURITY COUNCIL ON 28 JULY AND ON 11 AND 28 OCTOBER 1950

On 28 July 1950, the United Nations Commission for Indonesia reported to the Security Council that the Royal Netherlands Indonesian Army (KNIL) and the Netherlands Army High Command in Indonesia had been dissolved on 26 July following an agreement reached between the parties on 15 July. Any Netherlands Indonesian Army personnel not demobilized on 26 July were to be given temporary Netherlands Army status.

In a telegraphic report dated 11 October, the Commission outlined events which had taken place in the South Moluccas since the proclamation, on 25 April 1950, of a "South Moluccas Republic" by a group of persons who had seized authority in the islands. Several attempts made by the Indonesian Government to secure a peaceful solution of what it considered to be an act of rebellion against the legal authorities had failed, as had the attempt of the Commander of the Netherlands forces in East Indonesia to re-establish authority

over elements of the Royal Netherlands Indonesian Army (KNIL) stationed on the island of Amboina. Armed forces of the Republic of the United States of Indonesia had carried out landings on various islands of the South Moluccas group on 13 July. On 4 August, the Commission had expressed to the Indonesian Government its readiness to lend any assistance within its power and, if required, to render its good offices in any way which that Government might consider appropriate. On 23 September, the Indonesian Foreign Minister had expressed his Government's willingness to make use of the Commission's suggestions and advice, in so far as that could be done without prejudicing his Government's status. The Commission had then repeated its offer and had proposed to proceed to Ambon. The Indonesian Foreign Minister had replied, on 30 September, that his Government considered that the intervention of the Commission would not serve any useful purpose but would, on the contrary, constitute an encouragement to the rebels. Following landings carried out on the island of Amboina, on 28 September, by forces of the Indonesian Government, the Netherlands High Commissioner, on 5 October, had formally requested the Commission to use all the means at its disposal in order to achieve a cessation of the fighting in the South Moluccas. In reply to an appeal made to the Indonesian Government by the Commission on 6 October, the Indonesian Government, on 9 October, had reiterated its point of view that the Commission's intervention, instead of achieving any favourable results, would encourage the rebels by putting the case on an international level. The Commission considered that it had exhausted all the means at its disposal to assist in achieving a peaceful settlement of the matter, and therefore referred it to the Security Council for consideration, with the suggestion that the Council might reinforce the Commission's authority by calling upon the Indonesian Government to utilize the existing machinery provided by the presence of the Commission in Indonesia for a peaceful solution of the problem.

In another telegraphic report dated 28 October, the Commission informed the Security Council that the Contact Committee of Netherlands and Indonesian representatives under the chairmanship of the Commission had met, on 25 October, to consider, among other matters, problems connected with the demobilization and repatriation of ex-KNIL troops; it was also stated that the Contact Committee had established an *ad hoc* sub-committee to consider all technical aspects of those problems. The Commission drew the attention of the Security Council to the fact that both the Indonesian and Netherlands authorities had shown a common desire to settle such problems, which would assume immediate urgency as repatriation of Ambonese troops became possible. The Commission still stood prepared, of course, to extend its good offices in connexion with the Ambonese problem, and would continue to keep the Security Council informed of future developments.

(b) RECALL OF MILITARY OBSERVERS

On 14 March 1951, the Commission informed the Secretary-General that, in view of the satisfactory stage of implementation which had been reached in the

arrangements for the withdrawal of the Netherlands troops from Indonesia, the services of the military observers attached to the Commission would no longer be required as from 6 April 1951. The Commission added that the Indonesian and Netherlands Governments had been consulted on the matter and had expressed their agreement.

(c) REPORT OF THE UNITED NATIONS COMMISSION FOR INDONESIA CONCERNING ITS ACTIVITIES SINCE THE TRANSFER OF SOVEREIGNTY

By a letter dated 3 April 1951, the United Nations Commission for Indonesia transmitted to the Security Council a report on its activities since the transfer of sovereignty. The report contained sections dealing with military matters, the right of self-determination, Western New Guinea, Netherlands-Indonesian Union developments, incidents and armed uprisings in Indonesia affecting the Commission's activities, and the South Moluccas affair. The Commission stated that, during the period under review, it had been concerned particularly with problems arising from the military and political provisions of the agreements reached at the Round Table Conference. Since the military problems were virtually solved, since no other matters had been submitted by the parties and since no item remained on its agenda, the Commission had decided that, while continuing to hold itself at the disposal of the parties, it would adjourn *sine die*.

9. The Korean question

(a) PROCEEDINGS IN THE SECURITY COUNCIL

As indicated in the previous report, the Security Council, on 25 and 27 June 1950, adopted two resolutions concerning the complaint made by the United States of America of aggression against the Republic of Korea. The first of these determined that the attack by the North Koreans against the Republic of Korea constituted a breach of the peace, while the other recommended that the Members of the United Nations should furnish such assistance to the Republic of Korea as might be necessary to repel the armed attack and to restore international peace and security in the area.

(i) Continuation of the discussion of the complaint of aggression upon the Republic of Korea, until 31 July 1950

On 7 July 1950, the representative of the United Kingdom stated that some further steps would be necessary to co-ordinate the assistance recommended in the resolution of 27 June. The need therefore arose for a unified command of troops put at the disposal of the United Nations by various Member States. To that end, he submitted a joint French-United Kingdom draft resolution, recommending that all Members providing military forces and other assistance pursuant to the Council's resolutions of 25 and 27 June should make such forces and other assistance available to a unified command under the United States of America and requesting the United States to designate the commander of such forces.

The draft resolution was adopted on the same date, by 7 votes, with 3 abstentions (Egypt, India and Yugoslavia), and one member absent (USSR).

On 25 July, the representative of the United States of America communicated the text of an exchange of letters between the President of the Republic of Korea and the Supreme Commander of the United Nations forces regarding the assignment to the Supreme Commander of the common authority over all military forces of the Republic of Korea during the period of the continuation of the state of hostilities.

On the same date, he also communicated the text of the United States Far East Command *communiqué* indicating the establishment of the United Nations Command, and the text of the first report to the Security Council by the United States Government on the course of action taken under that Command. On 31 July, the representative of the Republic of Korea drew the urgent attention of the Council to the need for assistance and relief for the refugees rendered homeless and without resources as a result of the aggression in Korea. He estimated their number to be more than one million.

In that connexion, the representatives of France, Norway and the United Kingdom submitted a joint draft resolution requesting, *inter alia*, that the Secretary-General, the Economic and Social Council, other United Nations organs, the specialized agencies, and appropriate non-governmental organizations should provide such assistance as the Unified Command might request for the relief and support of the civilian population of Korea. The draft resolution was adopted by 9 votes, with one abstention (Yugoslavia), and one member absent (USSR).

At the same meeting, the representative of the United States of America introduced a draft resolution requesting the Council to condemn the North Korean authorities for continued defiance of the United Nations; to call upon all States to use their influence to prevail upon the authorities of North Korea to cease their defiance; and to call upon all States to refrain from assisting or encouraging the North Korean authorities and to refrain from action which might lead to the spread of the Korean conflict to other areas and thereby further endanger international peace and security.

- (ii) *Proposal by the Union of Soviet Socialist Republics for the inclusion in the Council agenda of an item entitled "Peaceful settlement of the Korean question"*

In a letter dated 31 July 1950, the President of the Security Council for the month of August, the representative of the USSR, informed the Secretary-General that the next meeting of the Council would have the following provisional agenda:

- "1. Adoption of the agenda
- "2. Recognition of the representative of the Central People's Government of the People's Republic of China as the representative of China
- "3. Peaceful settlement of the Korean question"

This provisional agenda was discussed at three meetings on 1, 2 and 3 August 1950.

The representative of the United States of America noted that, contrary to rule 10 of the Security Council's rules of procedure, the provisional agenda did not contain the item "Complaint of aggression upon the Republic of Korea", which had been under consideration at the preceding meeting. Accordingly, he moved that the second item should be "Complaint of aggression upon the Republic of Korea".

Against the proposal to include item 3 in the agenda, it was argued that it would be inappropriate to revise the title of the agenda item under which the Council had been discussing the Korean question for five weeks. It was not possible to accept the implication in the wording of item 3 that the USSR was the only nation interested in the peaceful settlement of the Korean question. The wording of the item already on the agenda would permit every member to express his point of view fully and to make proposals for the peaceful settlement of the question.

The representative of the USSR said that, in order to hamper the discussion of item 3, the United States delegation had submitted, on 31 July, a draft resolution containing measures intended to extend United States aggression in Korea, and had suggested that the Council should confine itself to that proposal. In giving the proposal the inaccurate title "Complaint of aggression upon the Republic of Korea", the United States delegation was attempting to conceal its own aggression and to cast the blame for events in Korea on the Government of the People's Democratic Republic of Korea. The USSR was appealing to the Security Council not to encourage and conceal United States aggression in Korea, but to adhere to the policy of the pacific settlement of the Korean question and the restoration of peace.

On 3 August, the United States motion for the inclusion in the agenda of the item "Complaint of aggression upon the Republic of Korea" was adopted by 8 votes to one (USSR), with 2 abstentions (India and Yugoslavia).

The USSR proposal to include in the agenda the item "Peaceful settlement of the Korean question" was rejected by 7 votes to 3 (Egypt, India and USSR) with one abstention (Yugoslavia).

- (iii) *Continuation of the discussion of the complaint of aggression upon the Republic of Korea*

On 4 August 1950, the President, speaking as the representative of the USSR, introduced a draft resolution entitled "Peaceful settlement of the Korean question". This draft resolution called on the Council to declare it necessary, in the course of the discussion of the Korean question, to invite the representative of the People's Republic of China; to hear representatives of the Korean people; to put an end to the hostilities in Korea and, at the same time, to withdraw foreign troops from Korea.

The representative of China requested that the President, in view of the Council's decision of 25 June on this matter, should invite the representative of the

Republic of Korea to participate in the debate on the Korean question before the Council took up the consideration of the USSR draft resolution.

The representatives of Egypt, the United States of America, the United Kingdom, Norway, India, Ecuador, France and Cuba expressed their agreement with the view of the representative of China that the Council's decision of 25 June was binding upon the President as long as it was not reversed by the Council. Moreover, they considered that the Council was not dealing with a dispute, but with an aggression by the North Korean régime against the Republic of Korea, the Government of which had been recognized by the General Assembly as the only one representing the Korean people, while the North Korean régime had not been recognized by the United Nations and had refused to avail itself of the opportunity to present its views to the United Nations Commission on Korea. They were therefore opposed to inviting representatives of North Korea to the Council table as long as the North Korean authorities maintained their hostile attitude towards the United Nations.

The President, speaking as the representative of the USSR, argued that both parties involved in the hostilities in Korea should be invited to participate in the discussion of the question, because the conflict was a dispute between two rival governments involved in civil war. It was a tradition and practice established in the Security Council to invite both parties to participate in the consideration and discussion of such questions. Moreover, the United States draft resolution contained a paragraph directed against the North Korean authorities. In such circumstances, it would be unfair and inadmissible for the Council not to give a due hearing to the accused party. The contention that the Council was dealing with aggression and that therefore Article 32 of the Charter did not apply to the case, represented a perversion of the spirit and the letter of the Charter. It was common knowledge, he said, that it was the United States which was the aggressor in Korea. Thus, the representative of the aggressor was present and the representative of the victim of aggression was not. In order to avoid taking a decision based on a one-sided version, the Security Council should hear the representatives of both the North and the South Koreans.

Speaking as President, he expressed the view that, until the Council had discussed and acted upon the USSR draft resolution, he could not give any ruling on the Council's decision of 25 June to invite the representative of the Republic of Korea.

On 8 August, the President drew the attention of the Council to a cablegram dated 7 August, addressed to him by the Minister for Foreign Affairs of the People's Democratic Republic of Korea, charging United States air forces with savage bombing of the peaceful population of Korea and requesting the Council to take urgent steps to put an end to these actions. Speaking as the representative of the USSR, he introduced a draft resolution, under the terms of which the Security Council would decide to call upon the United States Government to cease and not permit such bombing in future; and to instruct the Secretary-General to bring that decision to the very urgent notice of the United States Government.

On 1 September, the President (the representative of the United Kingdom), basing himself on the decision taken by the Council on 25 June, invited the representative of the Republic of Korea to take his seat at the Council table. This ruling, having been challenged by the representative of the USSR, was upheld by 9 votes to one (USSR), with one abstention (United Kingdom).

The representative of the USSR then introduced a draft resolution calling on the Council to decide that, during its discussion of the Korean question, it was necessary to invite and hear the representatives of the Korean people, i.e., the representatives of North and South Korea.

The representative of Norway pointed out that, if the above draft resolution were rejected, the Council would be left in doubt whether the situation with regard to the invitation to the representative of the Republic of Korea should be governed by the rejection or by the President's last ruling.

To avoid such doubt, the President ruled that, if the USSR draft resolution were rejected, nothing in such a rejection should prejudice the right of the representative of the Republic of Korea to be present at the Council table during the discussion of the item.

The representative of the USSR stated that his delegation could not agree to such a decision.

The President's ruling was upheld by 8 votes to one (USSR), with one abstention (Yugoslavia), with one member (Egypt) not participating.

The USSR draft resolution was rejected by 8 votes to 2 (USSR and Yugoslavia), with one member (Egypt) not participating.

On 5 September, the Council considered the draft resolutions submitted by the United States of America on 31 July and by the USSR on 4 and 8 August.

The representative of the USSR considered that the United States proposal was diversionary and aggressive. Its main purpose was to prolong and to justify the aggression of the United States in Korea and to involve the largest possible number of countries in that aggression. The United States Government, supported by the governments of the colonial Powers of Europe, was waging a colonial and imperialist war against the entire Korean people and against the peoples of the other countries of Asia and the Far East. This was eloquently confirmed by the barbarous bombardments, by the United States naval and air forces, of peaceful towns and villages in Korea. The first USSR draft resolution, on the other hand, was designed to deal with the peaceful settlement of the Korean question immediately. Those who had the interest of peace at heart could therefore not but give it their support.

The representatives who supported the United States draft resolution considered that it was a timely corollary to the Council's previous resolutions on the Korean question, and that it would be appropriate in the prevailing circumstances to ask all States to comply with the provisions of the Charter calling upon all Members to refrain from giving assistance to any State against

which the Organization was taking preventive or enforcement action. On the other hand, the USSR draft resolution entitled "Peaceful settlement of the Korean question" called in fact for a sanctioning of the aggression and surrender to the aggressor.

On 6 September, the United States draft resolution was put to the vote and received 9 votes in favour, one against (USSR), and one abstention (Yugoslavia). Since the negative vote was cast by a permanent member, the draft resolution was not adopted.

The USSR draft resolution entitled "Peaceful settlement of the Korean question" was rejected by 8 votes to one (USSR), with 2 abstentions (Egypt and Yugoslavia).

On 7 September, the representative of the USSR submitted new charges that United States air forces had bombed, illegally and criminally, the peaceful population of Korea, its towns and industrial centres where there never had been and were not now any military objectives. Under the pretext of fighting guerrillas, dozens of Korean villages and towns were being burned to the ground. The barbarous attacks on such "military" objectives as schools, hospitals, educational institutions and a great many other public and cultural institutions formed part of the barbarian doctrine of total war, aimed at the destruction of the peaceful industry of Korea and everything else in order to suppress all resistance to the achievement of aggressive aims. These attacks constituted a gross violation of universally recognized standards of international law, and particularly of article 25 of the Fourth and article 1 of the Ninth Hague Conventions, which were in full force at the present time. The Security Council must put an end to this shameful and bloody orgy in Korea and adopt the appropriate decision on this urgent question.

The representative of the United States of America, in reply, stated that the activities of the United Nations forces in Korea were directed solely at military targets but that the communist command had used peaceful villages to cover its tanks and civilian dresses to disguise its soldiers. The United Nations Command, however, had made every effort, by means of warning leaflets and radio broadcasts, to minimize to the fullest extent possible damage and injury to peaceful civilians and property.

Several members of the Council considered that it could not be assumed without investigation that the charges contained in the USSR draft resolution were in accordance with the facts. As the draft resolution made that assumption, they would have to vote against it.

The draft resolution was rejected by 9 votes to one (USSR) with one abstention (Yugoslavia).

On 26 September, the representative of the USSR referred to two cablegrams from the Minister for Foreign Affairs of the People's Democratic Republic of Korea, dated 7 and 18 September respectively, containing further charges of bombing of non-military targets by the United States Air Force. He submitted a draft resolution under the terms of which the Council, having considered those cablegrams, and recognizing that the

facts referred to in them were a violation of the generally accepted rules of international law, should decide to call upon the United States Government to cease and henceforth forbid such activities by the United States Air Force, and instruct the Secretary-General to bring that decision without delay to the knowledge of the United States Government.

After a discussion along lines similar to those followed in the debate concerning the previous USSR draft resolution regarding bombings in Korea, the latest text was rejected on 30 September, by 9 votes to one (USSR), with one abstention (Yugoslavia).

On 6 November, the representative of the United States of America brought to the attention of the Council the text of a special report, dated 5 November, from the United Nations Command in Korea, in which it was submitted that in certain areas of Korea the United Nations forces were in contact with Chinese military units deployed for action against the forces of the Unified Command.

The representative of the USSR objected to the Council considering the report on the ground that its resolutions establishing the Unified Command had been taken in violation of the Charter. Furthermore, on 27 September, the Government of the People's Republic of China had submitted a complaint of violation of China's frontier by American troops in Korea (see section 29 below). The Council, however, had been prevented by the United States from adopting a just and legal decision in that connexion. Since the United States had argued against discussing that complaint, there were no grounds, he thought, for discussing now the reports from an American general in Korea whose reporting could not be regarded as reliable.

The Council, however, decided, on 8 November, against the vote of the representative of the USSR, to discuss the special report.

The representative of the USSR considered that the report involved the interests of the People's Republic of China and submitted a draft resolution, under the terms of which the Council would decide that, during the discussion of the Korean question, it was necessary to invite the representatives of the People's Republic of China.

The representative of the United Kingdom introduced the following amendment to the USSR draft resolution: "The Security Council decides to invite, in accordance with rule 39 of the rules of procedure, a representative of the Central People's Government of the People's Republic of China to be present during discussion by the Council of the special report of the United Nations Command in Korea".

The representative of the United States of America stressed that the special report did not refer to volunteers in the North Korean army, but to Chinese communist military units. The facts at present before the Council could be interpreted as a provocation to general war. The United Nations had done its best to avert that peril. The Council should, however, affirm to the Chinese communist régime once again the objectives of the United Nations in Korea, but the Council must also see

to it that the authorities in Peiping were under no illusion that their conduct was condoned by the United Nations or that the organized world community could accept their invasion in Korea.

The representative of the USSR considered that the United Kingdom amendment represented, not an amendment but a separate draft resolution. The Council agreed to vote on the United Kingdom proposal as a separate draft resolution.

The President for November, speaking as the representative of Yugoslavia, explained that, having always considered the People's Republic of China an interested party in the Korean question as a whole, he would vote in favour of the USSR draft resolution. If that proposal were not adopted, he would vote in favour of the proposal submitted by the United Kingdom.

The USSR draft resolution was rejected. There were 3 votes against (China, Cuba and United States of America), 2 in favour (USSR and Yugoslavia), and 6 abstentions.

An amendment submitted by the representative of the USSR to replace the words "special report of the United Nations Command in Korea", in the United Kingdom draft resolution by the words "the question submitted by the delegation of the United States of America" was rejected by 2 votes (China and Cuba) to one (USSR), with 8 abstentions. Thereafter, the United Kingdom draft resolution was adopted by 8 votes to 2 (China and Cuba), with one abstention (Egypt).

On 10 November, the representatives of Cuba, Ecuador, France, Norway, the United Kingdom and the United States of America submitted a joint draft resolution, under the terms of which the Council would (1) call upon all States and authorities to refrain from assisting or encouraging the North Korean authorities, to prevent their nationals or individuals or units of their armed forces from giving assistance to North Korean forces and to cause the immediate withdrawal of any such nationals, individuals or units which might presently be in Korea; (2) affirm that it was the policy of the United Nations to hold the Chinese frontier with Korea inviolate and fully to protect legitimate Chinese and Korean interests in the frontier zone; (3) call attention to the grave danger which continued intervention by Chinese forces in Korea would entail for the maintenance of such a policy; (4) request the Interim Committee on Korea and the United Nations Commission for the Unification and Rehabilitation of Korea (established by General Assembly resolution 376 (V) of 7 October 1950) to consider urgently and to assist in the settlement of any problems relating to conditions on the Korean frontier in which States or authorities on the other side of the frontier had an interest.

The representative of the USSR objected to the Council discussing the matter before the arrival of representatives of the People's Republic of China. This objection was rejected by 10 votes to one (USSR).

At the same meeting and also on 16 November, the representatives of France, the United Kingdom and the United States of America and some others emphasized

that the immediate submission of the six-Power draft resolution had become necessary because the intervention of Chinese military units in Korea had been intensified since the Council's meeting of 8 November. The immediate objective of the draft resolution was to prevent the development of a threatening situation which might endanger, not only the restoration of peace in Korea, but the very principle of that peace in an important area of the world. Its provisions should remove any fears that the territory of China was endangered in any way by the presence of United Nations forces in Korea. Whatever its motives, the intervention, however, must cease. The draft resolution made clear that the United Nations sought peace, but that it was determined to prevent any assault on international peace and security.

The representative of Ecuador referred to the refusal of the Peiping Government, contained in a cablegram dated 11 November, to accept the invitation decided upon on 8 November. This, he considered, could not influence the position adopted hitherto by the United Nations with regard to Korea. On the contrary, it justified the six-Power draft resolution and made its adoption indispensable.

The representative of the USSR considered that events in Korea had now clearly confirmed that aggressive circles of the United States had broken the peace in an attempt to seize not only South Korea but North Korea as well, with the purpose of transforming the country into a colony and to use its territory as a military air base in the Far East. For those reasons, the United States Government had rejected the USSR proposal for the peaceful settlement of the Korean question. The American interventionists had, under the cover of the United Nations flag, advanced in the direction of the Yalu and Tumin Rivers and now immediately threatened the north-eastern frontiers of China. By the seizure of the Chinese island of Taiwan, the United States had invaded Chinese territory and was threatening its security. The Chinese people had every reason to indict the United States Government for its hostile provocations and aggression against China. The mere fact that the six-Power draft resolution was based on the unilateral and tendentious report of an American general hostile to the Chinese people, was enough to prove that it could not be either objective or just and was, therefore, unacceptable. Moreover, it referred to illegal resolutions of the Council and of the General Assembly, and represented thus a gross violation of the Charter. Its intention was to justify and further conceal United States aggression both against Korea and against the People's Republic of China, and to secure the extension of American aggression in the Far East.

The representative of the Republic of Korea, after referring to the devastation and loss of life caused by the war in Korea, emphasized that these were the price which the Korean people had been prepared to pay in the interests of freedom and of democracy, to which they were profoundly attached. He was convinced that the future security of Korea lay in full adherence to the principles of the United Nations. The Korean people, he stressed, sought no extension beyond their borders but would stand against invasion from what-

ever quarter it came. They would, moreover, lend their strength to the co-operative action of the United Nations just as the United Nations had lent its strength to Korea. Korea was in fact the place in which to build that defensive force which had been urged on the Council so often and so earnestly.

At the request of the representative of the USSR, the Council then heard part of a statement by a representative of the Ministry for Foreign Affairs of the People's Republic of China, dated 11 November, which had been transmitted to the Secretary-General under cover of a letter dated 14 November from the representative of the USSR. It stated that, as a result of the invasion of Korea and of Chinese Taiwan by American imperialists, and of bombing raids on north-east China, the security of China had been imperilled. Filled with righteous indignation, the Chinese people was voluntarily helping the Korean people to repulse United States aggression. The Central People's Government continued, as before, to demand a peaceful settlement of the Korean question but, if the aggression of the United States and their collaborators did not stop, the struggle against that aggression would never cease. In order to achieve a peaceful settlement of the Korean question, it was essential, above all, to withdraw all foreign troops from Korea. The Korean question, the statement concluded, could be solved only by the people of North and South Korea themselves.

The representative of the United States of America, in reply, quoted a statement made by the President of the United States on the same day, in which the President gave the assurance that the United States was supporting and acting within the limits of United Nations policy in Korea, that it had never entertained any intention to carry hostilities into China, and would take every honourable step to prevent any extension of the hostilities in the Far East.

(iv) *Consideration by the Council of (1) Complaint of armed invasion of Taiwan (Formosa)¹ and (2) Complaint of aggression upon the Republic of Korea*

The Central People's Government of the People's Republic of China, in a cablegram dated 23 October, accepted the invitation decided upon by the Council on 29 September (see section 30 below), during the consideration of the item entitled "Complaint of armed invasion of Taiwan (Formosa)".

On 27 November 1950, the President (the representative of Yugoslavia) proposed that the Council should consider together the items entitled "Complaint of armed invasion of Taiwan (Formosa)", and "Complaint of aggression upon the Republic of Korea". His reasons for doing so were, first, that the two problems were closely related and, secondly, that the Council had invited the representatives of the People's Republic of China, who were now present in New York, to take part in its discussions on both problems.

The representative of the USSR objected to the combination of the two questions because the item "Com-

plaint of aggression upon the Republic of Korea" had been included in the agenda at the request of the United States without the USSR associating itself with that formulation. Moreover, the invitation to the Central People's Government of the People's Republic of China, decided upon by the Council on 8 November, confined the participation of the representatives of that Government to the discussion of the special report of the so-called Unified Command, which the Central People's Government did not recognize.

The Council rejected the objection of the representative of the USSR by 7 votes to one (USSR), with 3 abstentions (Ecuador, Egypt and India).

On 28 November, the Council rejected a USSR proposal that the floor should be given first to the representative of the People's Republic of China, by 7 votes to one (USSR), with 2 abstentions (India and Yugoslavia).

The representative of the United States of America stressed that, while the complaint of aggression against the Republic of Korea and the complaint of armed invasion of Taiwan were two distinct questions, both were closely related aspects of the gravest problem now confronting the world, namely, the question of whether there would be peace or war in the Far East. The facts of the situation in Korea were that Chinese communist forces totalling more than 200,000 men were now engaged in North Korea. This situation justified the use of the word aggression.

Regarding the Korean problem, he put some questions to the Chinese communist representative in order to clarify the number of the Chinese communist troops who had entered Korea and their organization and composition; to find out the voluntary manner in which supplies had been organized, dispatched across the frontier and distributed; to elucidate the motives which had led to the Peiping Government to ignore the reiterated statements of the United Nations and of the United States Government that there were no designs on Chinese territory or legitimate interests; to determine its interests with regard to Korea and to find out whether it was ready to respond to the central paragraph of the six-Power draft resolution, calling upon all States and authorities to refrain from assisting or encouraging the North Korean authorities.

With regard to the complaint of violations of Chinese territorial air space by United Nations aircraft (see section 29 below), he recalled the proposals for a commission of investigation made by the United States Government in that connexion. He stressed that, although those proposals had been vetoed by the USSR and despite the later intervention of the Chinese communists, the Unified Command had maintained its instructions strictly prohibiting United Nations aircraft from crossing the Korean frontier.

With regard to Formosa, he emphasized that the Government of China, recognized by the United States Government and by a majority of the Members of the United Nations, was in effective control of the island. That Government had clearly stated that there had been no United States aggression against the island of Taiwan. The sole mission of the United States Seventh Fleet

¹ See also section 30.

was to prevent any attack from the mainland upon Formosa or vice versa.

The United Nations objectives in the Far East, as everywhere in the world, were to maintain international peace and security. The United Nations method with regard to disputes was to seek every means of settling them peacefully. It had not hesitated in the past and did not hesitate now to give assurances of its peaceful intentions. What the Organization now sought was an assurance of the peaceful intent of the Chinese communist régime, and deeds which would demonstrate that such intent was genuine.

On 28 November, the representative of the Central People's Government of the People's Republic of China stressed that he was present at the Council table in the name of the 475 million people of China to charge the Government of the United States with the unlawful and criminal act of armed aggression against the territory of China, Taiwan, including the Penghu Islands. The charge of aggression against Taiwan should have been lodged by a representative on the Security Council of the Central People's Government of the People's Republic of China, as a permanent member of the Council. In this connexion, he protested against the United Nations not having seated such a representative. So long as the Organization persisted in denying admittance to a permanent member representing 475 million people, it could not make lawful decisions on any major issues or solve any major problems, particularly those which concerned Asia. Accordingly, he demanded the expulsion of the delegates of the Kuomintang reactionary clique from the United Nations and the admission of the lawful delegates of the People's Republic of China.

The Central People's Government of the People's Republic of China, in a statement issued on 28 June 1950, had pointed out that the statement by President Truman on 27 June, together with the actions of the United States armed forces, constituted armed aggression against Chinese territory and a gross violation of the Charter.

Taiwan was an integral part of China, as was clearly reflected in the Cairo Declaration and in the Potsdam Declaration signed jointly by China, the United States of America and the United Kingdom, and subsequently adhered to by the USSR. On 2 September 1945, Japan had signed the Instrument of Surrender, the first article of which explicitly provided that Japan accepted the provisions set forth in the Potsdam Declaration. When the Chinese Government had accepted the surrender of the Japanese armed forces in Taiwan and exercised sovereignty over the island, Taiwan had become, not only *de jure* but also *de facto*, an inalienable part of Chinese territory. For this reason, during the five post-war years until 27 June 1950, no one had ever questioned the fact that Taiwan was an inseparable part of Chinese territory, *de jure* and *de facto*. President Truman himself had, on 5 January 1950, admitted that Taiwan was Chinese territory. Yet, the United States Government had had the audacity to declare its decision to use armed force to prevent the liberation of Taiwan by the People's Republic of China, and to dispatch its armed forces in a large-scale open invasion of Taiwan.

Later, President Truman had sent General MacArthur, Commander-in-Chief of the United States Armed Forces in the Far East, to Taiwan to confer with Chiang Kai-shek on concrete measures for using Taiwan as a base from which to wage war against the Chinese people.

The attempt of the United States Government to justify its invasion and occupation of Taiwan by pretending that the status of the island was not yet determined was groundless. History itself and the situation during the last five years following Japan's surrender, had long determined the status of Taiwan as an integral part of China. Moreover, under Article 107 of the Charter, the United Nations had no right whatsoever to alter that status, the less so since the question did not exist.

The fact was that the civil war in Korea was created by the United States, and was designed solely to furnish a pretext for launching armed aggression against Korea and against China's territory, Taiwan, and for tightening its control in Viet-Nam and in the Philippines. Clearly, in carrying out aggression simultaneously against Korea and Taiwan under the pretext of the Korean civil war, which was of its own making, the United States Government had vastly extended the scale of the Korean war. It was the United States armed aggression, launched under the pretext of "maintaining security in the Pacific", that had shattered the security of that area.

The armed invasion of Taiwan was the inevitable consequence of the United States Government's policy of intervention in China's internal affairs. During the period following Japan's surrender, the United States Government and the Chiang Kai-shek Kuomintang régime had signed all kinds of unequal treaties and agreements which reduced China to the status of a colony and military base of the United States. After Japan's surrender and following the victory of the Chinese People's Liberation Army on the mainland, the United States Government had intensified its activities with regard to Taiwan with the aim of putting it under American control and converting it into a military base. That Government had also intensified its support for the Chiang Kai-shek régime and had continued through that régime to try to prevent the island's liberation so that it might remain under American domination. This was not an isolated affair, but part of the over-all plan of the United States Government to intensify its aggression, and its control and enslavement of Asian countries, which had been going on for the last five years.

From 27 August to 10 November 1950, military aircraft of the United States in Korea had violated the air space of north-east China ninety times, bombing its peaceful cities, towns and villages. Now the United States forces of aggression in Korea were approaching China's north-eastern frontier. Only a river separated the two countries geographically and the security of the People's Republic of China was gravely endangered. The Chinese people could not afford to stand idly by in the face of this serious situation. They were volunteering in great numbers to go to the aid of the Korean people. Resistance to the United States aggression was based on the self-evident principles of justice and reason. In making Japan its main war base in the Far East,

launching armed aggression against Korea and Taiwan, carrying out active intervention against Viet-Nam, and tightening its control over other countries in Asia, the United States Government was systematically building a military encirclement of the People's Republic of China, in preparation for a further attack on that country and to stir up a third world war. The American imperialists claimed that the United States "defence line" must be pushed to the Yalu River, to the Strait of Taiwan and to the border regions between China and Viet-Nam, or the United States would have no security. But in no sense whatever could it be said that the Korean people's struggle for liberation, or the exercise of sovereignty by the People's Republic of China over its own territory of Taiwan, or the volunteering of the Chinese people to resist the United States and aid Korea, or the struggle for national independence of the Viet-Nam Democratic Republic, affected the security of the United States in North America 5,000 miles away.

The Chinese people loved peace, but it would be a grave mistake if the United States took that as an indication of weakness. The Chinese people were firmly determined to recover Taiwan and all other territories belonging to China from the grip of the United States aggressors.

In conclusion, the representative of the People's Republic of China submitted a draft resolution calling upon the Council (1) to recognize that the invasion and occupation of Taiwan by the armed forces of the United States constituted open and direct aggression against Chinese territory, and that the armed aggression against Chinese territory and the armed intervention in Korea by the armed forces of the United States had shattered peace and security in Asia and violated the United Nations Charter and international agreements; (2) to condemn the Government of the United States for those acts; (3) to demand the complete withdrawal by the Government of the United States of its forces of armed aggression from Taiwan, in order that peace and security in the Pacific and in Asia might be ensured; and (4) to demand the withdrawal from Korea of the armed forces of the United States and all other countries and leave the people of North and South Korea to settle the domestic affairs of Korea themselves, so that a peaceful solution of the Korean question might be achieved.

On 29 November, the representative of the Republic of Korea referred to the neighbourly and peaceful relations that had existed between the Korean and Chinese peoples through the centuries. He pointed out that while the friendship between the two peoples was still deep, the Chinese communists had attacked the Republic of Korea, and therefore were guilty of wilful and unprovoked aggression and of endangering the peace of the world; he demanded that they withdraw their troops from Korea forthwith and release the military and civilian prisoners of war.

The representative of China rejected all assertions of American imperialist activities in China and emphasized that the United States Government had not requested any base or privilege on Taiwan. The United States Seventh Fleet had been sent to the Strait of

Taiwan with the consent of his Government, which he claimed was the only legitimate Government of China. The statement of the representative of the People's Republic of China gave a completely distorted account of American activities with regard to China and of the actions of the United Nations with regard to Korea. The resolutions of the Security Council showed that any idea of using Korea as base of aggression against China was totally foreign to the thought of the United Nations.

The representative of France urged the Council to adopt the six-Power draft resolution without delay. He considered that the intentions of the Government of the People's Republic of China, which had been obscure at the time when the draft resolution was submitted, had now been expressed in unambiguous terms. This, however, had not changed the legal facts of the matter or the intentions of the United Nations. That the situation had undoubtedly become worse made it only more desirable for the United Nations to tell the Peiping authorities that their action in Korea was contrary to the Charter, to which they themselves intended to appeal, and that their fears, if they had any, were baseless.

The representative of the United States stated that the representative of the People's Republic of China had misrepresented the whole history of the Korean question in his attempts to depict the United States as an aggressor; he had remained silent about the labours of the United Nations Commission on Korea and its reports on the aggression from North Korea. On the other hand, he had asked what importance Korea could have to the security of the United States 5,000 miles away. This was a most illuminating question, coming from a party who asserted a right to a seat in the Council. While declining to answer directly the questions put to him, the representative of the People's Republic of China had answered them either by his silence when he was bound by the circumstances to speak, or by his statements revealing the attitude of an aggressor.

The representative of the USSR considered that the representative of the United States had falsified the whole history of the Korean question in order to conceal and justify its aggression against North Korea. He recalled the decision of the Conference of Foreign Ministers in December 1945 in Moscow, which, he charged, was later sabotaged by the United States Government and the American Command in South Korea. In violation of the agreements made during the war and of Article 107 of the Charter, the United States Government, counting on the support of the Anglo-American bloc in the United Nations, had, in 1947, dragged the Korean question into the United Nations, and had forced the Organization to adopt a number of illegal resolutions favourable to the United States and its South Korean puppets.

In ordering the United States armed forces to invade Korea on 27 June, several hours before the Security Council was convened, the United States Government had brought the whole world face to face with the *fait accompli* of its aggression in Korea, and after that had forced the Council to adopt an illegal resolution for the purpose of concealing the aggression already committed. Moreover, the decisions taken by the Council on 25 and

27 June had been adopted by an illegally constituted Council, i.e., without the participation of two permanent members, the USSR and China. The United States Government's attempt to convince public opinion that the war against the Korean people was being waged by "United Nations troops under United Nations Command" was thus a falsification of the facts.

The cablegram of the Minister for Foreign Affairs of the People's Republic of China, dated 24 August, and the statement by the representative of that Republic showed quite clearly that the United States Government had committed an act of aggression by the invasion of Taiwan, an inalienable part of the territory of China. These acts were illegal and contrary both to the basic principles of international law and to the established practice of international relations.

It was generally known that a State which established a naval blockade of the coasts or ports of another State was admitted to be the attacking party. The United States had established an armed naval blockade of the coasts and ports of Taiwan with the obviously aggressive intention of using armed force to prevent the legal Government of China and its armed forces from gaining admission to the island. The United States Government was, therefore, the attacking party, the aggressor. Its action furthermore constituted a gross violation of the Cairo and Potsdam international agreements establishing Formosa as part of Chinese territory, and was also a violation of the statement made by President Truman on 5 January 1950 to the effect that the Americans would not intervene in the affairs of Formosa.

It was well known that neither on 27 June, when Mr. Truman announced his order to the United States Seventh Fleet to occupy Taiwan, nor on later occasions, had there been any decision by the United Nations and the Council on the question. There was still no such decision. It could not be considered that such silence on the part of some members of the Council in connexion with this aggression was a "legal decision of the United Nations" behind which the aggressor could hide.

With regard to the status of Taiwan, the representative of the USSR associated himself with the arguments submitted by the representative of the People's Republic of China to the effect that this question could not anew be made a subject of discussion since it had been fully decided by international agreements during the war, and in particular by the Declarations of Cairo and Potsdam and the Japanese Instrument of Surrender. The attempts of the United States to bring the question before the United Nations were clearly aimed at changing the legal status of the island through the agency of the United Nations and thereby to conceal United States aggression against China.

The representative of the United States, he considered, should be called upon by the Council to answer some fundamental questions: When would the United States imperialists and warmongers cease their predatory activities in Korea, China and the Far East? When would they withdraw their forces from the territories of other States? When would they put an end to the war and allow the peoples of Korea, China and other countries of Asia to live in peace and friendship and be free

and independent, as required by the United Nations Charter? The problem at issue was not that of the status of Taiwan, but the question of armed aggression against China and the invasion of the Chinese island of Taiwan by the United States. The Security Council and the United Nations were in honour bound to protect the victim of aggression, China, and to take appropriate action against the aggressor, the United States of America, by requiring the United States Government to withdraw its armed forces immediately from both Taiwan and other Chinese territories and thereby to cease its intervention in the internal affairs of China.

On 30 November, the representative of the United Kingdom, commenting on the statement of the representative of the People's Republic of China, which, he considered, showed that the Peiping Government associated itself indiscriminately with the views advocated by Moscow, stressed that the old era of imperialism was now gone and that the establishment of at least five independent Asian nations since the last war showed that a new relationship between the Asian and the Western Powers was in the making.

With regard to Taiwan, he considered that the representative of the People's Republic of China had completely failed to substantiate any accusation that the island was being converted into a United States base, or that the United States was in control of it. The disposal of the island, like that of other territories formerly belonging to Japan, still remained a matter of international concern. Any attempt to settle the question by armed force and in the absence of some generally recognized legal decision, must have international repercussions and was, therefore, unacceptable.

The President, speaking as the representative of Yugoslavia, stated that in view of the fact that his Government's guiding principle in international affairs had always been to wage a continuing struggle against aggression, he would vote in favour of the six-Power draft resolution as a whole, because he considered that it was aimed at localizing the conflict. He would abstain in the vote on the preamble.

The representative of India indicated that he would be unable to participate in the vote as he had not yet received final instructions from his Government.

The draft resolution submitted by the USSR on 2 September (see section 30 (b)) was rejected by 9 votes to one (USSR), with one member (India) not participating.

The draft resolution submitted by the representative of the People's Republic of China, and sponsored by to one (USSR), with one member (India) not participating.

The six-Power draft resolution received 9 votes in favour and one against (USSR), with one member (India) not participating. Since the negative vote was cast by a permanent member, the draft resolution was not adopted.

(v) *Decision of the Security Council of 31 January 1951 to remove, from the list of matters of which it was seized, the item "Complaint of aggression upon the Republic of Korea"*

In a letter dated 29 January 1951, addressed to the President of the Security Council, the representative of

the United Kingdom pointed out that the agenda item under discussion in the General Assembly entitled "Intervention of the Central People's Government of the People's Republic of China in Korea" (see section 10 below) had, in fact, figured in the discussion of the Council under the broader heading of "Complaint of aggression upon the Republic of Korea". The United Kingdom delegation considered it desirable to remove the item from the Council's agenda in order to eliminate any technical doubts which might arise under Article 12, paragraph 1, of the Charter on the validity of any resolution adopted by the Assembly which contained recommendations to Member States. In its view, this would in no way prejudice the continuing validity of the resolutions already adopted by the Council on this subject nor would it preclude the Council from taking the matter under its consideration again at some future date if the Council should so decide.

On 31 January 1951, the representative of the United Kingdom submitted the following draft resolution: "The Security Council resolves to remove the item 'Complaint of aggression upon the Republic of Korea' from the list of matters which the Council is seized."

The representative of the USSR expressed the view that the item had been included in the agenda illegally, and again stated that all decisions adopted by the Council in the matter were also illegal. For those reasons and not for those advanced by the representative of the United Kingdom, he would vote in favour of the United Kingdom draft resolution.

The United Kingdom draft resolution was adopted unanimously.

(b) REPORT OF THE UNITED NATIONS COMMISSION ON KOREA TO THE GENERAL ASSEMBLY

In its report to the fifth session of the General Assembly, dated 4 September 1950, the United Nations Commission on Korea, set up under resolution 293 (IV) of 21 October 1949, stated, *inter alia*, that the invasion of the territory of the Republic of Korea by the armed forces of the North Korean authorities on 25 June 1950 was an act of aggression initiated without warning and without provocation, in execution of a carefully prepared plan.

On the question of unification, it stated that the Korean people fervently desired to live in a unified and independent Korea and that therefore unification could be the only aim regarding Korea. However, it had appeared to the Commission, before the aggression had taken place, that unification through negotiation was unlikely to be achieved if such negotiation involved the holding of internationally supervised elections on a democratic basis in the whole of Korea, because experience had suggested that the North Korean authorities would never agree to such elections. It had been hoped that, at some stage, it might be possible to break down the economic and social barriers between the two political entities as a step toward unification. That, too, had proved illusory, as the North Korean authorities had persisted in their policy of aiming at the overthrow of the Republic of Korea. After the consolidation of the division of Korea, propaganda and hostile activities on the part of the North Korean authorities had accentu-

ated tension which, in turn, had stiffened the attitude of the Government and people of the Republic of Korea, and had even prejudiced further such possibility of unification by negotiation as might have remained. Notwithstanding the continued efforts of the Commission, it had appeared, on the eve of the aggression, that the Korean peninsula would remain divided indefinitely, or at least until international tension had slackened.

With regard to the parliamentary elections held in the Republic of Korea on 30 May 1950, the report stated that the people had shown considerable enthusiasm and that the electoral machinery had functioned well. Among the cases of interference with candidates which had occurred, some could be explained in the light of the stringent precautions which the Government had found it necessary to take in order to safeguard the stability and security of the State against the threat from the north. Although there had appeared to be little justification for interference in some other cases, the results of the elections, in which many candidates critical of the Administration had been returned, had shown that the voters were in fact able to exercise their democratic freedom of choice among candidates and had cast their votes accordingly. The results had also shown popular support of the Republic and a determination to improve the Administration by constitutional means.

Turning to the broader aspects of Korean needs and aspirations, the Commission had expressed the opinion that serious problems of reconstruction and rehabilitation, particularly the grave refugee problem, already confronted the country. To those problems would be added problems of yet greater magnitude when the military conflict came to an end. It would be quite beyond the capacity of the country to provide means for rehabilitation from its own resources. A healthy and viable democracy in Korea could not come into being unless very considerable aid and assistance were provided from outside Korea.

Finally, as the division of the country and the resulting antagonisms were artificial, the Commission believed that, when the conditions under which they had arisen disappeared, it would be possible for the Korean people of both north and south to come together again, to live in peace and to build the foundations of a free, democratic Korea.

(c) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

On 26 September 1950, the General Assembly decided to place the problem of the independence of Korea on its agenda and referred it to the First Committee for consideration and report.

(i) Discussion in the First Committee

The First Committee's debate on the question took place at meetings held between 30 September and 4 October.

At the opening of the debate, the representative of the Union of Soviet Socialist Republics proposed that representatives of both North and South Korea should be invited to participate in the discussion. The representative of China, on the other hand, proposed that

only a representative of the Republic of Korea should be invited, on the ground that the General Assembly had recognized the Government of the Republic of Korea as the only legally constituted Government. Moreover, he said, the Security Council had decided that the authorities of North Korea had been guilty of a breach of the peace, and an organ of the United Nations could not, in his view, hear an aggressor. The representative of the USSR, while considering that both parties should be invited, irrespective of guilt, rejected the view that North Korea was an aggressor. In his opinion, the conflict was a civil war and to use the concept of aggression with reference to such a war was an unprecedented violation of the basic principles of international law.

On 30 September, the First Committee rejected the USSR proposal, and adopted the proposal submitted by the representative of China.

On the same date, the Committee agreed to invite the Rapporteur of the United Nations Commission on Korea to submit the Commission's report to the Committee. In his explanatory statement, the Rapporteur emphasized Korea's need for assistance from outside in connexion with the problems of reconstruction and rehabilitation.

In the course of the general debate, the following draft resolutions were submitted:

A joint draft resolution, submitted by Australia, Brazil, Cuba, the Netherlands, Norway, Pakistan, the Philippines and the United Kingdom, after referring to the previous Assembly resolutions on the Korean question and noting the Security Council's resolutions of 25 and 27 June 1950, recommended that appropriate steps should be taken to ensure conditions of stability throughout Korea and that all constituent acts, including the holding of elections under United Nations auspices, should be undertaken to establish a unified, independent and democratic government in Korea; that the United Nations forces should not remain in any part of Korea otherwise than so far as necessary for achieving the objectives mentioned above; that all necessary measures should be taken for the economic rehabilitation of Korea. It further provided for the establishment of a United Nations Commission for the Unification and Rehabilitation of Korea to carry out the Assembly's decisions (see sub-section (d) (ii) below).

A joint draft resolution submitted by the USSR, the Ukrainian SSR, the Byelorussian SSR, Poland and Czechoslovakia, in pursuance of the aim of settling peacefully the problem of Korea and re-establishing peace and security in the Far East, recommended the immediate cessation of hostilities and the withdrawal of all foreign troops in order to establish conditions which would secure for the Korean people the possibility of settling freely the internal affairs of their State; it called for the establishment of a government of a unified Korea by means of all-Korean elections held under the auspices of a joint (parity) commission composed of deputies of the assemblies of North and South Korea and under the observation of a United Nations committee, with the indispensable participation in the latter of the representatives of States bordering on Korea. It also provided for plans to be drawn up, with the par-

ticipation of the representatives of Korea, for rendering economic and technical aid to the Korean people through the United Nations.

A draft resolution submitted by the USSR called upon the Government of the United States of America to terminate and prohibit the barbarous bombing of peaceful inhabitants and towns by United States armed forces in Korea.

A second draft resolution presented by the USSR proposed that the United Nations Commission on Korea should be disbanded, in view of the fact that its establishment was illegal and that its activities helped to stir up civil war in Korea.

A draft resolution submitted by India proposed the appointment of a sub-committee to take into consideration all draft resolutions, proposals and suggestions concerning the Korean question, in order that it might recommend to the Committee a resolution on the subject which would command the largest measure of agreement.

Six amendments were submitted to the eight-Power joint draft resolution:

(1) An amendment by Chile, recommending that the Economic and Social Council should study long-term measures to promote the economic development and social progress of Korea.

(2) An amendment by the United Kingdom requesting the Secretary-General to provide the proposed commission with adequate staff and facilities.

(3) An amendment by El Salvador proposing that the United Nations Commission on Korea should be continued, with the addition of new members.

(4) An amendment by Brazil expressing appreciation of the services of the United Nations Commission on Korea.

(5) An amendment by Israel proposing that all sections and representative bodies of the population of Korea, south and north, should be invited to co-operate with the organs of the United Nations in the restoration of peace, in the holding of elections and in the establishment of a unified government.

(6) An oral amendment, submitted by the representative of Mexico, proposing that the new commission should render a report to the next regular session of the General Assembly and to any prior special session which might be called on the subject, and such interim reports as it might deem appropriate to the Secretary-General for transmission to Members.

In addition, the representative of the United Kingdom proposed orally that the text of the eight-Power draft resolution should be completed, *inter alia*, by inserting the provision that the proposed commission should consist of Australia, Chile, the Netherlands, Pakistan, the Philippines and Turkey, with a seventh member to be specified at the meeting of the General Assembly at which the resolution would be considered.

The representative of El Salvador withdrew, at a later stage, his amendment in favour of the Brazilian amendment.

The representative of the United Kingdom, acting on behalf of the sponsors of the eight-Power draft resolution, agreed to the inclusion in that proposal of all the remaining amendments.

In a statement introducing the eight-Power proposal, he stressed that the solution desired by the vast majority of the Members of the United Nations and of the Korean people was the creation by democratic processes of a truly independent and unified Korean government and an end to the present tragic and unnatural division of the country. In the past, the will of the General Assembly had been frustrated by the refusal of the North Korean authorities to co-operate with the United Nations. He believed that it was the function of the Committee to face the facts as they existed in Korea and to put into effect a constructive programme which would serve the interests of the Korean people as a whole, as well as world peace.

Stressing the urgent need for relief and rehabilitation as soon as hostilities ceased in Korea, he stated that the United Nations must assume responsibility for meeting that need.

In conclusion, he submitted that the eight-Power draft resolution offered the best basis for a rapid and peaceful settlement in Korea. Those who had started the aggression had it in their power to bring the destruction to an end and to allow the rehabilitation to begin without further delay. It was their solemn duty, as it was the duty of the Committee, to do everything to bring the bloodshed and suffering to an end.

Statements along similar lines were made by the other sponsors of the eight-Power proposal and, in the course of the discussion, a majority of the representatives emphasized the urgency of the problem. For example, the representative of the United States of America stressed two facts regarding the future. The peoples of the world would not accept the standards of conduct represented by the Korean aggression. The Government and the people of the United States, for their part, wished to co-operate with the Government of the USSR, as well as with the other Members of the United Nations, to build the kind of world community envisaged by the Charter. If those facts were faced by the Government of the USSR, the Committee could approach the task before it with increased hope and confidence for the future of mankind.

The representative of the USSR considered that the endeavour of the United States to shift the responsibility for Korean events onto the USSR had no justification whatsoever. The very basic principles of the Moscow Agreement of 1945, providing for the re-establishment of a united, independent and democratic Korean State, had never been carried out, owing to the policy adopted by the United States. Instead of a policy of democratization, the United States occupation forces in Korea had done their best to wreck democratic parties and social organizations, while encouraging and supporting reactionary groups, organizations and parties.

The steadily increasing deterioration of the national economy and of the financial situation, due to tremendous expenditures for the maintenance of police forces and the army, unjust taxes and so-called volun-

tary contributions imposed upon the people, the unsatisfactory land reforms of 1949 and the misery of the peasants, the fascist method of government and the police terror, including mass arrests, executions and torture, characterized the state of affairs in South Korea before the beginning of the civil war. The refusal of the Syngman Rhee régime to set up an elementary democratic order had led to a national uprising and a mass partisan movement.

The South Korean leaders had rejected all attempts to unify Korea peacefully. The documents captured from the Rhee Government archives, including strategic maps, showed that the South Koreans, with the help of the United States, had prepared for and actually started the war at daybreak on 25 June and thus completely refuted allegations that the hostilities had been unleashed by North Korea.

The representative of the USSR then maintained that, from the viewpoint of international law, the concept of aggression was inapplicable to such a civil war as was taking place in Korea. The Charter of the United Nations spoke of acts of aggression by one State against another but did not entitle the United Nations to regard a civil war as a subject for intervention or for any action whatsoever. The Security Council decisions with regard to Korea were illegal, because the provisions of the Charter relating to aggression had been wrongly applied to this case. The eight-Power draft resolution also constituted a flagrant disregard of all the principles, purposes and objectives of the United Nations because it involved illegal intervention in a civil war and in the internal affairs of another State. That draft resolution proposed, in fact, direct aggression against the Korean people and provided for the occupation of the whole country by foreign troops, and was intended to serve as a method for taking over Korea and for disposing of it in a way which would be agreeable and useful only to the Anglo-American bloc.

Speaking in support of the five-Power draft resolution, he emphasized that its fundamental objective was the peaceful settlement of the Korean conflict in accordance with the principles of the Charter. Only the immediate withdrawal of foreign troops from Korea would create conditions propitious to the rehabilitation of the Korean people and to the fulfilment of its inalienable right to self-determination. It would serve not only the interests of the Korean people but also the interests of international peace and security in general.

In the course of the debate, he also charged the United States armed forces in Korea with cruel bombardments of the Korean population and open towns in Korea, in violation of two of The Hague Conventions of 1907 which had been signed by the United States.

The views of the representative of the USSR were shared by the other sponsors of the five-Power draft resolution, who also expressed their support of the two draft resolutions submitted by the USSR.

A number of delegations supported the representative of India in his efforts to arrive at a draft resolution which might command the largest measure of agreement. The majority, however, considered that the procedure advocated by India would not achieve the pro-

posed aim, while at the same time delaying the Committee's work.

All the draft resolutions were put to the vote on 4 October 1950.

The Indian proposal was rejected by 32 votes to 24, with 3 abstentions.

The eight-Power draft resolution was approved as a whole, as amended, by 47 votes to 5, with 7 abstentions, following separate votes on each paragraph and amendment.

The five-Power draft resolution was rejected as a whole by 46 votes to 5, with 8 abstentions, following separate votes on each paragraph.

The USSR draft resolution concerning air bombings by the United States air forces in Korea was rejected, each of the three paragraphs having been rejected by 51 votes to 5, with 3 abstentions.

The USSR draft resolution calling for the disbandment of the United Nations Commission on Korea was rejected by 54 votes to 5.

(ii) *Discussion in the General Assembly*

On 6 October 1950, the General Assembly having decided to have a general discussion on the basis of the report of the First Committee, the representative of the USSR proposed that the representatives of both North and South Korea should be invited to participate in the discussion. This proposal was rejected by 41 votes to 6, with 6 abstentions.

The representatives of the USSR, the Ukrainian SSR, the Byelorussian SSR, Poland and Czechoslovakia submitted a joint draft resolution identical with that submitted by their delegations in the First Committee. The representative of the USSR also submitted two proposals identical with those submitted in the Committee regarding, respectively, United States air bombings in Korea and the disbandment of the United Nations Commission on Korea.

On 7 October, the draft resolution recommended by the First Committee was put to the vote at the conclusion of the debate, after having been completed by adding Thailand as the seventh member of the proposed commission. With a minor amendment, the draft resolution was adopted by 47 votes to 5, with 7 abstentions, following separate votes on each paragraph (resolution 376 (V)).

All paragraphs of the five-Power draft resolution having been rejected in separate votes, the draft resolution as a whole was not put to the vote.

The two USSR draft resolutions were rejected, the first by 52 votes to 5, with 3 abstentions, and the second by 55 votes to 5.

(d) PROVISION OF A UNITED NATIONS DISTINGUISHING RIBBON OR OTHER INSIGNIA FOR PERSONNEL WHICH HAS PARTICIPATED IN KOREA IN THE DEFENCE OF THE PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS

On 2 October 1950, the Secretary of Foreign Affairs of the Philippines requested the inclusion of the above

item in the agenda of the fifth session of the General Assembly. On 7 October, the Assembly decided to include the item in its agenda and to refer it to the Sixth Committee for consideration and report.

On 12 December 1950, the General Assembly adopted, on the report of the Sixth Committee, resolution 483 (V) resolving "that the Secretary-General be requested to make arrangements with the Unified Command, established pursuant to the Security Council resolution of 7 July 1950, for the design and award, under such regulations as the Secretary-General shall prescribe, of a distinguishing ribbon or other insignia for personnel which has participated in Korea in the defense of the Principles of the Charter of the United Nations."

In implementation of the above resolution, the Secretary-General entered into consultations with representatives of the Unified Command, as well as with representatives of Member States whose nationals were likely to become eligible for the award through their participation in United Nations action in Korea.

Following such consultations, it was established that the United Nations award for Korea should be a United Nations service medal and ribbon, or alternatively, as appropriate, a United Nations service rosette, the final design of which has been approved, and the production of which has been initiated. Draft regulations covering the United Nations award have also been the subject of frequent consultations.

It is expected that awards will have been made and medals, service ribbons and rosettes will have been issued by the end of the current year.

(e) RELIEF AND REHABILITATION OF KOREA

(i) *Emergency action for the relief and rehabilitation of Korea*

The responsibility of providing relief assistance to the civilian population of Korea arose simultaneously with the resolve of the United Nations to provide military aid. The problem increased with the continuance of hostilities and was further enlarged later by a million refugees or more who migrated southward seeking protection within the area under the control of the United Nations forces.

The appeals made by the Secretary-General pursuant to the Security Council resolutions of 27 June and 7 July 1950 (see sub-section (a) (i) above) resulted in offers from various Member States, not only of military aid but also of emergency relief assistance. On 14 July, at the request of the Unified Command, the Secretary-General addressed a further appeal to the governments of Members for relief assistance; procedures for the co-ordination of the handling of such assistance were established in the course of discussions between representatives of the Secretary-General and the Unified Command.

Resolution adopted on 31 July 1950 by the Security Council. In recognition of the hardships and privations imposed on the Korean people by the continued warfare,

the Security Council, by a resolution adopted on 31 July 1950, provided for the following:

A request to the Unified Command to (1) exercise responsibility for determining the requirements for the relief and support of the civilian population of Korea; (2) establish in the field the procedures for providing such aid; and (3) provide the Security Council with reports on its relief activities.

A request to the Secretary-General, to the Economic and Social Council in accordance with Article 65 of the Charter, to other appropriate principal and subsidiary organs of the United Nations, to the specialized agencies and to appropriate non-governmental organizations to provide such relief assistance as the Unified Command might request. The Secretary-General was instructed to transmit all such offers to the Unified Command.

Resolution adopted on 14 August 1950 by the Economic and Social Council at its eleventh session. Under resolution 323 (XI), adopted on 14 August 1950, the Economic and Social Council declared its readiness to support the action taken by the Security Council. The resolution requested the specialized agencies and the subsidiary bodies of the United Nations to lend their utmost support in providing the Unified Command with all possible assistance on behalf of the civil population of Korea, and authorized the Secretary-General to transmit to them directly such requests for assistance as fell within their respective fields of competence. The Secretary-General was further authorized to invite appropriate non-governmental organizations to give such help as was within their power, and was requested to make suitable administrative arrangements in this connexion.

Paragraph (3) of the resolution contained a provision whereby Member States, the Secretary-General and appropriate non-governmental organizations—particularly those enjoying consultative status with the Economic and Social Council—were invited to assist in developing among the peoples of the world the fullest possible understanding of and support for the action of the United Nations in Korea, and requested the Secretary-General to seek, on behalf of the Council, the co-operation of specialized agencies as appropriate for this purpose.

The Council further provided that its eleventh session should be adjourned temporarily once the agenda had been concluded, authorizing the President, in consultation with the Secretary-General, to reconvene the Council whenever necessary in connexion with matters requiring action under the resolution. The Secretary-General was requested to render progress reports to the Council, and to include, when appropriate, such other information and observations as might be helpful for the consideration of longer-term measures for economic and social assistance to the people of Korea.

Requests by the Unified Command. By 30 June 1951, sixteen requests for relief assistance had been received from the Unified Command to an estimated total value of approximately \$US 56 million. These requests, which were mainly for food, clothing, medical supplies and personnel, were transmitted by the Secretary-Gen-

eral to those governments, specialized agencies or non-governmental organizations which it was considered might be in the best position to contribute towards filling them. In connexion with the transmittal of requests, the Secretary-General obtained technical advice, both from within the Secretariat and from specialized agencies. The Government of the United States of America was not approached, as it was already furnishing a large portion of the most urgently required relief supplies and personnel from its own funds.

Response by governments, specialized agencies and non-governmental organizations. In accordance with the agreed co-ordination procedures, offers of assistance in response to requests made by the Unified Command, as well as independent offers, were submitted by the Secretary-General to the Unified Command. Upon acceptance of an offer by the Unified Command, the Secretary-General so informed the contributing government or organization, whereupon direct communication was established between the donor and the Unified Command in order to make arrangements for shipment to Korea.

As of 30 June 1951, a total of thirty Member and non-member States had responded to the Secretary-General's appeals for emergency relief assistance with pledges or contributions amounting to a total value of approximately \$18,389,000. Approximately 80 per cent of this amount was pledged or contributed by the Governments of Brazil, the Philippines, Thailand, the United Kingdom and Uruguay. Requests transmitted by the Secretary-General to specialized agencies and other United Nations organs had resulted in contributions of supplies to a total value of \$1,248,600 from the United Nations International Children's Emergency Fund, the International Refugee Organization and the United Nations Educational, Scientific and Cultural Organization. In response to requests for personnel, the services of a total of forty-three persons had been supplied by the International Refugee Organization, the International Labour Organisation and the World Health Organization. Special assistance in the form of procurement facilities and technical advice had been rendered by the World Health Organization and the Food and Agriculture Organization, and readiness to offer all possible aid within its own field of competence had been expressed by the International Telecommunication Union.

Acting in conformity with paragraph (2) of the Economic and Social Council resolution referred to above, UNESCO, on 28 August 1950, instructed its Director-General "to develop, within the resources at his disposal, including the periodical publications of the organization, the execution of the programme resolutions concerning teaching about the United Nations and its specialized agencies, putting particular emphasis on the necessity for collective security, based on respect for law, with the aid of concrete examples, and to this end to utilize appropriate documentation provided by the Secretary-General of the United Nations". The Director-General was further authorized "to prepare, in close and constant collaboration with the United Nations, both written and audio-visual materials for use in schools, adult classes and universities; to produce and distribute these to Member States . . . ; to put at the

disposal of the Secretary-General of the United Nations two specialists with instructions to co-operate with the United Nations Secretariat in order to assemble relevant documentation in connexion with the United Nations action in Korea". A team of educational experts was subsequently appointed; these experts, by agreement with the Secretary-General, have been working with the appropriate departments of the United Nations Secretariat.

The Secretary-General's appeals to non-governmental organizations to "give such aid as was within their power" resulted in a large number of offers from both national and international organizations, particularly in the United States, but also in Canada, New Zealand, Norway and other countries. By 30 June 1951, contributions had been received from non-governmental sources, mainly in the form of used clothing and shoes, to a total value of \$4,816,500. Under special arrangements with the League of Red Cross Societies, five medical teams, consisting each of three persons, had been supplied by the American, British, Canadian, Danish and Norwegian Red Cross Societies.

On the same date, sixty persons in all were employed in the Korean theatre, placed at the disposal of the Unified Command, at its request, by specialized agencies, the United Nations Secretariat and the Red Cross. All personnel thus provided have been required to work entirely under the orders of the Unified Command. On their arrival in Korea, their duties have been assigned by the Unified Command, which has taken over responsibility for their general administration. They have had no responsibility for reporting either to the Secretary-General or to their own agency or organization headquarters, and have become, in effect, civilian members of the Unified Command forces.

Pledges and contributions in cash and supplies from all sources, as of 30 June, had reached an aggregate total value of approximately \$24,454,000. Approximately 101,000 metric tons of supplies had been delivered in the Korean theatre or were under shipment, including 72,350 tons of grains and pulses; 9,000 tons of salt; 3,000 tons of sugar; 765 tons of milk powder; 410 tons of medical supplies; 2,600 tons of clothing and blankets; and 500 tons of soap.

Resolution adopted on 20 March 1951 by the Economic and Social Council at its twelfth session. As requested by Council resolution 323 (XI), the Secretary-General rendered progress reports on assistance to the civilian population of Korea to the Council at its eleventh and twelfth sessions, on 11 October 1950 and 12 February 1951 respectively. In noting the latter report, the Council, on 20 March 1951, adopted a resolution expressing its appreciation of the contributions already made by governments, specialized agencies and non-governmental organizations. Noting with concern, however, that many Member States had not offered contributions towards the financing of the programme for relief and rehabilitation drawn up by the General Assembly at its fifth session (resolution 410 (V) of 1 December 1950), the Council expressed the earnest hope that all Members of the United Nations would find it possible to contribute to the programme, both as a manifestation of United Nations solidarity, and because of the urgency and magnitude of the need.

(ii) *Activities of the United Nations Korean Reconstruction Agency*

First step in the organization of the United Nations Korean Reconstruction Agency. It will be recalled that, on 26 September 1950, the General Assembly decided to refer to the First Committee the problem of the independence of Korea, including the question of relief and rehabilitation.

During its consideration of the question, the First Committee had before it a draft resolution jointly sponsored by Australia, Brazil, Cuba, the Netherlands, Norway, Pakistan, the Philippines and the United Kingdom, which included a recommendation "that all necessary measures be taken to accomplish the economic rehabilitation of Korea". It was further proposed that a commission to be known as the United Nations Commission for the Unification and Rehabilitation of Korea should be established to (1) assume the functions previously exercised by the present United Nations Commission on Korea; (2) represent the United Nations in bringing about the establishment of a unified, independent and democratic government of all Korea; (3) exercise such responsibilities in connexion with relief and rehabilitation in Korea as might be determined by the General Assembly after receiving the recommendations of the Economic and Social Council. Furthermore, the Committee, mindful of the fact that, at the end of the present hostilities, the task of rehabilitating the Korean economy would be of great magnitude, would recommend that the General Assembly should request the Economic and Social Council, in consultation with the specialized agencies, to develop plans for relief and rehabilitation on the termination of hostilities and to report to the General Assembly at an early date to be determined.

Among various amendments accepted by the sponsors was one submitted by Chile, which called upon the Economic and Social Council to expedite the study of long-term measures to promote the economic development and social progress of Korea and, meanwhile, to draw the attention of the authorities which decided requests for technical assistance to the urgent and special necessity of affording such assistance to Korea.

The Union of Soviet Socialist Republics, the Ukrainian Soviet Socialist Republic, the Byelorussian Soviet Socialist Republic, Poland and Czechoslovakia submitted a joint draft resolution containing, among others, the following paragraph: "That, for the purpose of rehabilitating Korean national economy, which has suffered from the war, the Economic and Social Council immediately draw up, with the participation of the representatives of Korea, plans for providing the necessary economic and technical aid to the Korean people through the United Nations Organization". This draft resolution was rejected by 46 votes to 5, with 7 abstentions.

The eight-Power draft resolution, with various amendments, was adopted by 47 votes to 5, with 7 abstentions. On 7 October 1950, the resolution was put to the vote in the General Assembly, and was adopted by the same count.

During the debate, the Secretary-General, anticipating the adoption of the economic provisions of the draft

resolution, presented a memorandum outlining a suggested organization for the relief and rehabilitation programme in Korea. The memorandum pointed out that the problem presented the United Nations with a task of great scope, complexity and urgency. The flow of essential supplies and the mobilizing of all available resources must be immediately ensured. At the same time, the changing situation within the country itself called for as simple and flexible a plan as possible. The plan must provide a framework allowing both for rapid and effective emergency action and for the development of long-term measures of rehabilitation and reconstruction, and utilizing to the full the existing machinery and technical resources of the United Nations and related organizations.

Emphasis was placed on the necessity for executive responsibility to rest in the hands of an administrator having wide discretion to take the necessary emergency decisions. As regards financing, the memorandum suggested that the Economic and Social Council might consider the best method of raising quickly the amounts required to launch and maintain a Korean relief and rehabilitation programme of the scope envisaged by the General Assembly.

During the period between the adoption of the Korean resolution by the General Assembly on 7 October 1950 and the first meeting of the Economic and Social Council on 12 October, the Preparatory Committee of the Administrative Committee on Co-ordination met at Lake Success and examined the Secretary-General's memorandum from the point of view of its adequacy and its relation to the work and responsibilities of the specialized agencies. A number of significant changes resulted.

Consideration at the eleventh session (resumed) of the Economic and Social Council. When the Economic and Social Council met on 12 October 1950, as requested by the General Assembly, it had two tasks to perform: first, to develop plans for relief and rehabilitation on the termination of hostilities and to report to the General Assembly by 28 October; second, to expedite a study of long-term measures to promote the economic development and social progress of Korea and, meanwhile, to draw the attention of the authorities which decided requests for technical assistance to the urgent and special necessity of affording such assistance to Korea.

A seven-member temporary Committee, consisting of the representatives of Australia, Belgium, Chile, Denmark, India, Pakistan and the United States of America, was appointed by the Council on 16 October to examine all available material on probable needs and to report to the Council on the scale of the programme required for such period as might be appropriate, together with an estimate of the cost (resolution 337 (XI)). The Secretary-General and the heads of the specialized agencies were requested to provide the Committee with expert advice and assistance.

During the period that this Committee was examining the material placed before it, the Council debated a statement of general policy on Korean relief and rehabilitation. Discussion centered on an Australian draft resolution, based partially on the Secretary-General's memorandum, which emphasized the role of the

Commission for the Unification and Rehabilitation of Korea as the political organ of the United Nations in Korea; stressed that the Commission was not to assume direct responsibility for administering relief and rehabilitation and that the countries making the main contributions should be able to exert some influence on the work.

On 26 October, this draft resolution was combined with a previous one sponsored by the United States of America, also closely patterned on the Secretary-General's memorandum, and presented as a joint Australian-United States resolution. The plans envisaged the establishment of a United Nations Korean Reconstruction Agency, under the direction of an Agent General, and a five-member Advisory Committee. The resolution, which was adopted by 15 votes to none, with 3 abstentions, on 7 November (just one month after the General Assembly's request to the Economic and Social Council to draft the plans), also contained a statement of general policy on Korean relief and rehabilitation, together with a detailed description of the task of the Agent General (resolution 338 (XI)).

On 1 November, the Temporary Committee on the Formulation of a Provisional Programme submitted its report to the Council. It stated that, on the basis of available estimates, a sum of not less than \$250 million would be required to finance a Korean relief programme over a period commencing 1 January 1951 and extending "at least into early 1952". In the course of its six meetings, the Committee had heard statements by representatives of the Secretary-General and of the Unified Command, and by the Minister for Foreign Affairs of the Republic of Korea. After considering these statements, the Committee had decided that the figure of \$250 million most closely approximated the various calculations submitted, though it admitted its inability to examine the assumptions and the detailed data on which the estimates were made. The Committee also reported that the consideration of the scale of the programme, as well as the period to which it should relate, had been complicated by the fact that certain elements in the situation were largely unknown. These factors included the period in which military operations would be necessary, the extent of war damage in North Korea, the magnitude of the recovery effort to be made by the Koreans themselves and, finally, the contributions to be provided by the Member States. This report was noted in the over-all resolution 338 (XI) referred to above.

The study of the long-term aspects of Korean economic development and social progress were not believed to require immediate action by the Economic and Social Council; the Secretary-General was requested, after consultation with the Agent General of the United Nations Korean Reconstruction Agency, to make available to the twelfth session of the Council such information as in his opinion was relevant to such a study. The Council, at its twelfth session, postponed action on the matter until its thirteenth session, to be held in the summer of 1951.

Consideration by the General Assembly at its fifth session. Economic and Social Council resolution 338 (XI) took the form of a recommendation to the General Assembly, which referred it to the Joint Second and Third Committee. The financial provisions were

referred to the Fifth Committee. The debate in the former Committee was limited to a general discussion of the Council's proposals and the submission of a number of improving amendments both by delegations and by the Secretary-General.

A plan to finance the relief and rehabilitation operations was approved by the Fifth Committee and was incorporated by the Joint Second and Third Committee in its draft resolution submitted to the General Assembly for approval. This plan provided, *inter alia*, for the establishment of a negotiating committee of seven or more members, appointed by the President of the General Assembly, to consult, during the fifth session, with both Member and non-member States to ascertain the amounts which governments might be willing to contribute voluntarily toward financing the proposed programme of \$250 million. As soon as this committee completed its work, the Secretary-General should, at its request, arrange an appropriate meeting during the same session of both Members and non-members, at which the former might commit themselves to their national contributions and the latter might make known what they would contribute. On 25 November 1950, the draft resolution as a whole was approved by 35 votes to none, with 5 abstentions.

The Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, while supporting the principle of relief and rehabilitation work for Korea, abstained from voting on the resolution because of objections to certain provisions and references therein, particularly in the preamble.

On 1 December, the General Assembly adopted the resolution, as a whole, by 51 votes to none, with 5 abstentions (resolution 410 (V)). On 4 December, the President announced that he had appointed the following Member States to be represented on the Negotiating Committee: Canada, Egypt, France, India, the United Kingdom, the United States of America and Uruguay. On 15 December, the General Assembly, on the nomination of the President, elected the following States Members to serve on the UNKRA Advisory Committee: Canada, India, the United Kingdom, the United States of America and Uruguay.

Organization of the agency. Under the terms of General Assembly resolution 410 (V), the Agent General, who would be assisted by one or more deputies, was to be appointed by the Secretary-General, after consultation with UNCURK and the UNKRA Advisory Committee established by the Assembly. This latter group will advise the Agent General on major financial, procurement, distribution and other economic problems. The Agent General is responsible to the General Assembly for the conduct of the relief and rehabilitation programme, which he will commence at a time to be agreed upon between himself, the Unified Command and UNCURK.

Among other things, the Agent General will provide for the procurement, shipment, effective distribution and utilization of supplies and services. He is to ascertain the need for such supplies and services in consultation with the Korean authorities. He will also assist and consult with them on measures for rehabilitating the Korean economy and for the most effective use of their own resources. The General Assembly authorized

him to enter into a wide variety of agreements for the carrying out of these functions.

The Agent General also has authority to request cash withdrawals from the special account which the Secretary-General has set up for crediting all contributions in cash, kind and services. Lastly, the Assembly requested the Agent General to make use of the advice and technical assistance of the United Nations and the specialized agencies, which he may ask to undertake specific tasks either at their own expense or with funds made available by UNKRA.

Work of the Negotiating Committee. Although the Negotiating Committee established under resolution 410 (V) was also given responsibility for raising funds for the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the present section will be concerned only with its efforts for the Korean programme. Throughout the months of December 1950 and January 1951, the Committee was in constant consultation with delegations regarding contributions by their governments towards financing the programme. It held fourteen meetings and invited representatives of all Member States to consult with it. Representatives of fifty-one Member States attended on one or more occasions. Non-member States were approached by members of the Committee directly or through diplomatic channels. It was clearly understood that all offers to be made would be subject to the constitutional processes of the offering State. The Committee attempted in most cases to put forward a target figure for each country based upon the scale of assessments to the United Nations budget; this proved frequently to be a successful technique in guiding the consultations.

In a report of 26 January 1951, the Negotiating Committee stated that it had gone as far as it could with the preliminary phase of its task and that the next step lay with governments. It noted that, as of that date, thirty-six Member States and one non-member State had made or promised contributions toward the relief of the civil population of Korea, either under the earlier Security Council resolutions on Korea or under the General Assembly resolution of 1 December 1950. As responses to these two appeals had overlapped in time, it was found necessary to list them together.

When the Committee held its most recent meeting on 21 May 1951, the Secretary-General reported that, of the thirteen governments which had made offers to the Committee, twelve had formally confirmed them, and that eight additional governments had made new offers and formally confirmed them at the same time. Including the offers made to the Secretary-General under the Security Council's resolutions on Korea, forty-three governments had to date participated in the Korean programme on relief and rehabilitation. The Secretary-General had publicized all confirmations of either old or new offers as received and had continued to press all Member States to participate adequately in the financial effort. Special effort had been made to obtain the widest publicity at the time of the actual receipt of major contributions. The Secretary-General expressed the hope that the results of the Negotiating Committee's earlier work, as reflected in the present status of the financing of the programme, was sufficiently encourag-

ing to warrant the continuation of its negotiations through the present session of the General Assembly.

The Committee decided, however, that apart from making recommendations to the forthcoming sixth session of the General Assembly, it should conclude its fund-raising efforts and place that responsibility on the staff of UNKRA. It inferred that its recommendations to the Assembly would include suggestions for a new negotiating committee which would begin its work at the beginning of the session rather than at the end.

As of 30 June 1951, two additional governments had pledged contributions towards the relief of the civil populations of Korea, thus bringing the number of States participating in the programme to a total of forty-five. Because of the nature of some of the contributions, which are difficult to evaluate in terms of money, it is impossible accurately to state a precise figure of the contributions to the programme. Roughly, they approximate to a sum of \$230 million, or 92 per cent of the goal. It is hoped that contributions from those fifteen Member States which have as yet found it impossible to participate, together with increased contributions from the forty-five States already listed, will go far towards reaching the goal of \$250 million.

Activation of the United Nations Korean Reconstruction Agency. On 7 February 1951, the Secretary-General activated UNKRA by the appointment of Mr. J. Donald Kingsley as Agent General, after securing the approval of both the UNKRA Advisory Committee and UNCURK. Very shortly after his appointment, the Agent General left for Korea. While familiarizing himself with actual conditions in the field, he held discussions with UNCURK, the Unified Command and the President of the Republic of Korea. He characterized his visit as a first step towards making plans which would help the Korean people to make rapid progress in healing the wounds of war and building a secure future. His discussions had shown the broad outlines of the immense problem of the relief and rehabilitation of Korea. The nature of the Agency's plans and the date of the beginning of large-scale operations would depend for a large part on the progress of the United Nations military effort. In the meantime, relief would continue to be given through the United Nations Command under the Security Council resolutions.

After reviewing the situation in Korea, the Agent General took immediate steps to create a skeleton organization. In addition to his personal staff located in Geneva, he appointed a Deputy Agent General for the Far East and set up an office at the Headquarters in New York and liaison offices in Washington and Tokyo.

At the first regular meeting of the UNKRA Advisory Committee, held in May 1951, the Agent General submitted for approval draft financial regulations, as required by resolution 410 (V). These had previously been prepared by the Secretary-General and concurred in by the Advisory Committee on Administrative and Budgetary Questions. Subject to the further negotiation of several changes, they were approved as provisional regulations.

The proposed programme, covering the twelve-month period beginning 1 July 1951, had been based on the

assumption that hostilities would be over by that date and that the Agency would be conducting a full programme for which it would have complete responsibility. The expenditure of \$250 million contemplated in that programme had been determined on the basis of all existing available information and the earlier experience of economic assistance to Korea.

For the near future, the practical plans were three-sided, in that UNKRA would bring technical assistance to Korea in many ways, including the introduction of internationally famous experts and first-class technicians where they could best be used; set up a programme of technical and vocational training; and lay detailed plans looking towards the day when hostilities would cease and over-all responsibility for the reconstruction of Korea, including responsibility for supplies, could be maintained.

The Agent General described in detail to the Committee his short-term plans for accomplishing these limited objectives. These included the setting up of an operational headquarters in the Far East with a staff of forty to forty-five people, and a staff of almost equal size stationed at Headquarters, Washington and London. After considerable discussion of the Agent General's programme, the Advisory Committee, on 23 May, approved unanimously the following resolution:

"The Advisory Committee to the United Nations Korean Reconstruction Agency approves the proposed programme and plan of expenditure of the Agent General dated 11 May 1951, as a general planning document, on the understanding that it relates to the period when full operations can be undertaken by UNKRA as contemplated by General Assembly resolution 410 (V) of 1 December 1950, and that operational programmes will be submitted to the Committee as and when the Agent General deems their implementation practicable.

"The Committee authorizes the Agent General, subject to appropriate arrangements with the Unified Command, to develop plans for post-hostilities relief and rehabilitation, to render technical assistance, and to engage in such relief and rehabilitation as the military situation permits; and approves the expenditure of funds by the Agent General for these objects and related administrative services".

Since the Committee approved the above resolution on 23 May 1951, the Agency has continued to recruit a limited number of highly specialized personnel for work in the field. Close relationships have been maintained with the various specialized agencies and the Technical Assistance Administration, particularly with respect to the recruitment of technical experts.

The Agent General, concerned with the significance of adequate financing, has been in constant contact with the major contributing nations with a view to accumulating the largest possible resources prior to the assumption of over-all responsibility. The legislatures of several of these States are now considering the legislation which will make such appropriations available to back up the contributions pledged. Similarly, steps are being taken to add to the list of forty-five nations which, in formal communications to the Secretary-General, have already signified their willingness to contribute.

(f) ACTIVITIES OF THE UNITED NATIONS COMMISSION FOR THE UNIFICATION AND REHABILITATION OF KOREA

The United Nations Commission for the Unification and Rehabilitation of Korea established under General Assembly resolution 376 (V) of 7 October 1950 held its first meeting on 20 November in Tokyo, and within a few days established its headquarters in Seoul, where it remained until 4 January 1951, when it moved to Pusan.

After having heard the views of military authorities, civilian experts and officials of the Government of the Republic of Korea regarding relief projects, the scope of the refugee problem and Korea's needs in the field of rehabilitation, the Commission established, on 5 December, Committee I on economic questions to study the economic position and problems of Korea with special reference to relief and rehabilitation, and also to study the measures being taken by the various agencies with regard to those problems.

Also on 5 December, the Commission appointed a group to examine Chinese prisoners of war at Pusan. On 7 December, the Commission submitted an interim report setting forth, *inter alia*, the findings of that group. The interim report stated that, on the basis of existing evidence, the Commission had come to the conclusion that Chinese forces in great strength were attacking the United Nations forces in North Korea and that these Chinese forces formed part of the armed forces of the People's Republic of China. It also drew attention to a large-scale exodus of refugees fleeing southwards from North Korea.

On 6 December, the Chairman of the Commission broadcast a statement in which he appealed for the immediate withdrawal of the Chinese forces. He expressed the Commission's readiness to assist in any possible way and to consider any proposal likely to ensure conditions of stability in the northern frontier areas of an independent and united Korea.

On 5 January 1951, the Commission established Committee II to prepare a report on the administration and policies of the People's Democratic Republic of Korea and on the conditions which existed in territory under its control. The Committee's first progress report, adopted on 19 January, contained its plan of work for a study of the government, industrial and rural conditions, economic policies, education and propaganda, and human rights in territory under the control of the Government of the People's Democratic Republic of Korea.

On 23 January, the Commission decided to transmit to the Secretary-General a report of Committee I on long-term measures to promote the economic development and social progress of Korea. The Commission endorsed the Committee's view that, at that stage of military operations, it was not possible to make the necessary assumptions on which long-term measures could be based and that it therefore appeared premature for the Economic and Social Council to consider overall plans in that respect.

On 30 January, the Commission adopted an appeal to all governments, specialized agencies and non-gov-

ernmental organizations calling for speedy relief and rehabilitation contributions for Korea.

In accordance with General Assembly resolution 410 (V) of 1 December 1950, the Commission, on 2 February, adopted a resolution concurring in the appointment of Mr. J. Donald Kingsley as Agent General for Korean reconstruction. In consultations with the Agent General upon his arrival in Korea, it was agreed that, although the military authorities would continue to be responsible for relief as long as hostilities lasted, assistance could nevertheless be rendered by the Commission and the United Nations Korean Reconstruction Agency; it was further agreed that those two bodies would have to prepare plans with a view to assuming immediate responsibility for civil assistance when the appropriate time arrived.

Following a study by Committee I of food production in the Republic of Korea, the Commission, on 29 April, adopted an interim report on the subject and a resolution recommending that nations contributing to Korean relief should do their utmost to make available a sufficient quantity of fertilizers.

The Commission has devoted considerable attention to the question of the civil administration of areas of North Korea occupied by United Nations forces. In this connexion it has heard testimony by former officials of the area, studied memoranda on the subject submitted by the Government of the Republic of Korea, and sought data from the military authorities of the Unified Command regarding their experience during the occupation of such areas during the fall of 1950. On 31 May, following consultations with the Commanding Officer of the United Nations Civil Assistance Command in Korea, the Command agreed to keep the Commission informed of the administration established north of the 38th parallel under the authority of the United Nations.

10. Intervention of the Central People's Government of the People's Republic of China in Korea

(a) INCLUSION OF THE ITEM IN THE AGENDA OF THE FIFTH SESSION OF THE GENERAL ASSEMBLY

In a telegram, dated 4 December 1950, the representatives of Cuba, Ecuador, France, Norway, the United Kingdom and the United States of America requested the inclusion of the item "Intervention of the Central People's Government of the People's Republic of China in Korea" in the agenda of the fifth session of the General Assembly. In a memorandum submitted on the same date, they stated that armed forces of the Central People's Government of the People's Republic of China were conducting military operations against the United Nations forces in Korea, and recalled that the draft resolution submitted jointly by their delegations in the Security Council with a view to dealing with this question had failed of adoption because of the negative vote of one of the permanent members, the Union of Soviet Socialist Republics (see section 9 (a) (iii) above). Under those circumstances, they believed that the Assembly should consider the problem urgently with a view to making appropriate recommendations.

On 6 December, the General Assembly included the item in its agenda and referred it to the First Committee for consideration and report. Consideration of the item took place between 7 December 1950 and 30 January 1951, and at two meetings held on 17 May 1951.

(b) DISCUSSION IN THE FIRST COMMITTEE UNTIL 13 DECEMBER 1950

On 7 December, the First Committee adopted, against strong opposition by the representative of the USSR and some other delegations, a French motion that priority should be given to the consideration of this item, and a motion presented by the representative of the United States of America that the representative of the Republic of Korea should be invited to participate in the debate.

The following draft resolutions were submitted during the period 7 to 13 December 1950:

A joint draft resolution was submitted on 7 December by Cuba, Ecuador, France, Norway, the United Kingdom and the United States of America. After recalling the Security Council resolution of 25 June 1950 and the General Assembly resolution of 7 October 1950, and noting that armed forces of the Central People's Government of the People's Republic of China were conducting military operations against the United Nations forces in Korea, the joint draft resolution called upon all States and authorities, *inter alia*, to prevent their nationals or individuals or units of armed forces from giving assistance to the North Korean forces, and to cause the immediate withdrawal of such nationals or units; affirmed that it was the policy of the United Nations to hold the Chinese frontier with Korea inviolate and fully to protect legitimate Chinese and Korean interests in the frontier zone; and requested the United Nations Commission for the Unification and Rehabilitation of Korea to assist in the settlement of any problem relating to conditions on the Korean frontier.

A draft resolution, submitted on 9 December by the USSR, under the terms of which the General Assembly, seeking a peaceful settlement of the Korean question and the restoration of peace and security in the Far East, recommended that all foreign troops should be withdrawn immediately from Korea and that the decision on the Korean question should be entrusted to the Korean people themselves.

A joint draft resolution, submitted on 12 December by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen, under the terms of which the General Assembly, viewing with great concern the situation in the Far East, and being anxious that immediate steps should be taken to prevent the conflict in Korea from spreading to other areas and to put an end to the fighting in Korea itself, and that further steps should then be taken for a peaceful settlement of existing issues in accordance with the Purposes and Principles of the United Nations, requested the President of the General Assembly to constitute a group of three persons, including himself, to determine the basis on which a satisfactory cease-fire in Korea could be arranged and to make recommendations to the General Assembly as soon as possible.

A joint draft resolution, also submitted on 12 December by the same countries with the exception of the Philippines, considering that the situation in the Far East was likely to endanger the maintenance of world peace and security, recommended the establishment of a committee to meet as soon as possible and make recommendations for the peaceful settlement of existing issues in accordance with the Purposes and Principles of the United Nations.

The representatives who expressed their support of the six-Power draft resolution considered that, since the veto of the USSR had prevented the Security Council from undertaking effective action to restore peace, it was now the General Assembly's duty to exercise its powers under Article 11 of the Charter and under the resolutions adopted under the title "Uniting for peace" (see section 18 below), because the intervention of the Chinese communists in Korea was in fact an armed struggle which the People's Republic of China was waging against the United Nations itself. Only after the present question had been settled could other matters relating to the peace and security of Asia be dealt with.

The representative of the USSR, rejecting those views, considered that they were based on a complete distortion of the facts and had already been refuted by the representatives of his and other governments during the debates in the Security Council and in the General Assembly on the Korean question (see section 9 (a) (iv), and (c) above). The six-Power draft resolution served merely to camouflage the true reasons for the disastrous war imposed on the people of Korea by means of high-sounding references to the Charter, to the struggle against aggression and the maintenance of peace. The aim of the USSR draft resolution, on the other hand, was to make an effective contribution to the strengthening of peace, and to end the intervention of the United States of America and of certain other countries which were taking advantage of the United Nations. Similar views were expressed by the representatives who spoke in support of the USSR draft resolution.

The representative of India, explaining the thirteen-Power draft resolution, stated that, in conversations held in New York with the representative of the Central People's Government of the People's Republic of China, he had asked the latter whether it was correct to suppose that the Peiping Government did not want a war with the United Nations or with the United States. That representative had replied that most certainly his Government did not want such a war, but that the forces of the United States and the United Nations were carrying on military operations near the Chinese border and thus a war had been forced upon the Chinese people. The representative of India felt that, since China had been ravaged by wars of one kind or another for almost a generation, it was understandable that the people of China should not want another war and would welcome a spell of peace. At the same time, the ordeals through which they had passed had made them unduly suspicious and apprehensive. In fact, China seemed to be moving towards a Monroe doctrine of its own. Nevertheless the United Nations had, for the moment, an assurance that the Peiping Government desired a peaceful settlement.

At the request of the representative of India, the Committee, on 12 December, decided, by 48 votes to 5, with 4 abstentions, to give priority to the thirteen-Power draft resolution.

The supporters of the thirteen-Power draft resolution stressed that an end to the fighting was a necessary prerequisite for an eventual peaceful settlement in Korea. If the negotiations which it sought to promote proved that a victory for aggression was the price that had to be paid for a cessation of hostilities, the proposal would come to nothing, but that possibility should not prevent the United Nations from making the attempt. It was essential, however, that the first step, namely, the cease-fire and the protection of the United Nations forces and of the Korean population, should be concluded before other matters, such as political issues, were taken up.

The representative of the USSR noted three factors that had surrounded the drafting and elaboration of the thirteen-Power draft resolution. The first factor was the defeat of the American interventionist troops in Korea as a result of the struggle of the Korean people and of their Chinese friends. The second was that one of the sponsors of the thirteen-Power draft resolution was the Philippines, which was not included among the sponsors of the twelve-Power draft resolution. The reason for his absence was obviously that the first draft resolution had been to the liking of the United States of America, and the Philippine representative had been forced to exert much effort in order to impose such a draft resolution on the other sponsors. Turning to the third factor, he considered that the objective sought by the United Kingdom and United States representatives boiled down to the narrow aim of obtaining a cease-fire but not peace and security in the Far East. Thus, the proposal for a cease-fire constituted merely a hypocritical and camouflaged attempt to obtain a breathing spell before embarking upon further military action and would redound solely to the benefit of the United States of America and the United Kingdom.

The representative of the USSR added that a correct solution of the Korean question could be found only through the evacuation of all foreign troops from Korea, which would enable the Korean people to settle all issues and problems relating to the future of their country. The USSR draft resolution laid down the basic conditions for a peaceful settlement of the Korean question and for the restoration of peace and security in the Far East. These views were shared by the other representatives who opposed the adoption of the thirteen-Power draft resolution.

On 13 December, the thirteen-Power draft resolution was approved by 51 votes to 5, with one abstention.

(c) GENERAL ASSEMBLY RESOLUTION 384 (V) OF 14 DECEMBER 1950

On 14 December 1950, the General Assembly, without debate, adopted, by 52 votes to 5, with one abstention, the thirteen-Power draft resolution recommended by the First Committee. At a second meeting held on the same date, the representatives of Peru and Nicaragua explained that, owing to unavoidable circumstances, they had been absent during the vote, but that they supported the resolution.

(d) CONTINUATION OF THE DISCUSSION IN THE FIRST COMMITTEE UNTIL 30 JANUARY 1951

(i) *Report of the Group on Cease-Fire in Korea dated 2 January 1951*

Pursuant to General Assembly resolution 384 (V) of 14 December, the President constituted a group consisting of the representatives of Canada and India, and himself, to determine the basis for a satisfactory cease-fire and to make recommendations to the Assembly.

In its report, dated 2 January 1951, the Group stated that, on 15 December, as a first step, it had consulted the representatives of the Unified Command as to what they considered to be a satisfactory basis for a cease-fire. The suggestions which had emerged from this consultation could be summarized as follows:

(1) All governments and authorities concerned, including the Central People's Government of the People's Republic of China and the North Korean authorities, should order and enforce a cessation of all acts of armed force in Korea. The cease-fire should apply to all of Korea.

(2) There should be established across Korea a demilitarized area of approximately twenty miles in depth, with the southern limit following generally the line of the 38th parallel.

(3) The cease-fire should be supervised by a United Nations commission, whose members and designated observers should have free and unlimited access to the whole of Korea.

(4) All governments and authorities should cease promptly the introduction into Korea of any reinforcement or replacement units or personnel, including volunteers, and additional war equipment and material.

(5) Appropriate provision should be made in the cease-fire arrangements in regard to steps to ensure the security of the forces, the movement of refugees, and the handling of other specific problems arising out of the cease-fire.

(6) The General Assembly should be asked to confirm the cease-fire arrangements, which should continue in effect until superseded by further steps approved by the United Nations.

The Group then had attempted to consult the Central People's Government of the People's Republic of China and, for that purpose, had sent a message to that Government's representative in New York and repeated it by cable to the Minister for Foreign Affairs in Peiping. The message stressed that, in the interests of stopping the fighting in Korea and of facilitating a just settlement of the issues there in accordance with the principles of the Charter, the Group was prepared to discuss cease-fire arrangements with the Government of the People's Republic of China or its representatives either in New York or elsewhere, as would be mutually convenient.

On 16 December, the Group requested the Central People's Government to instruct its representative in New York to stay there and to discuss with the Group the possibility of arranging a cease-fire. In its reply, on 21 December, the Government of the People's Republic

of China had recalled that its representative had neither participated in nor agreed to the adoption of the General Assembly resolution establishing the Group. The Central People's Government had repeatedly declared that it would regard as illegal and null and void all resolutions on major problems, especially regarding Asia, which might be adopted by the United Nations without the participation and approval of duly appointed representatives of the People's Republic of China. After the Security Council had unreasonably voted against the question "Complaint of armed invasion of Taiwan (Formosa)" raised by the Government of the People's Republic of China, that Government had instructed its representatives to remain in New York for participation in the discussion of the question "Complaint by the Union of Soviet Socialist Republics regarding aggression against China by the United States of America". However, he had still not been given the opportunity to speak. Under those circumstances, the Central People's Government deemed that there was no further necessity for its representative to remain in New York.

On 19 December, acting on a recommendation from the sponsors of the twelve-Power draft resolution, the Group had sent another message to the Minister for Foreign Affairs of the People's Republic of China, which was intended to remove any possible misunderstandings which might have arisen out of the separation of the twelve-Power draft resolution from the thirteen-Power resolution adopted by the Assembly on 14 December. The message stressed that the Group's clear understanding and also that of the twelve Asian sponsors was that, once a cease-fire arrangement had been achieved, the negotiations envisaged in the twelve-Power draft resolution should be proceeded with at once, and that the Government of the People's Republic of China should be included in the Negotiating Committee referred to in that draft resolution.

On 23 December, the President of the General Assembly, in his capacity as such, had received from the Minister for Foreign Affairs of the People's Republic of China the text of a statement issued by the Government in Peiping on 22 December, in which it was noted that that Government, from the very beginning of hostilities in Korea, had stood for the peaceful settlement and localization of the Korean problem. However, the United States Government had not only rejected the proposals made by his Government and by the USSR for the peaceful settlement of the problem, but had rejected negotiations on the question. The statement then reiterated the basic views on the problems involved, as set forth in the Security Council by the representative of the People's Republic of China (see section 9 (a) (iv) above), and in that organ as well as in the General Assembly by the representative of the USSR. In conclusion, the statement held that if the Asian and Arab nations wished to achieve genuine peace, they must free themselves from United States pressure, no longer make use of the Group on Cease-Fire and give up the idea of achieving a cease-fire first and negotiations afterwards. The Central People's Government of the People's Republic of China insisted that, as a basis for negotiating a peaceful settlement of the Korean problem, all foreign troops must be withdrawn from the peninsula, Korea's domestic affairs must be settled by the Korean people themselves, the American aggres-

sion forces must be withdrawn from Taiwan and the representative of the People's Republic of China must obtain a legitimate status in the United Nations.

The Group concluded its report by stating that, in those circumstances, it regretted that it had been unable to pursue the discussion of a satisfactory cease-fire arrangement and, therefore, felt that it could not usefully make any recommendation in regard to a cease-fire for the time being.

The report was considered by the First Committee at meetings held on 3, 5 and 8 January 1951.

The representative of India, in presenting the report, emphasized that, even if this first attempt at negotiations had failed, the Committee must go on exploring every honourable means of avoiding the dangers of a new world war.

The representative of the USSR and the other representatives supporting the attitude taken by the Central People's Government of the People's Republic of China stated that it had become clear from official and unofficial statements of United States representatives that no idea of a cessation of hostilities in Korea or of the withdrawal of troops entered into their plans.

The absence of peaceful intentions among the ruling circles of the United States was indicated by recent events, such as the proclamation of a state of emergency in the United States, economic mobilization, intensification of the armaments race and the war hysteria throughout the country, the aggressive Brussels plot designed to force the Western European allies of the United States to throw all their resources into war preparations, the aggressive statements of President Truman and Mr. Acheson, the intensification of a hostile policy towards the People's Republic of China and, in particular, the following: declaration of an economic blockade of China; support to the reactionary clique of Chiang Kai-shek; prevention of admission of the People's Republic of China to membership in the United Nations; direct aggression against China; seizure of the island of Taiwan and carrying out of systematic aerial bombing of Chinese territory; rejection of proposals made by the USSR and the People's Republic of China for the peaceful settlement of the Korean question. Those facts fully justified the position taken by the Central People's Government of the People's Republic of China set forth in its cablegram of 23 December 1950.

The representative of the United States of America considered that the Chinese communist régime, by rejecting any cease-fire proposal, had closed a channel for peaceful settlement; however, the United States Government, in accordance with the Principles and Purposes of the Charter, was always ready to engage in discussions with that régime at an appropriate time. By demonstrating that the free world would not voluntarily reward aggression or stand aside in the face of it, confidence could be maintained and strength built up to deter future aggression. By holding open the door to the negotiation of an honourable solution, it would be made clear that the United Nations was determined to exhaust the possibilities of peaceful settlement.

The representative of Israel considered that a peaceful settlement of the Korean question and of all issues

affecting peace in the Far East might be solved in the following stages:

- (1) An immediate and unconditional cease-fire;
- (2) An affirmation by all governments concerned that they accepted the objectives of the United Nations in Korea;
- (3) The participation of representatives of States bordering on Korea in the work of the United Nations agencies working for the unification and rehabilitation of Korea and in the supervision of elections;
- (4) An agreement for the progressive withdrawal of non-Korean forces from Korea within a defined period, in conditions which would genuinely leave the Korean people free to determine their own future;
- (5) The initiation of projects for the rehabilitation and reconstruction of Korea under United Nations auspices;
- (6) A guarantee by the United Nations (to which the People's Republic of China would be invited to subscribe) that the independence and integrity of the reconstituted State of Korea would be respected by all other States;
- (7) A declaration that, on acceptance by all parties concerned of the above recommendations and on agreement regarding their implementation, consideration should be given as a matter of urgency to all questions affecting the relations of the People's Republic of China with the United Nations.

He was convinced that a final attempt should be made before the First Committee considered more drastic measures. If the Assembly set forth in a single document the principles he had outlined, it would have expressed a policy so clear and so difficult to reject that, in case of failure, it would be easy to name the party responsible.

The representative of the United Kingdom supported the suggestions advanced by the representative of Israel and shared the view that, should a break occur, it had to be clear that the fault lay by no means with the United Nations, the objective of which was not to attack China but simply to demonstrate the futility of aggression.

Commenting on the suggestions of the representative of Israel, the representative of the USSR considered that they belonged in the same category as the proposal of the thirteen Powers. Such proposals, suggesting an unconditional cease-fire without contemplating an immediate withdrawal of troops, only complicated the matter and produced a standing threat to peace and security.

(ii) *Supplementary report of the Group on Cease-Fire in Korea dated 11 January 1951*

On 11 January 1951, the representative of Canada submitted, on behalf of the Group, a supplementary report suggesting a five-point programme aimed at achieving by stages a cease-fire in Korea, the establishment of a free and united Korea and a peaceful settlement of Far Eastern problems, as follows:

- (1) A cease-fire should be immediately arranged. Such an arrangement should contain adequate safe-

guards for ensuring that it would not be used as a screen for mounting a new offensive.

- (2) If and when a cease-fire occurred in Korea, either as a result of a formal arrangement or as a result of a lull in hostilities pending some such arrangement, advantage should be taken of it to pursue the consideration of further steps to be taken for the restoration of peace.

- (3) To permit the carrying out of the General Assembly resolutions on Korea, all non-Korean armed forces would be withdrawn, by appropriate stages, and appropriate arrangements, in accordance with United Nations principles, would be made for the Korean people to express their own free will in respect of their future government.

- (4) Pending the completion of those steps, appropriate interim arrangements would be made for the administration of Korea and the maintenance of peace and security there.

- (5) As soon as agreement had been reached on a cease-fire, the General Assembly should set up an appropriate body, which should include representatives of the United Kingdom, the United States of America, the USSR and the People's Republic of China, with a view to the achievement of a settlement, in conformity with existing international obligations and the provisions of the Charter, of Far Eastern problems, including, among others, those of Formosa and of the representation of China in the United Nations.

The assumption of the Group was that, if the First Committee approved those five principles, they would be transmitted to the Central People's Government of China for its consideration.

The First Committee considered the supplementary report at meetings held between 11 and 13 January.

A majority of the representatives advocated approval of the five principles by the Committee, which, in their view, constituted a clear expression of the general objectives of the United Nations in regard to Korea and related matters and of the stages by which those objectives could be progressively achieved if the aim of the People's Republic of China were, as professed, the achievement of a peaceful settlement of the Korean conflict.

The representative of the USSR, supported by the representative of Poland, considered that the supplementary report, far from introducing new elements, retained the idea of calling for the achievement of a cease-fire before negotiations, and therefore could not serve as the basis of a peaceful settlement.

On 12 January, the representative of Israel submitted a draft resolution requesting the Secretary-General to transmit the principles set forth by the Group to the Central People's Government of the People's Republic of China, and to invite that Government to send its observations as soon as possible.

On 13 January, the Committee upheld a ruling by the Chairman that the principles should be put to the vote as a whole, and approved them by 50 votes to 7, with one abstention.

Amendments to the draft resolution proposed by Israel were submitted by China and El Salvador. However, Israel withdrew its draft resolution in favour of one submitted by Norway. This draft resolution, with oral amendments suggested by Lebanon and accepted by the sponsor, invited the Chairman of the First Committee, through the Secretary-General, to transmit the approved principles to the Central People's Government of the People's Republic of China, and to invite that Government to inform him as soon as possible whether it accepted them as a basis for the peaceful settlement of the Korean problem and other Far Eastern problems.

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

(iii) *Reply dated 17 January 1951 from the Central People's Government of the People's Republic of China*

In its reply regarding the five principles approved by the First Committee on 13 January, the Central People's Government of the People's Republic of China stressed that it had always maintained, and still maintained, that a rapid termination of the hostilities in Korea should be sought by negotiations among the various countries concerned.

With regard to the principles themselves, the reply pointed out that the basic points of the proposed programme were still the arrangement of a cease-fire in Korea first and the conducting of negotiations among the countries concerned afterwards. If a cease-fire came into effect without first conducting negotiations to fix the conditions therefor, negotiations after the cease-fire might entail endless discussion without solving any problems. Besides this fundamental point, the other principles were not clearly defined. It was not clearly stated whether the so-called existing international obligations referred to were the Cairo and Potsdam Declarations, and this might be utilized to defend the position of aggression maintained by the United States in Korea, Taiwan and other parts of the Far East.

The Government of the People's Republic of China, with a view to a genuine and peaceful solution of the Korean problem and other Asian problems, submitted the following proposals:

(1) Negotiations should be held among the countries concerned on the basis of agreement to the withdrawal of all foreign troops from Korea and the settlement of Korean domestic affairs by the Korean people themselves.

(2) The subject-matter of the negotiations must include the withdrawal of the United States armed forces from Taiwan and the Strait of Taiwan, and related Far Eastern problems.

(3) The countries to participate in the negotiations should be the following seven: the People's Republic of China, the USSR, the United Kingdom, the United States of America, France, India and Egypt, and the rightful place of the Central People's Government of the People's Republic of China in the United Nations should be established as from the beginning of the seven-nation conference.

(4) The seven-nation conference should be held in China, at a place to be selected.

This communication was considered by the First Committee between 18 and 30 January.

On 22 January, the representative of India read the text of a communication which the Indian Ambassador in Peiping had received from the Ministry for Foreign Affairs of the People's Republic of China in reply to a request for clarification of certain points contained in its reply of 17 January.

The following two draft resolutions were submitted during the discussion:

A draft resolution submitted, on 20 January, by the United States of America, under the terms of which the General Assembly, noting that the Security Council, because of lack of unanimity of the permanent members, had failed to exercise its primary responsibility for the maintenance of international peace and security in regard to Chinese communist intervention in Korea; noting that the Government of the People's Republic of China had rejected all United Nations proposals to bring about a cessation of hostilities in Korea with a view to peaceful settlement, and that its armed forces continued their invasion of Korea and their large-scale attacks upon United Nations forces there; (1) found that the Central People's Government of the People's Republic of China, by giving direct aid and assistance to those who were already committing aggression in Korea and by engaging in hostilities against the United Nations forces there, had itself engaged in aggression in Korea; (2) called upon the Central People's Government of the People's Republic of China to cause its forces and nationals in Korea to cease hostilities against the United Nations forces and to withdraw from Korea; (3) affirmed the determination of the United Nations to continue its action in Korea to meet the aggression; (4) called upon all States and authorities to continue to lend every assistance to the United Nations action in Korea; (5) called upon all States and authorities to refrain from giving any assistance to the aggressors in Korea; (6) requested a committee, composed of the members of the Collective Measures Committee, as a matter of urgency, to consider additional measures to be employed to meet this aggression and to report thereon to the General Assembly; (7) affirmed that it continued to be the policy of the United Nations to bring about a cessation of hostilities in Korea and the achievement of United Nations objectives in Korea by peaceful means; and (8) requested the President of the General Assembly to designate forthwith two persons who would meet with him at any suitable opportunity to use their good offices to this end.

A revised text of the original twelve-nation joint draft resolution was submitted, on 24 January, by the sponsoring Powers. The operative part provided that representatives of France, the United Kingdom, the United States of America, the USSR, Egypt, India and the Central People's Government of the People's Republic of China should meet as soon as possible for the purpose of securing all necessary elucidations and amplifications of the reply of the People's Republic of China, and for the purpose of making any incidental or consequential arrangements for a peaceful settlement of the

Korean problem and other Far Eastern problems. The first meeting of the above representatives would be held on a date and at a place to be fixed by the President of the General Assembly.

The following amendments were submitted to these two draft resolutions:

Amendments submitted by the USSR, on 25 January, to the revised twelve-Power draft resolution, proposed (1) the deletion of the heading "Intervention of the Central People's Government of the People's Republic of China in Korea"; and (2) that the President of the Assembly should call the proposed meeting "in agreement with the participants".

Amendments submitted by Lebanon, on 29 January, to the United States draft resolution proposed a modification in paragraph 2 of the preamble to the effect that the Peiping Government had "not accepted" instead of had "rejected all" United Nations proposals, and adding to paragraph 6 of the operative part of the provision that the *ad hoc* committee on collective measures, contemplated in that paragraph, should be authorized to defer its report if the good offices committee, referred to in paragraph 7 of the operative part, reported satisfactory progress. The Lebanese amendments were accepted by the United States.

A second revision of the twelve-Power draft resolution was submitted on 29 January. A sentence was included in the operative part to the effect that the seven Powers participating in the proposed conference should, at the first meeting, agree upon an appropriate cease-fire arrangement and would proceed with their further deliberations only after this arrangement had been put into effect.

On 30 January, an amendment to this second revision of the twelve-Power draft resolution was submitted by the USSR, according to which the representatives of the seven countries, after the cease-fire arrangement had been put into effect, would proceed to the consideration of (1) appropriate arrangements for the withdrawal of all foreign forces from Korea; (2) ways and means to be recommended to the Korean people for the free settlement of Korean affairs by the Korean people themselves; (3) the question of the withdrawal of United States forces from Taiwan and the Strait of Taiwan; and (4) questions relating to the Far East.

The majority of representatives expressed the view that the reply from the Central People's Government of the People's Republic of China was negative and represented merely a renewal of draft resolutions submitted by the USSR on 27 November and 9 December 1950, with the addition of the demands referring to representation of the People's Republic of China in the United Nations and the holding of a seven-Power conference in China. The reply asked the United Nations in fact to concede in advance every point which might be the subject of the proposed negotiations and thus aimed at destroying the moral strength of the Organization, which again would eliminate any possibility of material strength.

The majority supported the United States draft resolution, considering, *inter alia*, that it embodied the only decision which the United Nations could take in the

present circumstances in order to carry out its responsibilities under the Charter, while leaving the door open for any subsequent negotiations for a peaceful settlement.

The sponsors of the twelve-Power draft resolution, however, considered that the reply from the People's Republic of China represented counter-proposals which afforded room for further negotiations. Therefore, the People's Republic of China should not be branded as an aggressor until further attempts at conciliation and elucidation had been undertaken. They thought that the method advocated in the United States draft resolution was premature and might rule out all possibilities for a peaceful settlement.

The representatives of Sweden and Yugoslavia explained that they would abstain in the vote on the United States draft resolution because they doubted that possible collective action would further a solution of the Korean and related problems by peaceful means.

The representative of the USSR and other representatives supporting the counter-proposals of the Central People's Government of the People's Republic of China considered that they constituted the first real peace plan, embodying practically every issue which must be discussed in order to settle the Far Eastern situation, and that they were based upon the principles of international law and of the Charter. The draft resolution submitted by the United States of America, on the other hand, clearly demonstrated that the United States refused a peaceful settlement of the Korean problem and of other Far Eastern problems through negotiation. It was, in their view, directed against the People's Republic of China and the Chinese people, and had as its goal, not a peaceful settlement, but the widening of the conflict in the Far East. The character of the fatal course urged by the United States was well understood by many delegations, and they had refused to support it. The overwhelming majority of the world's population actively condemned and overtly opposed the extremely dangerous course of action which the United States was forcing the United Nations to adopt. The representative of the USSR considered that the revised twelve-Power draft resolution was not satisfactory because it did not cover a series of important points brought up in the proposals submitted by the People's Republic of China. The USSR had therefore submitted its amendments of 30 January.

At the same meeting, on 30 January, the Committee adopted a motion for the closure of the debate. The representative of the USSR stated that he would not insist on a vote at the present stage on the draft resolution submitted by his delegation on 9 December. The six-Power draft resolution, submitted on 6 December, was withdrawn by the sponsors. The amendments to the revised twelve-Power draft resolution were all rejected, and the draft resolution itself was put to the vote in parts. As all the parts were rejected, the draft resolution as a whole was not put to the vote.

The Lebanese amendment to paragraph 6 of the operative part of the United States draft resolution was adopted by 42 votes to 7, with 9 abstentions. The United States draft resolution, as a whole, as amended, was adopted by 44 votes to 7, with 8 abstentions. One member did not participate in the vote.

(e) GENERAL ASSEMBLY RESOLUTION 498 (V) OF
1 FEBRUARY 1951

On 1 February 1951, the General Assembly voted, without debate, on the draft resolution recommended by the First Committee, and adopted it by a roll-call vote of 44 to 7 (Burma, Byelorussian SSR, Czechoslovakia, India, Poland, Ukrainian SSR and USSR), with 9 abstentions (Afghanistan, Egypt, Indonesia, Pakistan, Saudi Arabia, Sweden, Syria, Yemen and Yugoslavia). The representative of Saudi Arabia expressed the wish that his abstention should be considered as non-participation in the vote.

In a note dated 19 February, the President of the General Assembly informed the Members of the Assembly that Mr. Sven Grafström of Sweden and Dr. Luis Padilla Nervo of Mexico had agreed to form with him the Good Offices Committee provided for in the last paragraph of the resolution.

In a statement made on 2 February, regarding General Assembly resolution 498 (V), the Minister for Foreign Affairs of the People's Republic of China stated, *inter alia*, that the majority of nations in the United Nations, under the domination and coercion of the United States Government, had rejected the twelve-Power draft resolution and adopted the United States draft resolution which slandered China as an aggressor in Korea, in order that the United States might further extend its aggressive war. This proved clearly to the peace-loving peoples and nations of the world that the United States Government and its accomplices had blocked the path to a peaceful settlement. It was further stated that the Assembly, encroaching upon the powers of the Security Council, had acted illegally in adopting the resolution without the participation of the lawful representatives of the People's Republic of China. Consequently, the resolution must be considered null and void.

(f) REPORT OF THE ADDITIONAL MEASURES COMMITTEE
DATED 14 MAY 1951

The Committee "composed of the members of the Collective Measures Committee", established under General Assembly resolution 498 (V) to consider additional measures to meet aggression in Korea, known as the Additional Measures Committee, was informed, at its first meeting on 16 February 1951, that Burma and Yugoslavia would be unable to participate in its work. At the same meeting, the Committee elected the representative of Turkey as Chairman, the representative of Belgium as Vice-Chairman, and the representative of Australia as Rapporteur; it requested the Bureau thus constituted to draft proposals for a programme of work.

At the second meeting, held on 8 March, a Subcommittee of five members (Australia, France, the United Kingdom, the United States of America and Venezuela) was constituted, on the proposal of the Bureau, to consider practical measures and study priorities.

On 19 April, the Sub-Committee unanimously recommended that, when the Committee pursued the examination of additional measures against the Central People's Government of the People's Republic of China,

it should give priority to the study of economic measures. This recommendation was adopted at the third meeting of the Committee on 3 May 1951. At the fourth meeting, on 7 May, the United States delegation submitted a draft resolution which was discussed, amended and approved on 14 May for submission to the General Assembly.

The First Committee, on 17 May, had before it the report of the Additional Measures Committee, which recommended the adoption of a draft resolution under the terms of which the General Assembly, noting, *inter alia*, that the Additional Measures Committee had reported that a number of States had already taken measures designed to deny contributions to the military strength of the forces opposing the United Nations in Korea, and that certain economic measures designed further to deny such contributions would support and supplement the military action of the United Nations in Korea and would assist in putting an end to the aggression, recommended that every State should (1) apply an embargo on the shipment to areas under the control of the Central People's Government of the People's Republic of China and of the North Korean authorities of arms, ammunition and implements of war, atomic energy materials, petroleum and items useful in the production of arms, ammunition and implements of war; (2) determine which commodities exported from its territory fall within the embargo, and apply controls to give effect to the embargo; (3) prevent by all means within its jurisdiction the circumvention of controls on shipments applied by other States pursuant to the resolution; (4) co-operate with other States in carrying out the purposes of this embargo; (5) report to the Additional Measures Committee, within thirty days and thereafter at the request of the Committee on the measures taken in accordance with the present resolution. It requested the Additional Measures Committee (1) to report to the General Assembly, with recommendations as appropriate, on the general effectiveness of the embargo and the desirability of continuing, extending or relaxing it; and (2) to continue its consideration of additional measures to be employed to meet the aggression in Korea, and to report thereon further to the General Assembly, it being understood that the Committee was authorized to defer its report if the Good Offices Committee reported satisfactory progress in its efforts.

The draft resolution also reaffirmed that it continued to be the policy of the United Nations to bring about a cessation of hostilities in Korea and the achievement of United Nations objectives in Korea by peaceful means, and requested the Good Offices Committee to continue its good offices.

The report of the Additional Measures Committee also contained comments clarifying its recommendations. It noted in particular that circumvention of controls might take place mainly through trans-shipment or re-export. The primary responsibility for guarding against such circumvention must lie with the States in which the goods originated and this responsibility could best be discharged by obtaining assurances about end-use prior to shipment. Other States would be expected to give every assistance to the country of origin in obtaining and checking such assurances. Each State

should moreover avoid any such expansion of its trade with China and North Korea in items embargoed by other States as would nullify or impair the effect of the controls applied by the latter to those items.

At the outset of the debate, the representative of the USSR stated that he could not participate in the discussion of such measures. According to Article 24 of the Charter, the Members of the United Nations had placed the primary responsibility for the maintenance of international peace and security on the Security Council, and had agreed that in carrying out its duties under this responsibility, the Council acted on their behalf. The measures to be taken by the Council in the accomplishment of that task were stipulated in the Charter, particularly in Chapter VII. The imposition of an embargo was one of the measures covered by that Chapter. Moreover, any action of that kind belonged, according to Article 11, paragraph 2 of the Charter, exclusively within the competence of the Security Council. Consequently, the General Assembly was not entitled to adopt decisions on such questions.

From the very outset of events in Korea, he added, the ruling circles of the United States had taken the path of flagrant violation of the Charter and had done all in their power to prevent a pacific settlement of the Korean question. In order to disguise its aggression, the United States had already foisted upon the United Nations a number of illegal resolutions. By its rude pressure on the members of the North Atlantic bloc, and on the Latin-American countries, the United States had forced upon the General Assembly the disgraceful resolution of 1 February 1951, branding the People's Republic of China as aggressor. It would be preposterous to assert that the United States, which had seized Chinese territory, namely the island of Taiwan, and which had invaded Korea up to the very frontiers of China, was the party defending itself, and that the Chinese People's Republic, which was defending its frontiers and was trying to regain the island of Taiwan seized by the Americans, was the aggressor. The new draft resolution, in which the United States called for the imposition of embargo measures against the People's Republic of China, made it evident that the text was designed to bring about the continuation and the extension of the war in Korea. The ruling circles of the United States continued, in fact, to drag the United Nations with them on the course of violating the Charter and adopting illegal measures.

The representatives of Poland, the Byelorussian SSR, the Ukrainian SSR and Czechoslovakia agreed with the representative of the USSR that the question of applying an embargo was exclusively within the competence of the Security Council and outside that of the First Committee or the General Assembly. They stated that consequently, they would not participate in the discussion.

The majority of representatives supported the draft resolution. They considered that, because the Chinese communists and the North Korean authorities were pressing their attacks against the Republic of Korea, it had now become necessary to consider how best to support the United Nations forces fighting in Korea, to help end aggression and to bring about a peaceful settlement. The draft resolution took into account the

actual situation in Korea as well as the objectives laid down in the General Assembly resolution of 1 February. They felt that, had the Chinese communist Government had any inclination to negotiate, ample opportunity had been given it to make its wishes known. Moreover, opportunities for a peaceful settlement were still clearly available under the present draft resolution. It represented, in their view, an implementation and elucidation of the Assembly resolution of 1 February, and to support it would be a logical reaffirmation of the stand taken by most Members in support of the Security Council's decision on Korea. The Additional Measures Committee must continue to examine the situation in Korea so as to take other appropriate measures if necessary.

Some representatives explained that they would abstain from voting on the draft resolution for the same reasons which had led them to vote against or to abstain from voting on the General Assembly resolution of 1 February.

After the debate, the Committee approved, by 43 votes to none, with 11 abstentions, the preamble of the draft resolution.

An amendment, submitted jointly by Australia, France, the United Kingdom, the United States and Venezuela, to add "transportation materials of strategic value" to the proposed embargo list, was adopted by 45 votes to none, with 9 abstentions.

The draft resolution, as a whole, as amended, was approved by 45 votes to none, with 9 abstentions. Five members (the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR) did not participate in the vote.

(g) GENERAL ASSEMBLY RESOLUTION 500 (V) OF 18 MAY 1951

On 18 May 1951, the General Assembly adopted, without debate, the draft resolution recommended by the First Committee, by a roll-call vote of 47 to none, with 8 abstentions (Afghanistan, Burma, Egypt, India, Indonesia, Pakistan, Sweden and Syria). Five Members (the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR) did not participate in the vote.

In accordance with the terms of this resolution, the Secretary-General, on 21 May 1951, communicated its text to the governments of Member and non-member States, drawing particular attention to paragraph 1 of the operative part. This paragraph recommended, *inter alia*, that "every State . . . report to the Additional Measures Committee, within thirty days, . . . on the measures taken in accordance with the present resolution".

By 30 June 1951, reports and communications concerning the resolution had been received by the Secretary-General from forty Member and nine non-member States.

The governments of thirty-one Member States and three non-member States reported that they had implemented the resolution. Two governments of Member States indicated that, while they had abstained from voting on the resolution, it was of no direct interest to their respective countries, since they did not carry on

trade with the areas indicated as subject to the recommended embargo.

The representative of the USSR, in a communication dated 23 May, the representatives of the Byelorussian SSR and Ukrainian SSR, in communications dated 30 May, and the representatives of Czechoslovakia and Poland, in communications dated 31 May, declined to transmit the text of the General Assembly resolution of 18 May to their respective Governments, on the ground that the resolution violated the Charter and had been illegally adopted under pressure from the United States and the aggressor bloc in the United Nations. Similar communications have been received from the Legation of the Hungarian People's Republic and from the Ministry for Foreign Affairs of the People's Republic of Romania.

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Following a radio address by the representative of the Union of Soviet Socialist Republics on 23 June 1951 in New York, in which he suggested that, as a first step towards a settlement of the armed conflict in Korea, discussions should be started between the belligerents for a cease-fire and an armistice providing for the mutual withdrawal of forces from the 38th parallel, the representative of the United States of America, on 29 June, transmitted two communications to the Secretary-General for circulation to Member States. The first communication related to the observations, concerning certain aspects of the USSR representative's statement of 23 June, made by the Deputy Minister for Foreign Affairs of the USSR to the United States Ambassador in Moscow on 27 June. The second communication contained the text of a message addressed on 29 June to the Commander-in-Chief, Communist Forces in Korea, by the Commander-in-Chief, United Nations Command, indicating that, upon receipt of word from the former that a meeting to discuss an armistice was desired, he would be prepared to suggest a date on which representatives of the parties could meet.

At the time of writing, negotiations were still in progress.

11. International control of atomic energy

(a) SITUATION IN THE ATOMIC ENERGY COMMISSION

In the last annual report, it was noted that the Atomic Energy Commission had stated that no useful purpose would be served by further discussions until such time as the six permanent members of the Commission had found that there existed a basis for agreement. It was also noted that the General Assembly, in resolution 299 (IV) of 23 November 1949, had requested the permanent members to continue their consultations and to explore all avenues with a view to determining whether agreement might be reached. Further, the circumstances which had led to the lapse of the consultations were reviewed. No consultations between the six permanent members have taken place during the period 1 July 1950 - 30 June 1951 and, in consequence, there has been no discussion in the Atomic Energy Commission.

(b) DECISION OF THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly, at its fifth session, included in its agenda the question of the international control of atomic energy. The item was not allocated to any committee, but was reserved for discussion by the General Assembly in plenary meeting.

On 24 October 1950, the President of the United States of America, at a meeting of the General Assembly to celebrate the fifth anniversary of the United Nations, proposed in general terms, in the course of his speech, an examination of the possibility of making progress through some means of co-ordinating the work of the Atomic Energy Commission and that of the Commission for Conventional Armaments. On 11 December, a draft resolution to this effect was sponsored jointly by Australia, Canada, Ecuador, France, the Netherlands, Turkey, the United Kingdom and the United States of America.

The Union of Soviet Socialist Republics, on 12 December, submitted a draft resolution under the terms of which the General Assembly would decide to instruct the Atomic Energy Commission to resume its work and to proceed immediately to prepare a draft convention for the unconditional prohibition of the atomic weapon and a draft convention for the international control of atomic energy, bearing in mind that both conventions should be concluded and brought into effect simultaneously, and to submit them to the Security Council not later than 1 June 1951.

These two proposals were considered by the General Assembly on 12 and 13 December. Those delegations supporting the eight-Power draft resolution pointed out that, while initially there had been due cause for separating the discussions on atomic energy from those on conventional armaments, it had always been recognized that the two were closely connected; it now appeared desirable to consider their co-ordination. Both Commissions had done useful technical work, but no progress had been made towards disarmament agreements. This procedural move, while not regarded as a solution, would, it was believed, facilitate a fresh start in a single commission for the re-examination of the two groups of issues in their relationship to one another, and offered more hope of a solution than reopening the discussions which had become deadlocked separately.

Those against the proposal asserted that it was designed to delay the prohibition of the atomic weapon by spending a year on nothing but the procedural question of co-ordination. The proposal was a part of the general plan, based on the Baruch proposals, of avoiding any agreement on the international control of atomic energy, so that there would be no impediment to the production and stockpiling of atomic weapons by the United States of America. The USSR proposal, on the other hand, offered concrete measures for implementing immediately General Assembly resolution 1 (I) of 14 December 1946 by drafting conventions for the prohibition of atomic weapons and the international control of atomic energy along effective lines.

On 13 December, the General Assembly, by 47 votes to 5, with 3 abstentions, adopted the eight-Power pro-

posals; by 32 votes to 5, with 16 abstentions, it rejected the USSR draft resolution.

The General Assembly, in its resolution (496 (V)), decided to establish a committee of twelve to consider and report to the next regular session on ways and means whereby the work of the Atomic Energy Commission and the Commission for Conventional Armaments might be co-ordinated, and on the advisability of their functions being merged and placed under a new and consolidated disarmament commission.

(c) WORK OF THE COMMITTEE OF TWELVE

On 16 January 1951, the Secretary-General addressed letters to the members of the Security Council and to Canada, the members of the Committee of Twelve, requesting them to inform him of the names of their representatives on the Committee and offering to convene the first meeting.

On 14 February, the Secretary-General presided, as temporary Chairman, over the first meeting of the Committee. The question of the representation of China in the Committee having been raised by the Union of Soviet Socialist Republics, the Committee decided that discussion on that matter should be postponed until the General Assembly had taken action upon the general question. During the remainder of the meeting and also during the second meeting, the Committee considered matters relating to the chairmanship and rules of procedure. It was decided that the chairmanship should rotate, each chairman to preside over one meeting, and that the first chairman should be chosen by lot. The representative of the United States of America, having been selected by lot, became the first Chairman of the Committee. It was decided that the basis of the Committee's rules should be the rules of procedure of the General Assembly. The representative of Canada was elected Rapporteur; later, in view of the death of the representative of Canada, the Netherlands representative was elected to that office.

At the fourth meeting, on 25 May, the representative of the United States of America presented the general views of his Government with respect to the co-ordination of the work of the Atomic Energy Commission and that of the Commission for Conventional Armaments. It was proposed that there should be established under the Security Council a new commission, to be called the Commission for Control of Armaments and Armed Forces, for the development of plans for the international control of all armaments and armed forces. The membership of the proposed commission would correspond to the membership of the Atomic Energy Commission. Its primary task would be to prepare comprehensive and co-ordinated plans for the regulation, limitation and balanced reduction of all armaments and armed forces.

The representative of the USSR opposed the United States proposal; he pointed out that it was purely procedural and would do nothing to remove the deadlock. The present lack of agreement in the United Nations on the control of atomic energy and the reduction of armaments was due, not to the existence of the two Commissions, but to the persistent efforts of the United States of America and other Powers, for the past five

years, to frustrate the execution of the General Assembly's decision of 14 December 1946. As a result, a deadlock within the Atomic Energy Commission and the Commission for Conventional Armaments had been created. The so-called "new" proposals of the United States of America were a repetition of the old, unacceptable American proposals. In the United States document it was stated that the United Nations plan would serve as a basis for any other plan; thus the United States was insisting that the new Commission should take, as a basis for its work on the atomic question, the out-dated and unacceptable Baruch-Lilienthal-Acheson plan, which was directly responsible for the deadlock within the Atomic Energy Commission. This "new" American proposal was designed to convince world opinion that something was being done, and to hide from it the stubborn refusal of the United States of America to implement the General Assembly's decision of 1946.

The representative of China expressed his views upon certain aspects of the terms of reference and functions of the proposed new commission.

At the same meeting, the Secretariat was instructed by the Committee to prepare, after consultation with the Rapporteur, studies of the discussions relating to disarmament conducted by the League of Nations. The representative of the USSR stated that such studies were not required by the terms of reference of the Committee, which was concerned with the procedural question of co-ordination, and in any event would be useless since the League of Nations had at no time been confronted with the problem of atomic energy.

12. Commission for Conventional Armaments

(a) ACTIVITIES OF THE COMMISSION AND ITS WORKING COMMITTEE

In the last annual report, it was stated that the Working Committee of the Commission for Conventional Armaments had discussed, at its meetings of 8 and 22 June 1950, under item 3 of the Commission's plan of work relating to safeguards to protect complying States against the hazards of violations, the United States views on the nature of an international agency for supervising the regulation and reduction of conventional armaments and armed forces and its relationship to other United Nations organs. The discussion was continued on 20 July 1950 on the basis of working papers submitted by the United States delegation on 13 July concerning military and industrial safeguards.

After a brief explanation of the proposals by the representative of the United States of America, the representative of the United Kingdom raised the question of the relationship of the proposed conventional armaments administration to the Security Council and to the General Assembly. He wondered which of these three organs would deal in the first instance with complaints directed against a State which might be violating its obligations under a disarmament convention.

The representative of France suggested that, to be more effective, measures relating to industrial control should be selective. As for military control, he stressed

the importance of secrecy of defence facilities and the fact that the strategical conception of each State might be discovered if defence plans had to be revealed.

On 9 August, the Working Committee adopted its second progress report covering the period 18 May-9 August 1950, and submitted it to the Commission.

During the discussion of this report in the Commission on 9 August, the representative of France listed some additional items, such as the manufacture of and the trade in arms, economic potential and budgets, which he considered important for an effective system of control.

The representative of Egypt maintained the position which his delegation had taken at previous meetings, that safeguards could not be considered separately from measures for the regulation of armaments and armed forces.

The Commission agreed to transmit to the Security Council, in addition to its own report, the second progress report of the Working Committee together with the summary records of its proceedings.

The representative of the Union of Soviet Socialist Republics did not participate in the work of the Commission or its Committee following a negative vote by the former on a USSR draft resolution requesting the Commission to "exclude the representative of the Kuomintang group from membership of the Commission".

(b) DISCUSSION OF THE WORK OF THE COMMISSION IN THE SECURITY COUNCIL

The Security Council, on 17 January 1950, had adopted a resolution requesting the Commission to study General Assembly resolution 300 (IV) of 5 December 1949.

During the remainder of 1950 and in the first half of 1951, the Security Council did not discuss the item on its agenda relating to the "General regulation and reduction of armaments and information on the armed forces of the United Nations".

(c) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

It will be recalled that, at the request of the USSR, an item entitled "Declaration on the removal of the threat of a new war and the strengthening of peace and security among the nations" was included in the agenda of the fifth session of the General Assembly (see section 21 below). In connexion with that question, which was referred to the First Committee, a draft resolution was submitted, on 23 October 1950, by the USSR, and a joint draft resolution was submitted on 25 October, by France, Lebanon, Mexico, the Netherlands, the United Kingdom and the United States of America. The latter draft resolution was later superseded by another of 28 October, in which Bolivia joined and, finally, on 2 November, by yet another text, in which India joined.

The USSR draft resolution expressed, with regard to the question of the reduction of armaments, the desire

that the permanent members of the Security Council "should reduce their present armed forces (land forces, military air forces of all kinds, naval forces) by one-third during 1950-51, and that the question of a further reduction of armed forces should be brought up for consideration at one of the forthcoming sessions of the General Assembly".

The joint draft resolution of 2 November proposed, *inter alia*, that prompt United Nations action should be taken against aggression, and that every nation should agree (a) "to regulate all armaments and armed forces under a United Nations system of control and inspection, with a view to their gradual reduction"; and (b) "to reduce to a minimum the diversion for armaments of its human and economic resources and to strive towards the development of such resources for the general welfare, with due regard to the needs of the underdeveloped areas of the world".

On 30 October, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics submitted an amendment to the joint draft resolution of 28 October to the effect that, as far as the regulation of armaments was concerned, all armaments and armed forces should be regulated "in such a way as to initiate, beginning in the year 1950-51, the reduction of armaments and armed forces".

The USSR draft resolution and the amendments to the revised joint draft resolution of 28 October were rejected by the First Committee on 30 October. The revised joint draft resolution of 2 November was approved as a whole by the Committee, on 3 November, by 47 votes to 5, with one abstention; it was adopted by the General Assembly, on 17 November, by 50 votes to 5, with one abstention (resolution 380 (V)).

In connexion with the problem of the reduction of armaments, the Secretary-General, in his memorandum entitled "Development of a twenty-year programme for achieving peace through the United Nations", had included a section (section 3) under the heading "A new approach to the problem of bringing the armaments race under control, not only in the field of atomic weapons, but in other weapons of mass destruction and in conventional armaments". It was the view of the Secretary-General that, while disarmament required an atmosphere of confidence, any progress toward agreement on the regulation of armaments of any kind would help to reduce the present tension "and thus assist in the adjustment of political disputes".

On 20 November, the General Assembly, which discussed this memorandum in plenary meeting, adopted, by 51 votes to 5, with one abstention, resolution 494 (V), paragraph 2 of which requested "the appropriate organs of the United Nations to give consideration to those portions of the memorandum of the Secretary-General with which they are particularly concerned" (see section 22 below).

As reported in the preceding section, a Committee of Twelve, established by the General Assembly under resolution 496 (V), is considering the question of the co-ordination of the work of the Atomic Energy Commission and the Commission for Conventional Arma-

ments under the item "International control of atomic energy" (see section 11 above).

13. Military Staff Committee

(a) STATUS OF WORK OF THE COMMITTEE

The Military Staff Committee has been functioning continuously under its draft rules of procedure during the period under review and has held a total of twenty-six meetings, but without making further progress on matters of substance.

(b) RESUMPTION OF PARTICIPATION BY THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS IN THE WORK OF THE COMMITTEE

The delegation of the Union of Soviet Socialist Republics resumed its participation in the work of the Military Staff Committee starting with its 140th meeting held on 26 October 1950. At that meeting statements were made by the head of the USSR delegation and the heads of the four other delegations with regard to the question of the representation of China on the Committee.

14. Threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations

(a) CONSIDERATION BY THE INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

As indicated in the last annual report, this item was first included in the agenda of the fourth session of the General Assembly. On 8 December 1949, the General Assembly adopted resolution 291 (IV) on the promotion of the stability of international relations in the Far East, and resolution 292 (IV) referring the question to the Interim Committee for examination and study in the light of resolution 291 (IV) and requesting it to report at the fifth session. The representative of China having opened the debate in the Interim Committee on 7 February 1950, and having introduced a draft resolution, the Committee agreed to postpone discussion in order to give the members full opportunity to study the question further.

On 15 September, the Chairman of the Interim Committee pointed out that the scope of the item was wide and that it touched upon important issues which were being considered by other United Nations bodies. Many of these issues would be included in the agenda of the fifth session of the General Assembly, and it was possible that discussion in the Committee on the eve of the fifth session and in the context of the existing political situation would not serve a useful purpose. Accordingly, he suggested that the Committee would facilitate the work of the General Assembly if it were to

decide not to debate the question. The Interim Committee accepted the Chairman's suggestion and reported to the General Assembly accordingly.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

In a cable dated 18 September 1950, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China reiterated the claim that his Government was the sole legal Government representing the Chinese people and that the Chinese Kuomintang clique had forfeited all legal and factual basis for representing the Chinese people. The presentation of this agenda item by the so-called delegation of the Chinese National Government was an illegal assumption of the name of delegates of the Chinese people. In conclusion, the Minister for Foreign Affairs stated that, if the fifth session of the General Assembly were held without the participation of a delegation of the People's Republic of China, or with the illegal delegates of the Kuomintang clique tolerated therein, all its resolutions concerning China would be illegal, null and void.

On 26 September, the General Assembly decided to include the item in its agenda, and referred it to the First Committee for consideration and report.

The First Committee considered the question on 21, 22 and 23 November. In the course of the general debate, the representative of China charged that the USSR had violated the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and had assisted the Chinese communists with the aim of overthrowing the National Government of China. Accordingly, on 21 November, he submitted a draft resolution which, after recalling Assembly resolutions 291 (IV) and 292 (IV) and noting that the Interim Committee had not submitted recommendations, provided for the appointment of a United Nations commission of inquiry for the purpose of gathering information and facts from the two countries in dispute, as well as from other States in the United Nations. The commission was to submit a report on its findings to the next session of the General Assembly. The representative of China said that undoubtedly this proposal did not correspond to the gravity of the situation, but it was only a beginning; once the information had been gathered, the General Assembly could take appropriate action at its next session. Furthermore, the moral judgment of the Assembly, even if unaccompanied by material assistance, would serve as a precious encouragement to the Chinese people in their struggle for freedom.

The representative of the USSR considered that the item should never have been included in the agenda. Only the Central People's Government of the People's Republic of China, which was the sole lawful Government of China, which ruled *de jure* and *de facto*, was entitled to represent China and the Chinese people through its accredited representatives, and to make proposals to the United Nations on China's behalf. The allegation of the Kuomintang agents that there was a "dispute" between China and the USSR was nonsense, since the Treaty of 14 August 1945 no longer existed. It had lost its force and meaning and had been super-

seded by the Agreement of 14 February 1950 between the Government of the USSR and the Central People's Government of the People's Republic of China, with which the USSR had the friendliest relations. The purpose of the Kuomintang complaint had been to confuse world opinion and to misrepresent events in order to make it appear that the fall of the Kuomintang régime had been caused by outside intervention in the internal affairs of China, rather than by the bankruptcy of that régime, which had been overthrown by the Chinese people. The representative of the USSR concluded that the facts and documents submitted by his delegation had proved the falsity of the charges and, consequently, that there was no reason to establish any commission of inquiry.

On 21 November, the representative of Syria submitted a draft resolution providing that the General Assembly should instruct the Interim Committee to continue inquiry on this question, in order to obtain more information and facts having a direct bearing on the case. He accepted an amendment by the representative of Egypt, adding the provision that the Interim Committee was to report to the General Assembly at its next session.

On 23 November, the representative of China withdrew his draft resolution in favour of the Syrian draft resolution. In lieu of an amendment which he had previously submitted to the Chinese draft resolution, the representative of El Salvador presented a draft resolution which drew the attention of all States to the necessity of complying faithfully with the recommendations contained in General Assembly resolution 291 (IV), the object of which was to promote the stability of international relations in the Far East, and which recommended specific principles for that purpose, including, *inter alia*, the principle of the scrupulous observance of the treaties in force when that resolution was adopted.

The Syrian draft resolution, as amended, was approved on 23 November, by 35 votes to 17, with 7 abstentions. The draft resolution proposed by El Salvador was approved by 38 votes to 6, with 14 abstentions.

On 1 December, the General Assembly adopted the first resolution recommended by the First Committee, by 35 votes to 17, with 7 abstentions (resolution 383 A (V)). The second resolution was adopted by 39 votes to 6, with 14 abstentions (resolution 383 B (V)).

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At the time of writing of the present report, the Interim Committee had not yet met.

15. Admission of new Members

(a) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

As indicated in the last annual report, the General Assembly, at its fourth session, adopted resolution

296 J (IV) requesting the International Court of Justice to give an advisory opinion on whether the admission of a State to membership in the United Nations, pursuant to Article 4, paragraph 2, of the Charter, could be effected by a decision of the General Assembly, when the Security Council had made no recommendation for admission by reason of the candidate failing to obtain the requisite majority or of the negative vote of a permanent member upon a resolution so to recommend.

On 3 March 1950, the Court delivered its advisory opinion on the question. The Court, by 12 votes to 2, was of the opinion that the admission of a State to membership in the United Nations, pursuant to Article 4, paragraph 2, of the Charter, could not be effected by a decision of the General Assembly when the Security Council had made no recommendation for admission for the reasons stated.

By a cablegram dated 28 July 1950, addressed to the Secretary-General, El Salvador requested the inclusion of the item "Admission of new Members" in the provisional agenda of the fifth session of the General Assembly. On 10 August, El Salvador submitted an explanatory memorandum stating that, in its view, it was of the greatest importance that admission to membership should be granted to all those States which, in addition to satisfying the requirements of the Charter, had repeatedly displayed their ardent desire to co-operate with the free nations in the great task of bringing the peoples of the world together and banishing for ever the tragic shadow of a third world war. El Salvador entertained the firm determination to request the admission to the United Nations of certain sister States such as those of Italy, Portugal and Ireland.

On 26 September, the General Assembly decided to include the item in its agenda, and to discuss it in plenary meeting without reference to a Committee. The Assembly considered the question at a plenary meeting held on 4 December. It had before it the advisory opinion of the International Court of Justice, as well as three draft resolutions, as follows:

A joint draft resolution by Brazil, Canada, the Philippines, Sweden and Syria, dated 30 November, requested the Security Council to keep the pending applications under consideration in accordance with the terms of General Assembly resolution 296 (IV) of 22 November 1949.

A draft resolution by the Union of Soviet Socialist Republics, dated 1 December, recommended that the Security Council should review the applications of Albania, the Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria, Ceylon and Nepal for admission to membership in the United Nations.

A draft resolution by El Salvador, dated 2 December, proposed that (1) the Security Council should be requested to reconsider the applications of Austria, Ceylon, Finland, Jordan, Ireland, Italy, Nepal, Portugal and the Republic of Korea for admission to membership in the United Nations; (2) the Secretary-General should be requested to invite the Government of each of the countries to which the resolution applied

to send an observer to sessions of the General Assembly and its Committees in order to enable them to express their views and furnish information whenever consulted by the delegation of any Member State; (3) that the documents and letters sent by the said States to the Secretary-General for the information of the United Nations should be distributed to the delegations to the General Assembly or, if the Assembly were not in session, to the foreign offices of Member States and to the permanent delegations to the United Nations.

After discussion, the three draft resolutions were put to the vote. The joint draft resolution was adopted by 46 votes to 5, with 2 abstentions. The USSR draft resolution was rejected by 22 votes to 18, with 13 abstentions. The draft resolution of El Salvador was rejected by 19 votes to 13, with 19 abstentions.

(b) ADMISSION OF THE REPUBLIC OF INDONESIA TO MEMBERSHIP IN THE UNITED NATIONS

By a letter dated 25 September 1950, addressed to the Secretary-General, the permanent observer of the Republic of Indonesia to the United Nations applied, on behalf of his Government, for admission to membership in the United Nations. A declaration of acceptance of the obligations contained in the Charter was submitted with the letter.

The Security Council considered the application on 26 September 1950. After discussion, the President, speaking as representative of the United Kingdom, proposed that the Security Council should recommend to the General Assembly that the Republic of Indonesia should be admitted to membership. The Council, by 10 votes, with one abstention (China), adopted the proposal.

By a letter dated 27 September, the President of the Security Council transmitted the Council's recommendation to the General Assembly.

On 28 September, the General Assembly, without reference to a Committee, considered the application of the Republic of Indonesia and the recommendation of the Security Council.

The representatives of Australia and India submitted a joint draft resolution proposing that the General Assembly should admit the Republic of Indonesia to membership in the United Nations. The draft resolution was adopted unanimously by the General Assembly.

16. Interim Committee of the General Assembly

(a) ACTIVITIES OF THE INTERIM COMMITTEE DURING ITS THIRD SESSION (1950)

In the latter part of its third session, the Interim Committee continued its study of the various matters referred to it by the General Assembly as described in last year's report, and submitted its report to the General Assembly at the fifth session.

(i) *Consideration of the report of the United Nations Commission for Eritrea*

(Resolution 289 A (IV), part C, paragraph 4)

At meetings held between 13 and 31 July 1950, the Interim Committee examined the report of the United

Nations Commission for Eritrea. In view of the short time which remained, however, before the opening of the fifth session of the General Assembly, the Committee decided on 15 September, that it was unable to agree on a series of recommendations to the Assembly concerning the question.

After examination by the *Ad Hoc* Political Committee at the fifth session, the question of Eritrea was dealt with by the General Assembly on 2 December 1950 (resolution 390 (V)) (see section 4 above).

(ii) *Study of procedure to delimit the boundaries of the former Italian colonies, in so far as they are not already fixed by international agreement*

(Resolution 289 C (IV))

At a meeting of the Interim Committee held on 15 September 1950, a draft resolution concerning the procedure for the delimitation of certain of the boundaries of the former Italian colonies was submitted by the United States of America. In view of the limited time available before the opening of the fifth session of the General Assembly, a number of representatives stated that it was impossible for them to consult their governments. The Interim Committee, therefore, decided to annex the text of the draft resolution to its report to the General Assembly (for the consideration of the question by the General Assembly, see section 5 above).

(iii) *Examination of item 68 of the agenda of the fourth session of the General Assembly*

(Resolution 292 (IV))

On 15 September 1950, the Interim Committee decided not to debate this question, in view of the fact that the problems relating to the political independence and territorial integrity of China and to the peace of the Far East touched upon important issues then being debated by other United Nations bodies, or shortly to be included in the agenda of the fifth session of the General Assembly.

(iv) *Systematic study of the promotion of international co-operation in the political field*

(Resolution 295 (IV))

The Sub-Committee on International Co-operation in the Political Field submitted its report to the Interim Committee on 10 July 1950. The Committee decided that the report of the Sub-Committee would be communicated for information to the General Assembly and to the Member States, and that an addition proposed by the representative of Colombia to paragraph 16 of the Sub-Committee's report, regarding the utilization of regional agencies in the settlement of controversies of a local character, would be annexed to the Interim Committee's report to the General Assembly.

(b) PRESENT STATUS OF THE ACTIVITIES OF THE INTERIM COMMITTEE

At its fifth session, prior to its temporary adjournment on 15 December 1950, the General Assembly:

(i) Referred to the Interim Committee item 73 of its agenda relating to the establishment of a permanent commission of good offices; and recommended that the Committee, in continuing its systematic examination of machinery for the pacific settlement of disputes, should study the item in connexion with the question of the establishment of a permanent organ of conciliation, taking into account the proposal made by Yugoslavia at the fifth session and the discussions at that session (resolution 379 (V)) (see section 20 below).

(ii) Instructed the Interim Committee to continue inquiry on the question, referred to it by the General Assembly at its fourth session, entitled "Threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations", in order to obtain more information and facts having a direct bearing upon the case (resolution 383 (V)).

The fifth session of the General Assembly not having been terminated, the Interim Committee has not been able to meet since the closure of its third session.

17. The question of the Free Territory of Trieste

The Security Council has not discussed the question of the Free Territory of Trieste during the period covered by the present report. However, the representatives of the United Kingdom and the United States of America, by a letter dated 29 March 1951, transmitted a report on the administration of the British-United States zone of the Free Territory covering the period from 1 January to 31 December 1950.

18. Uniting for peace

(a) COMMUNICATIONS DATED 20 SEPTEMBER 1950 FROM THE UNITED STATES OF AMERICA

On 20 September 1950, the delegation of the United States of America submitted an item entitled "United action for peace" for inclusion in the agenda of the fifth session of the General Assembly. In an explanatory memorandum, the delegation outlined a series of proposed steps which, in its view, would enable the General Assembly to perform more effectively the important functions entrusted to it by the Charter in the field of international peace and security. These steps involved the establishment of new procedures and machinery through which the General Assembly could act in connexion with breaches of the peace or acts of aggression when the Security Council had failed to exercise its primary responsibility in such matters.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly, on 26 September 1950, decided to include the proposed item in its agenda and

referred it to the First Committee, where it was considered at eighteen meetings between 9 and 21 October.

Five draft resolutions were laid before the Committee:

A draft resolution sponsored jointly by Canada, France, the Philippines, Turkey, the United Kingdom, the United States of America and Uruguay, embodied the proposals previously outlined by the United States of America in its explanatory memorandum.

A draft resolution by Chile proposed that Member States should undertake in a pact to co-ordinate their resources to meet any threat to the peace or act of aggression; to observe Security Council and General Assembly resolutions relating to the maintenance of peace and security; to respect individual liberties and human rights; and to co-ordinate economic resources in order to achieve economic stability throughout the world.

A draft resolution by the Union of Soviet Socialist Republics recommended to the Security Council that it should take steps to ensure action under the Charter with respect to the maintenance of peace and should devise measures for the earliest application of Articles 43, 45, 46 and 47 of the Charter and for the effective functioning of the Military Staff Committee.

A second draft resolution by the USSR recommended that the permanent members of the Security Council should take steps to implement Article 106 of the Charter before armed forces were placed at the disposal of the Security Council under Article 43.

A joint draft resolution by Iraq and Syria recommended that the permanent members of the Security Council should meet during the fifth session of the General Assembly to discuss afresh the outstanding problems threatening world peace and hampering the work of the United Nations.

After revision and amendment during the extended discussions in the First Committee, three draft resolutions were recommended to the General Assembly for consideration and approval under the heading "Uniting for peace". These embodied the proposal originally submitted jointly by the seven Powers, that submitted by Iraq and Syria and that submitted by the USSR relating to the application of Articles 43, 45, 46, and 47 of the Charter and the functioning of the Military Staff Committee. The draft resolution sponsored by Chile was withdrawn, after its provisions dealing with human rights and economic stability had been incorporated in a revised version of the seven-Power draft resolution. The Committee rejected the USSR draft resolution relating to the implementation of Article 106.

The recommendations of the First Committee were designated in its report under resolutions A, B and C.

Resolution A provided for (1) emergency special sessions of the General Assembly on twenty-four hours' notice on the vote of any seven members of the Security Council or a majority of the Members of the United Nations if the Security Council, because of a lack of unanimity among the permanent members, failed to act

in any case where there appeared to be a threat to the peace, breach of the peace, or act of aggression; (2) establishment of a Peace Observation Commission composed of representatives of fourteen Members, including the five permanent members of the Security Council, to be utilized by the General Assembly, the Interim Committee or the Security Council to observe and report on the situation in any area where international tension threatened international peace and security; (3) maintenance by Member States of elements of their national armed forces for prompt availability as United Nations units; and the appointment by the Secretary-General of a panel of military experts to give technical advice to Member States on request; (4) establishment of a Collective Measures Committee composed of representatives of fourteen Members to consider methods which might be used collectively to maintain and strengthen international peace and security; (5) intensified joint action to develop and stimulate respect for the observance of human rights and fundamental freedoms and to achieve conditions of economic stability and social progress.

Amendments of the rules of procedure of the General Assembly respecting the calling and conduct of business at emergency special sessions were adopted by the Assembly in conjunction with the resolution.

Resolution B recommended the Security Council: (1) to take the necessary steps to ensure that the provisions of the Charter, in particular, Chapters V, VI and VII, were implemented in connexion with threats to the peace, breaches of the peace or acts of aggression and the peaceful settlement of disputes or situations likely to endanger the maintenance of international peace and security; (2) to devise measures for the earliest application of Articles 43, 45, 46 and 47 of the Charter. The resolution stipulated that these recommendations should in no manner prevent the General Assembly from fulfilling its functions under resolution A.

Resolution C recommended that the permanent members of the Security Council should meet during the fifth session to discuss, if necessary, with other States concerned, all problems likely to threaten international peace and hamper the activities of the United Nations, with a view to resolving fundamental differences and reaching agreement in accordance with the spirit and letter of the Charter.

Debate in the First Committee and in plenary meetings centred principally on resolution A and revealed a sharp difference of opinion between the majority and minority concerning the constitutionality of the proposals it contained. The sponsors of the resolution, supported by a majority of the Members, maintained that, while the Charter charged the Security Council with the primary responsibility for maintaining international peace and security, it also gave the Assembly the right to make recommendations on any matters within the scope of the Charter, except disputes or situations with which the Council was dealing. The inability of the Council to discharge its primary responsibility for maintaining international peace and security had been demonstrated by the experience of the past five years during which the right to veto had been used

nearly fifty times. The Council had failed to establish any adequate system for the prompt investigation of international frictions and had failed to exercise its initiative in negotiating agreements to make armed forces available to the United Nations under Article 43 of the Charter. These failures on the part of the Council, it was argued, clearly indicated the existence of organizational weaknesses which the proposed resolution would correct by establishing machinery whereby the Assembly could make recommendations when the Council had failed to act in connexion with breaches of the peace, acts of aggression or other issues which threatened the maintenance of international peace and security.

The machinery envisaged in the proposed resolution would, in the view of the majority, not infringe upon the powers which the Charter conferred upon the Security Council. While it was true that the Charter placed the primary responsibility for dealing with peace and security on the Council, secondary responsibility was vested in the Assembly. The proposals introduced nothing new but were merely intended to implement the residual rights of the Assembly.

Spokesmen supporting the majority position also pointed out that the proposals contained in the resolution would ensure to all Member States, small or great, a voice in decisions involving collective action to safeguard peace. They argued that the responsibility for maintaining peace was not the monopoly of the great Powers and that an informed world opinion was the factor most likely to affect the course of events and ensure the supremacy of law. The Security Council admittedly should have the opportunity of exercising its primary responsibility but, in the eventuality of its failing to do so, it was not only the right but the duty of the General Assembly, wherein all nations had a vote, to consider the situation without delay.

Even though the Charter granted the Assembly the power of recommendation only, those in favour of the resolution believed that recommendations of the Assembly would have sufficient weight among the Member States to assure concerted action by the United Nations.

The position of the minority, as expressed by the representative of the USSR and other delegations, was that there could be no question of strengthening the United Nations by weakening the Security Council. The purpose of the proposed resolution, they insisted, was to relieve the Council of its primary responsibility for maintaining peace and security, as stipulated in Article 24 of the Charter, and to liquidate the principle of unanimity. Since this was the objective, they asked why it had not been approached by resorting to the constitutional methods established in the Charter itself. The proposed resolution was, in effect, an attempt to change the Charter, since it would vest the General Assembly with powers conferred by the Charter upon the Security Council alone.

They declared that, although the Assembly was entitled to consider any question within the scope of the Charter and might, under Article 11, make recommendations concerning questions relating to the maintenance of peace and international security, it could not adopt any recommendation relating to a matter under consideration

by the Council, and could not take a decision calling for action, because such decisions were exclusively within the competence of the Council.

With respect to the majority contention that the application of the principle of unanimity had stultified the Security Council, minority spokesmen maintained that it was not the veto but the efforts of the Anglo-American majority in the Council to push through decisions in their own interests which had caused the minority to exercise its veto as a method of self-defence against pressure and dictation by the States which controlled the majority. The basis of every international organization was the obligation of each of its members to respect the governmental and national independence and equality of rights of all other members. The root of the evil was the use of the method of imposing one's will at any cost in international relations. In the face of such an attempt by the majority, any self-respecting State would have utilized its right of veto, which was its only guarantee of independence and freedom of action.

The minority was unable to accept the argument that the General Assembly could, under Article 11 of the Charter, make recommendations involving action. On the contrary, Article 11 made it quite clear that the Assembly could not recommend the action to be taken. It could not arrogate to itself the right to take action which was exclusively incumbent upon the Security Council. To say that the Assembly could recommend action under the Charter to forestall aggression would be a flagrant violation of Article 11, which clearly vested that prerogative in the Council. That was a very important prerogative since it related to the kind of action that required the concurring votes of the five permanent members of the Security Council. Elimination of the requirement of their unanimity was the essential proposal of the seven-Power draft resolution.

The Members holding the minority view, however, while opposed in principle to the draft resolution, were able to accept certain of its specific decisions. They did not object to the provision for the calling of extraordinary sessions of the Assembly since the Charter provided for such sessions. They could not, however, agree that such sessions might be called at the request of any seven members of the Security Council, since the Charter required on such a question the concurring votes of the permanent members; nor could they accept the proposal for summoning a special session on twenty-four hours' notice.

The minority was also prepared to accept the establishment of a Peace Observation Commission, provided that the Commission was a representative organ of the United Nations. It could not accept provisions relating to the setting up of armed forces of the United Nations, since these provisions, in its view, attempted to usurp the rights of the Security Council in violation of Chapter VII of the Charter. The minority was also unable to accept section D of the joint draft resolution since it, too, violated Chapters V and VII of the Charter and encroached upon the functions of the Council. Section E relating to the observance of human rights and the advancement of economic and social well-being was acceptable to the minority.

With respect to resolution B embodying proposals originally submitted by the USSR, the minority was unable to accept a substantive amendment introduced by France and adopted by the First Committee and, therefore, abstained in the final voting on the resolution.

Resolution C, containing proposals originally introduced by Iraq and Syria relative to discussions between the great Powers, was unopposed.

The three draft resolutions recommended by the First Committee were adopted by the General Assembly on 3 November 1950 by 52 votes to 5, with 2 abstentions (resolution 377 (V)).

(c) WORK OF THE PEACE OBSERVATION COMMISSION

General Assembly resolution 377 A (V) constituted the Peace Observation Commission for the calendar years 1951 and 1952 as follows: China, Colombia, Czechoslovakia, France, India, Iraq, Israel, New Zealand, Pakistan, Sweden, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America and Uruguay. On 16 March 1951, the first meeting of the Commission was convened by the Secretary-General, who presided as temporary Chairman pending the election of officers. At that meeting, the Commission elected, for the calendar year 1951, the representative of Colombia as Chairman, the representative of Czechoslovakia as Vice-President, and the representative of Iraq as Rapporteur. The Commission decided to follow the rules of procedure of the Committees of the General Assembly, leaving open the possibility of adjustment later, if necessary.

The Commission rejected a resolution by the USSR calling for the participation of the representative of the Central People's Government of the People's Republic of China as the representative of China on the Commission.

On 19 March, the Secretary-General circulated to the Commission a communication addressed to the Chairman transmitting a copy of resolution 378(V) adopted by the General Assembly on 17 November 1950 relating to the duties of States in the event of the outbreak of hostilities.

(d) WORK OF THE COLLECTIVE MEASURES COMMITTEE

The Committee established under paragraph 11 of General Assembly resolution 377 A (V), composed of representatives of Australia, Belgium, Brazil, Burma, Canada, Egypt, France, Mexico, the Philippines, Turkey, the United Kingdom, the United States of America, Venezuela and Yugoslavia, held its first meeting on 5 March 1951 and elected the representative of Brazil as its Chairman. The first three meetings of the Committee were devoted to a general discussion of its organization and method of work, and resulted in the establishment of a Sub-Committee to prepare a plan of work.

At its fourth meeting on 12 April 1951, the Committee adopted a preliminary programme of work suggested by its Sub-Committee, which called for:

(1) A communication to be addressed to Member States requesting them to inform the Committee of action taken or contemplated under section C of resolution 377 A (V), including action relating to elements of their armed forces that could promptly be made available for service under the United Nations. A communication in this sense was approved by the Committee and dispatched on 16 April 1951.

(2) A definition of the nature and general functions of the panel of military experts provided for in paragraph 10 of resolution 377 A (V) and, subsequently, approval by the Committee of appointments made by the Secretary-General to the panel.

(3) A study of economic and financial measures.

(4) A study of political measures.

(The studies under (3) and (4) were to concentrate on the techniques and procedures for the co-ordination of national action in these fields, and not on the relative efficacy of special measures.)

(5) Collation of offers made in compliance with section C of resolution 377 A (V), and a study of methods of co-ordinating contributions of Member States.

(6) A study of the general guidance to be given to members of the panel of military experts.

(7) A study of future machinery which might be needed to implement the programme of collective measures envisaged in resolution 377 A (V).

At the same meeting, the Committee established the following subsidiary bodies:

A Working Group, composed of the representatives of Canada, France and Turkey, to prepare a definition of the nature and general functions of the panel of military experts.

A Sub-Committee for the Study of Economic and Financial Measures, composed of the representatives of Australia, Egypt, the Philippines, the United States of America and Venezuela.

A Sub-Committee for the Study of Political Measures, composed of the representatives of Belgium, Burma, Mexico, the United Kingdom and Yugoslavia.

The Committee agreed that, as its work progressed, it might be desirable to create other sub-committees to consider items (5), (6) and (7) listed above.

The Committee decided to call upon its secretariat for the preparation of background data, first drafts of working papers and other material which would assist in expediting its work, and to this end requested the secretariat to consider the entire programme of studies of the Committee.

The Working Group and Sub-Committees of the Collective Measures Committee have met regularly since their establishment. At the time of writing, however, the Committee had not yet dealt with the results of their activities.

Under its terms of reference the Committee is to submit its report to the Security Council and to the General Assembly not later than 1 September 1951.

19. Duties of States in the event of the outbreak of hostilities

(a) COMMUNICATION DATED 26 SEPTEMBER 1950
FROM YUGOSLAVIA

By a letter dated 26 September 1950, the Minister of Foreign Affairs of the Federal People's Republic of Yugoslavia requested the inclusion of an item entitled "Duties of States in the event of the outbreak of hostilities" in the agenda of the fifth session of the General Assembly. An accompanying explanatory memorandum included the text of a draft resolution which provided that, should a State become engaged in hostilities with another State, it should within twenty-four hours publicly proclaim its readiness to order a cease-fire and to withdraw its armed forces from the territory or territorial waters of the opposing State. The draft resolution provided, further, that the State should at midnight of the same day put the cease-fire order into effect and begin the withdrawal of its armed forces, the withdrawal to be completed within forty-eight hours after the cease-fire. Any State failing to make the specified public statement or to effect the cease-fire and withdrawal as required should be considered an aggressor and should be held responsible for the breach of the peace.

The General Assembly included the item in its agenda and referred it to the First Committee, where it was discussed at seven meetings. Various amendments to the draft resolution were proposed which, in general, were incorporated into a revised Yugoslav draft. The revised text provided, in addition, that the States engaged in hostilities should immediately inform the Secretary-General and should, in the same notification, invite the appropriate organs of the United Nations to dispatch the Peace Observation Commission to the area of the conflict. The conduct of the States concerned in relation to the recommendations contained in the resolution should be taken into account in any determination of the responsibility for the breach of the peace by the appropriate organs of the United Nations.

On the recommendation of the First Committee, the General Assembly, by 49 votes to 5, with one abstention, adopted the revised draft resolution on 17 November 1950.

On 30 November 1950, the Secretary-General submitted the text of the resolution as adopted (378 A (V)) to the Peace Observation Commission for its information.

(b) PROPOSAL BY THE UNION OF SOVIET SOCIALIST REPUBLICS REGARDING THE DEFINITION OF AGGRESSION

During the discussion of the Yugoslav proposal, the Union of Soviet Socialist Republics submitted a draft resolution on the definition of aggression which provided, *inter alia*, that, in an international conflict, that State should be declared the aggressor which first committed one of the following acts: declaration of war against another State; invasion by armed forces, even without a declaration of war, of the territory of another State; bombardment of the territory of another

State or deliberate attack on the ships or aircraft of the latter; the landing or leading of its armed forces inside the boundaries of another State without its permission, or the violation of the conditions of such permission, particularly as regards the length of their stay or the extent of the area in which they might stay; naval blockade of the coasts or ports of another State.

The USSR draft resolution also stated that attacks such as those specified could not be justified by any arguments of a political, strategic or economic nature; by the desire to exploit natural riches in the territory of the State attacked, or to derive any other kind of advantages or privileges; by reference to the amount of capital invested in the State attacked or to any other particular interest in its territory; or by the affirmation that the State attacked lacked the distinguishing marks of statehood. Nor could the following be used as justification: (1) the internal position of any State, as, for example, its backwardness politically, economically or culturally; alleged shortcomings of its administration; any danger which might threaten the life or property of aliens; any revolutionary or counter-revolutionary movement, civil war, disorders or strikes; the establishment or maintenance in any State of any political, economic or social system; (2) any acts, legislation or orders of any State as, for example, the violation of international treaties; the violation of rights and interests in the sphere of trade, concessions or any other kind of economic activity acquired by another State or its citizens; the rupture of diplomatic or economic relations; measures in connexion with an economic or financial boycott; repudiation of debts; prohibition or restriction of immigration or modification of the status of foreigners; the violation of privileges granted to the official representatives of another State; refusal to allow the passage of armed forces proceeding to the territory of a third State; measures of a religious or anti-religious nature; frontier incidents.

The First Committee did not vote on the above-mentioned text since it had already voted on and approved a draft resolution submitted by Bolivia and Syria, suggesting that the USSR proposal should be referred to the International Law Commission for examination. This draft resolution was adopted by the General Assembly on 17 November 1950 (378 B (V)), by 49 votes to 5, with one abstention (see chapter IV, 2 (b) (ii) below).

20. Establishment of a permanent commission of good offices

By a letter of 26 September 1950, the Minister of Foreign Affairs of the Federal People's Republic of Yugoslavia requested the inclusion of an item entitled "Establishment of a permanent commission of good offices" in the agenda of the fifth session of the General Assembly, and attached a draft resolution, together with an explanatory memorandum.

The commission envisaged in the draft resolution was to be a permanent subsidiary organ of the General Assembly, the purpose of which was to facilitate the opening of direct negotiations between parties in con-

flict before such a conflict assumed a character of danger to international peace and security.

The General Assembly, on 7 October 1950, referred the item to the First Committee for consideration and report. In the course of a brief general discussion, on 9 November 1950, two additional draft resolutions were submitted to the First Committee by the representatives of Uruguay and Lebanon, both tending essentially to refer the Yugoslav draft resolution to the Interim Committee for further study.

On 10 November, the representatives of Lebanon and Uruguay presented a joint draft resolution which was approved on the same day by the First Committee.

On 17 November, the General Assembly, on the recommendation of the First Committee, adopted the draft resolution as resolution 379 (V). The resolution referred the item to the Interim Committee and recommended that the Committee, in continuing its systematic examination of machinery for the pacific settlement of disputes, should study the question in connexion with the establishment of a permanent organ of conciliation, taking into account the draft resolution introduced by Yugoslavia.

21. Declaration on the removal of the threat of a new war and the strengthening of peace and security among the nations: General Assembly resolutions concerning (a) Peace through deeds; and (b) Condemnation of propaganda against peace

In a letter dated 20 September 1950 addressed to the President of the General Assembly, the delegation of the Union of Soviet Socialist Republics requested that an item entitled "Declaration on the removal of the threat of a new war and the strengthening of peace and security among the nations" should be included in the agenda of the fifth session of the General Assembly.

On 26 September 1950, the General Assembly, on the recommendation of the General Committee, decided to include this item in its agenda and to refer it to the First Committee for consideration and report.

The First Committee considered the question in the course of eleven meetings held between 23 October and 3 November. In the course of the debate, several draft resolutions and amendments thereto were discussed. The main draft resolutions were the following:

A draft resolution submitted by the USSR on 23 October, *inter alia*, condemned propaganda in favour of a new war, and urged all States to prohibit such propaganda and to call those responsible to account; declared that the use of the atomic weapon should be unconditionally prohibited and that a strict system of international control should be instituted to ensure the observance of this prohibition; declared that the first government to use the atomic weapon or any other means of mass destruction against any country would be committing a crime against humanity and be regarded as a war criminal; expressed the desire that the permanent members of the Security Council should

combine their efforts for peace and conclude among themselves a pact for the strengthening of peace, that they should reduce their armed forces of all kinds by one-third during 1950-51 and that the question of further reduction should be considered at one of the forthcoming sessions of the General Assembly.

A joint draft resolution submitted on 25 October by France, Lebanon, Mexico, the Netherlands, the United Kingdom and the United States of America proposed that the General Assembly should determine that, for the realization of lasting peace and security, it was indispensable that prompt united action should be taken against aggression and that every nation should agree to (1) accept effective international control of atomic energy on the basis already approved by the General Assembly in order to make effective the prohibition of atomic weapons; and (2) regulate all armaments and armed forces under a United Nations system of control and inspection, with a view to their gradual reduction. The joint draft resolution finally declared that these goals could be attained if all the Members demonstrated by their deeds their will to achieve peace.

A draft resolution, which had originally been submitted as an amendment to the joint draft resolution, was submitted by Chile on 30 October. After having reaffirmed General Assembly resolutions 110 (II) and 290 (IV), paragraph 8, condemning all propaganda against peace and recommending the free exchange of information and ideas, the draft resolution declared that such propaganda likewise included: (1) incitement to conflicts or acts of aggression; (2) measures tending to isolate the peoples of one country from contact with the outside world; (3) measures tending to silence or distort the peace activities of the United Nations or prevent their peoples from knowing the views of other Member States.

On 28 October, the six sponsors of the joint draft resolution, joined by Bolivia, submitted a revised draft resolution incorporating certain provisions of a Bolivian draft text which was subsequently withdrawn. This revised text amended the original six-Power draft resolution, *inter alia*, by introducing the title "Peace through deeds" and by inserting in the preamble a new paragraph condemning the intervention of a State in the internal affairs of another State for the purpose of forcibly changing its legally established government.

On 2 November, the seven sponsors of the revised joint draft resolution, together with India, submitted a second revised joint draft resolution containing certain amendments to meet the points raised in an Egyptian amendment and an Indian draft resolution. In this revised joint draft, two new sub-paragraphs were added to paragraph 2 of the operative part regarding the control and elimination of all other weapons of mass destruction; the reduction to a minimum of the diversion to armaments of human and economic resources and the development of those resources for the general welfare, with due regard to the needs of under-developed areas.

On 30 October, the Union of Soviet Socialist Republics, together with the Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland and the Ukrainian Soviet Socialist Republic, had submitted amendments

to the first revision of the joint draft resolution. These amendments proposed the insertion of a new paragraph in the preamble recognizing that the use of the atomic weapon is contrary to conscience and incompatible with membership in the United Nations. It was further proposed to replace the two sub-paragraphs in paragraph 2 of the operative part by new texts to the effect that all nations should agree on the unconditional prohibition of atomic weapons and the establishment of strict international control under United Nations supervision, and that all armaments and armed forces should be regulated in such a way as to initiate reduction in the year 1950-51. Lastly, the five Powers proposed the addition of three new sub-paragraphs to paragraph 2, declaring, *inter alia*, that the government which first used the atomic weapon or other means of mass destruction would be regarded as committing a crime against humanity, and condemning any form of propaganda for a new war.

At a meeting of the First Committee held on 30 October, the USSR draft resolution was put to the vote paragraph by paragraph and was rejected.

At the following meeting held on 3 November, the second revision of the joint draft resolution and the amendments thereto were put to the vote. All the USSR amendments and others proposed by Egypt were rejected. The revised joint draft resolution was put to the vote paragraph by paragraph, and was finally approved as a whole, by 47 votes to 5, with one abstention.

The First Committee then proceeded to vote on the Chilean draft resolution, which was approved by 43 votes to none, with 8 abstentions.

On 17 November 1950, the General Assembly had before it the two draft resolutions recommended by the First Committee, a series of amendments to the first draft resolution which were reintroduced jointly by the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR, and the USSR, and a separate draft resolution resubmitted by the USSR.

A separate vote was taken on each of the joint amendments and all were rejected. The two draft resolutions recommended by the First Committee, entitled respectively "Peace through deeds" and "Condemnation of propaganda against peace", were adopted, the first by 50 votes to 5, with one abstention, and the second by 49 votes to none, with 7 abstentions. Finally, the USSR draft resolution was voted upon paragraph by paragraph and was rejected.

22. Development of a twenty-year programme for achieving peace through the United Nations

(a) MEMORANDUM OF THE SECRETARY-GENERAL

In the introduction to his annual report for the year 1949-50, the Secretary-General noted that he had placed on the provisional agenda of the fifth session of the General Assembly his memorandum containing a series of points for consideration in developing a twenty-year programme for achieving peace through the United Nations. He had discussed this memorandum with the

Heads of State and with the Foreign Ministers of France, the United Kingdom, the Union of Soviet Socialist Republics and the United States of America in the capitals of those countries during the spring of 1950. On 6 June 1950, he had circulated the memorandum with an explanatory letter to the governments of all Member States.

On 26 July, the Secretary-General communicated the memorandum and letter to the Members of the General Assembly.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

On the recommendation of the General Committee, the General Assembly decided to discuss this item in plenary meeting without previous reference to a Committee. The item was considered at five plenary meetings between 17 and 20 November 1950.

On 16 November, Canada, Chile, Colombia, Haiti, Lebanon, Pakistan, the Philippines, Sweden and Yugoslavia introduced a joint draft resolution noting that progress had already been made by the General Assembly with regard to certain points contained in the Secretary-General's memorandum, commending the Secretary-General for his initiative, and calling upon the appropriate organs of the United Nations to consider those portions of the programme with which they were particularly concerned. The joint draft resolution further requested the various organs to inform the General Assembly at its sixth session of the results of such consideration.

The United Kingdom submitted an amendment to the joint draft resolution requesting the various organs to inform the Assembly at its sixth session "of any progress achieved through such consideration".

A draft resolution introduced by the USSR on 17 November proposed that the General Assembly, while expressing approval that the item had been raised, should enumerate certain considerations which it considered to be essential in further developing the twenty-year programme. These considerations included (1) the holding of periodic meetings of the Security Council with the participation of the representative of the People's Republic of China; (2) compliance with the principle of unanimity of the permanent members in the work of the Security Council; (3) unconditional prohibition of atomic weapons and other weapons of mass extermination and the institution of control to ensure observance of that prohibition; (4) observance of the principle of equality with respect to the total numerical strength and composition of forces made available to the Security Council by its permanent members under agreements pursuant to Article 43 of the Charter; (5) provision of technical assistance to economically backward countries through the United Nations wherever possible, without any conditions with respect to political, economic or military privileges for the countries rendering the aid; and (6) development of international trade without discrimination on the basis of equality and respect for sovereignty and without interference in the domestic affairs of other States.

After approving the United Kingdom amendment, the General Assembly, on 20 November 1950, adopted

the nine-Power draft resolution, thus amended, by 51 vote to 5, with one abstention (resolution 494 (V)).

The USSR draft resolution was then voted upon paragraph by paragraph but, since all the paragraphs were rejected, it was not put to the vote as a whole.

(c) ACTION TAKEN SUBSEQUENT TO THE ADOPTION OF GENERAL ASSEMBLY RESOLUTION 494 (V)

The Secretary-General has duly transmitted the text of the resolution adopted by the General Assembly, together with the text of his original memorandum, to the Presidents of the other principal organs of the United Nations, as well as to the Chairman of the International Law Commission.

In his letter to the President of the Economic and Social Council, the Secretary-General drew the attention of the Council particularly to points 6, 7 and 8 of his memorandum relating respectively to the technical assistance programme of the United Nations, the use of the specialized agencies to promote economic and social progress and the wider observance of human rights and fundamental freedoms. Subsequently, on 12 February 1951, the Secretary-General submitted to the Council a further memorandum elaborating points 6, 7 and 8 of the twenty-year programme. The Economic and Social Council, by a resolution adopted on 20 March 1951, took note of the memorandum of the Secretary-General and invited "the attention of the competent subsidiary bodies of the Council, as well as that of the specialized agencies, to this memorandum, with a view to their studying it in the light of General Assembly resolution 494 (V) of 20 November 1950".

In his letter to the President of the Trusteeship Council, the Secretary-General called attention especially to point 9 of his memorandum relating to the advancement of dependent colonial or semi-colonial peoples. On 26 February 1951, the Trusteeship Council adopted a resolution by which it decided "to take note of the text of the General Assembly resolution of 20 November 1950 concerning the 'development of a twenty-year programme for achieving peace through the United Nations' and of the explanatory memorandum submitted by the Secretary-General".

In his letter to the President of the Security Council, the Secretary-General drew attention, in particular, to points 1 to 5 of his memorandum concerning (1) the inauguration of periodic meetings of the Security Council and the further development and use of other United Nations machinery for pacific settlement of international disputes; (2) a new effort to establish international control of atomic energy; (3) a new approach to the problem of controlling armaments; (4) a renewal of efforts to agree on the armed forces to be made available to the Security Council under the Charter; (5) the acceptance and application of the principle that it is wise and right to proceed as rapidly as possible toward universality of membership in the United Nations. The resolution and memorandum have duly been brought to the attention of the Security Council.

In his letter to the President of the International Court of Justice, the Secretary-General drew particular attention to point 10 of his memorandum, concerning

the active and systematic use of all the powers of the Charter and all the machinery of the United Nations to speed up the development of international law toward an eventual enforceable law for a universal world society. In his reply to the Secretary-General dated 18 June 1951, the President of the Court laid stress on the large number of States, both Members and non-members of the United Nations, which have thought fit to state their cases before the Court both in disputes and in matters on which advisory opinions are sought. The President and his colleagues appreciated the value of reminding governments of the resources provided by the Charter of the United Nations and the Statute of the Court for the development of international law through the Court's decisions.

In accordance with the provisions of resolution 494 (V), progress achieved through the consideration of the Secretary-General's memorandum will be the subject of a special report to the General Assembly at its sixth session.

23. Relations of States Members and specialized agencies with Spain

General Assembly resolution 39 (I) of 12 December 1946, emphasizing the conviction that the Franco fascist régime did not represent the Spanish people and by its continued control was making impossible the participation of the Spanish people with the peoples of the United Nations in international affairs, had recommended that the Franco Government should be debarred from membership in international agencies related to the United Nations and that all Members of the United Nations should recall immediately from Madrid their ambassadors and ministers plenipotentiary. No change was made in those recommendations as the result of further discussion of the question of relations of Members of the United Nations with Spain in the second and third sessions of the Assembly.

On 12 December 1946, thirty Members had no diplomatic relations with the Franco Government, six had either ambassadors or ministers plenipotentiary in Madrid, while nineteen had neither ambassadors nor ministers accredited there. As a result of the resolution, five States recalled their ambassadors or ministers, and others informed the Secretary-General that none would be sent to Madrid. By September 1950, however, some twenty Members were reported as represented in Madrid by ambassadors or ministers plenipotentiary.

By notes dated 2 and 10 August 1950, the delegation of the Dominican Republic requested that the item "Relations of States Members of the United Nations with Spain" should be included in the agenda of the fifth session of the General Assembly. By a telegram dated 18 August, the delegation of Peru requested that the item "Relations of States Members and specialized agencies with Spain" should be included in the same agenda.

(a) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

On 26 September 1950, the General Assembly accepted the item in the following form "Relations of States

Members and specialized agencies with Spain", and referred it to the *Ad Hoc* Political Committee for consideration and report.

The *Ad Hoc* Political Committee considered the matter between 27 and 31 October 1950. At the first meeting, a joint draft resolution was introduced by Bolivia, Costa Rica, the Dominican Republic, El Salvador, Honduras, Nicaragua, the Philippines and Peru. The draft resolution referred to the previous recommendations of the General Assembly; considered that the establishment of diplomatic relations with a government did not imply any judgment upon the domestic policy of that government; considered further that the specialized agencies were technical and largely non-political in character and had been established in order to benefit the peoples of all nations, and that they should be free to decide for themselves whether the participation of Spain in their activities was desirable; and proposed the revocation of the recommendations in question.

A great majority of representatives who spoke in favour of the joint draft resolution emphasized that their affirmative vote would not imply that they approved the domestic policies of the Franco Government in Spain. Indeed, no representative claimed that the present Spanish Government had undergone any change along the lines indicated in the General Assembly resolution of 12 December 1946. Further, a number of sponsoring delegations and others pointed out that the joint draft resolution, though revoking two of the recommendations imposed in the 1946 resolution, left intact the condemnation of the Franco régime contained therein. Several representatives stated that the General Assembly resolution of 1946 had failed to achieve its objectives and should be repealed. Others argued that the United Nations could not achieve its peaceful purposes unless it opened its doors to all peoples.

The opponents of the draft resolution declared that no change had occurred in the internal situation in Spain to justify revoking the 1946 recommendations. A number of them pointed out that the resolution of 1946 represented a moral condemnation and that the adoption of the draft resolution would imply a lifting of moral sanctions against the Franco régime and would represent a betrayal of the Spanish people. The Union of Soviet Socialist Republics and the other East European Members argued further that the real explanation of the draft resolution lay in the importance that the United States of America attached to Spain as a strategic military base. Moreover, to permit the Franco régime to participate in the work of the specialized agencies would, in fact, mean collaboration with fascism. The plan of the partisans of the Franco fascist régime was to bring about its admission to the specialized agencies, then to re-establish diplomatic relations with it, and finally to have it admitted to the United Nations. The adoption of such a resolution would increase the power of the Franco régime, would complicate and delay the liberation of the Spanish people, and would promote the development of fascism in Spain and its resurgence in Italy, Germany and other countries, with all the tragic consequences for international peace and security that such a movement would involve.

On 31 October, the joint draft resolution, with one minor amendment, was approved by 37 votes to 10, with 12 abstentions.

The General Assembly, on 4 November 1950, adopted the joint draft resolution (386 (V)) by 38 votes to 10, with 12 abstentions.

(b) DEVELOPMENTS SUBSEQUENT TO THE ADOPTION OF GENERAL ASSEMBLY RESOLUTION 386 (V)

Between the date of the adoption of the resolution and June 1951, some fifteen additional Members were reported to have sent either ambassadors or ministers plenipotentiary to Madrid. Likewise, Spain has become a member of the World Health Organization and of the Food and Agriculture Organization, and an invitation has been extended to that country to be represented by an observer at the next session of the United Nations Educational, Scientific and Cultural Organization.

24. Treatment of people of Indian origin in the Union of South Africa

(a) COMMUNICATION DATED 10 JULY 1950 FROM INDIA

In a note dated 10 July 1950, addressed to the Secretary-General, the permanent representative of India to the United Nations stated that, in pursuance of General Assembly resolution 265 (III) of 14 May 1949, the Government of India, in July 1949, had initiated correspondence asking the Government of the Union of South Africa when and where the round table conference called for by that resolution could be held. The Government of the Union of South Africa had insisted on preliminary talks with a view to drawing up the agenda for the conference. As a result of talks held in Cape Town in February 1950, it had been agreed to convene a round table conference to explore all possible ways and means of settling the Indian question in South Africa. In the meantime, however, the Union Government had increased the severity of anti-Indian measures, and had refused to accede to requests to postpone action under existing legislation and not to introduce any legislative measures which would add to the disabilities of Indians pending the proposed round table conference. The Group Areas Bill had been rushed through the Parliament of the Union and had become law. Even the request that the conference should be held immediately, if the Bill could not be postponed in the meantime, had not been accepted by the Government of the Union of South Africa.

It had been clear, the note continued, from the replies received by the Government of India that the Union Government was bent upon proceeding with its policy of segregation, which the Government of India had consistently opposed over the last half-century and which was contrary to the provisions of the Charter of the United Nations and of the Universal Declaration of Human Rights. The Government of India had therefore had to inform the Union Government that it could not participate in such a conference. The note then stated that the Government of India desired that the United Nations should take note of these facts and take appropriate steps to ensure that the treatment of Indians in

the Union of South Africa conformed to the principles and purposes of the Charter and of the Universal Declaration of Human Rights. The Secretary-General was requested to place the question on the provisional agenda of the fifth regular session of the General Assembly.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

On 26 September 1950, the General Assembly decided to include the item in its agenda and to refer it to the *Ad Hoc* Political Committee. The Committee considered the question in the course of eight meetings held between 14 and 20 November 1950. On 14 November, Burma, India, Indonesia and Iraq introduced a draft resolution which expressed the opinion that the Group Areas Act of the Union of South Africa entailed contravention of the purposes and principles of the Charter and of the Universal Declaration of Human Rights and noted with regret that this Act and the policy on which it was based had prejudiced and rendered infructuous the recommendation contained in resolution 265 (III). The draft resolution also recommended that the Government of the Union of South Africa should take all steps necessary speedily to bring its treatment of people of Indian origin into conformity with the purposes and principles of the Charter and of the Declaration of Human Rights.

On 14 November, the representative of the Union of South Africa raised the question of the competence of the United Nations to deal with the matter. On 18 November, the Committee decided, by 35 votes to 3, with 17 abstentions, that it was competent to consider and vote on such proposals as had been submitted to it.

On 16 November, a joint draft resolution was introduced by Bolivia, Brazil, Denmark, Norway and Sweden. It recommended, *inter alia*, that the Governments of India, Pakistan and the Union of South Africa should proceed with the holding of a round table conference on the basis of their agreed agenda and, that in the event of failure to reach an agreement within a reasonable time, they should agree on an individual to assist them in carrying through appropriate negotiations.

During the general discussion, the representative of the Union of South Africa repeated his Government's view that Article 2, paragraph 7, of the Charter precluded any consideration of the matter by the General Assembly. He stated that the intransigent attitude maintained by India had not been calculated to improve the atmosphere of the meetings held in Cape Town, and contrasted the positions taken by Pakistan and India in that respect. Nevertheless, an agreement had been reached on 11 February 1950 as to the agenda for a round table conference. Dealing with the withdrawal of India from the proposed conference, he stated that the Government of India had known of the purport of the Group Areas Act before the agreement had been reached. Moreover, the Union Government had given assurance that no Group Area would be declared before December 1950, and that any agreed solution entailing amendment of South Africa's legislation would be acted upon appropriately. Pointing out that the conference

was to have taken place between 15 September and 15 November 1950, he concluded that India was responsible for the fact that the conference had not taken place.

The representative of India, in reply, stated that the failure to hold the conference had not been due to any action or statement of the Government of India, but had been the result of the policy underlying the Group Areas Act, which had prevented the Governments of India and Pakistan from finding any field of agreement with the Union Government. The representative of Pakistan said that his Government had made every effort to facilitate the holding of the conference by requesting the Union Government to postpone the enforcement of the Act until the conference had been held, but the Union Government had found it impossible to accede to that request. It was for that Government to create conditions for holding the round table conference. He stated that the delegations of India and Pakistan had been informed of the Act when they had returned to their own countries.

On 20 November, the Committee voted on the five-Power draft resolution and on amendments thereto, and approved it, as amended, by 26 votes to 6, with 24 abstentions. On the same date, the representative of India, on behalf of the sponsors, withdrew the four-Power draft resolution.

The General Assembly considered the report of the *Ad Hoc* Political Committee at a meeting held on 2 December. The draft resolution recommended by the Committee was adopted by 33 votes to 6, with 21 abstentions.

In the resolution as adopted (395 (V)), the General Assembly, recalling previous resolutions relating to the treatment of people of Indian origin in the Union of South Africa, and to the Universal Declaration of Human Rights, and stating that a policy of "racial segregation" was necessarily based on doctrines of racial discrimination, recommended that the three Governments should proceed with the holding of a round table conference on the basis of their agreed agenda, bearing in mind the provisions of the Charter and the Declaration of Human Rights. In the event of failure of the Governments concerned to hold such a conference before 1 April 1951, or to reach agreement within a reasonable time, a commission of three members was to be established for the purpose of assisting the parties in carrying through appropriate negotiations. One member was to be nominated by the Government of the Union of South Africa and another by the Governments of India and Pakistan. The third was to be nominated by the other two members, or, in default of agreement between them, by the Secretary-General of the United Nations. The Governments concerned were called upon to refrain from taking any steps which would prejudice the success of the negotiations. In particular, the implementation or enforcement of the provisions of the Group Areas Act, pending the completion of such negotiations, was referred to in this connexion. Finally, the item was to be included in the agenda of the next regular session of the General Assembly.

(c) DEVELOPMENTS SUBSEQUENT TO THE ADOPTION OF GENERAL ASSEMBLY RESOLUTION 395 (V)

On 7 March 1951, the deputy permanent representative of the Union of South Africa informed the Secre-

tary-General that the Union Government was unable to accept the General Assembly resolution of 2 December 1950 as providing a basis for a round table conference, since the terms of the resolution constituted intervention in a matter essentially within the Union's domestic jurisdiction. However, the Union Government adhered to the policy agreed upon with the representatives of India and Pakistan in February 1950 concerning the convening of a round table conference to explore all possible ways and means of settling the Indian question in the Union of South Africa.

In a note dated 27 March addressed to the Secretary-General, the representative of India transmitted a communication from his Government, which stated that, in reply to an inquiry made by India on 3 March, the Union Government had stated, on 5 March, that it considered the General Assembly resolution unacceptable, but had expressed willingness to join in a conference on the basis of the agreement reached in February 1950. The Government of India, in a communication dated 16 March, had stated that the resolution of the Assembly was best designed to secure discussion of the subject in an atmosphere free from prejudice. The Union Government had been urged to reconsider its view and to agree to a conference in accordance with the terms of that resolution. In a telegram dated 21 March, the Union Government had refused a conference on the basis of the Assembly resolution. The Government of India had no option, therefore, but to bring the matter to the notice of the United Nations for such action as might be considered necessary.

25. Recognition by the United Nations of the representation of a Member State

(a) COMMUNICATIONS DATED 19 AND 26 JULY 1950 FROM CUBA

By a letter dated 19 July 1950, the alternate representative of Cuba to the United Nations requested the Secretary-General to place the question of the recognition by the United Nations of the representation of a Member State on the provisional agenda of the fifth session of the General Assembly. An explanatory memorandum was transmitted to the Secretary-General on 26 July. The memorandum included a summary of the consideration of the same question by the Security Council and its Committee of Experts in January and February 1950. The representative of Cuba had at that time stated that only the General Assembly or a subsidiary organ established by it was legally authorized to study or promote identical solutions for all organs of the United Nations concerning questions affecting the functioning of the Organization as a whole. The Committee of Experts had agreed on the desirability of establishing some uniform procedure which could be adopted by all organs of the United Nations, and the majority of its members had agreed that the question under consideration was of such a nature that it should be dealt with by the General Assembly.

The item proposed, it was explained, referred not only to the formal problem of credentials, but to the question that arose concerning the legality of the representation of a Member State in the United Nations,

when the latter had to decide which government had the right to represent that State in the Organization.

On 6 September, the Secretary-General transmitted to the Members of the General Assembly, for their information, the text of a resolution adopted on 30 May 1950 by the fifth session of the General Conference of the United Nations Educational, Scientific and Cultural Organization, forwarded to him on 1 June by the Director-General of that organization. The resolution expressed the wish that the United Nations should adopt general criteria to permit uniform and practical settlement of the problem of representation on United Nations organs and organizations.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly, on 26 September 1950, decided to include the item in the agenda of its fifth session and to refer it to the *Ad Hoc* Political Committee. The Committee considered the matter from 20 to 26 October and on 27 and 28 November.

On 7 and 20 October respectively, Cuba and the United Kingdom submitted draft resolutions in connexion with the item. The operative part of the Cuban proposal recommended that questions arising in connexion with the representation of a Member State in the United Nations should be decided in the light of the following: (1) effective authority over the national territory; (2) the general consent of the population; (3) ability and willingness to achieve the purposes of the Charter, to observe its principles and to fulfil the international obligations of the State; and (4) respect for human rights and fundamental freedoms. The operative part of the United Kingdom proposal recommended that, where the question of representation of a Member State arose in consequence of internal processes or changes which had taken place in that State, the right of a government to represent the Member State concerned in the United Nations should be recognized if that government exercised effective control and authority over all or nearly all the national territory, and had the obedience of the bulk of the population of that territory, in such a way that this control, authority and obedience appeared to be of a permanent character. Both proposals provided that the decisions taken by the General Assembly were not of themselves to affect the direct relations of individual Member States with the State concerned.

Various amendments to the two proposals were submitted, mostly with a view to making the criteria to be applied more detailed. On 23 October, the Dominican Republic proposed that the International Law Commission should be requested to study the legal aspects of the item and to submit the results in time for inclusion in the agenda of the sixth session of the General Assembly. On 26 October, the United Kingdom submitted a proposal setting out questions that should be put to an outside body if it were decided to refer the matter to one. Such a body should, in its view, be the International Court of Justice rather than the International Law Commission.

During the general debate, various representatives expressed doubts concerning the advisability of attempt-

ing to adopt various criteria that had been proposed. Some of them held that every case should be decided on its merits; others declared that the only criterion universally accepted in international law was that of effective control and authority over the territory of the State concerned.

On 26 October, the Committee decided to establish a sub-committee to consider the item in the light of all the proposals, amendments, suggestions and views presented in the course of the debate.

The Sub-Committee submitted its report on 27 November. The draft resolution adopted by the Sub-Committee for consideration by the *Ad Hoc* Political Committee recommended that whenever more than one authority claimed to be the government entitled to represent a Member State in the United Nations and that question became the subject of controversy in the United Nations, the question should be considered in the light of the Principles and Purposes of the Charter and the circumstances of each case. The following factors were to be taken into consideration in determining any such question: (1) the extent to which the new authority exercised effective control over the territory of the Member State concerned and was generally accepted by the population; (2) the willingness of that authority to accept responsibility for the carrying out by the Member State of its obligations under the Charter; and (3) the extent to which that authority had been established through internal processes in the Member State. When any such question arose, it should be considered by the General Assembly, or by its Interim Committee if the Assembly were not in session.

Various amendments were submitted during the discussion of the Sub-Committee's draft resolution, including one submitted by Egypt, proposing the deletion of the factors enumerated in the proposal. On 28 November, the Egyptian amendment was adopted by 27 votes to 13, with 14 abstentions. Several other amendments were also adopted. An amendment proposed by the Union of Soviet Socialist Republics calling for the deletion of the reference to the Interim Committee was rejected by 35 votes to 6, with 11 abstentions. The draft resolution submitted by the Sub-Committee, as modified, was approved by 29 votes to 7 with 15 abstentions. A draft resolution calling for study of the legal aspects of the question by the International Law Commission, submitted on 28 November by the Dominican Republic during the discussion of the Sub-Committee's report, was withdrawn after the vote.

The General Assembly considered the report of the *Ad Hoc* Political Committee on 14 December. An Egyptian amendment restoring the paragraph deleted by the Committee to the effect that when a question concerning representation arose, it should be considered by the General Assembly, or by the Interim Committee if the General Assembly were not in session, was adopted by 25 votes to 10, with 8 abstentions. The draft resolution, as amended, was adopted by 36 votes to 6, with 9 abstentions.

The resolution referred to the desirability of uniformity in the procedure applicable whenever more than one authority claimed to be the government entitled to represent a Member State in the United Nations, and

that question became a subject of controversy in the United Nations and stated that, in virtue of its composition, the General Assembly was the organ of the United Nations in which consideration could best be given to such a matter. It recommended that such a question should be considered, in the light of the Purposes and Principles of the Charter and the circumstances of each case, by the General Assembly, or by the Interim Committee if the General Assembly were not in session. The attitude adopted by either of those bodies concerning any such question should be taken into account in the other organs of the United Nations and in the specialized agencies. It declared that the attitude adopted would not of itself affect the direct relations of individual Member States with the State concerned.

Following the adoption of the resolution (396 (V)), several delegations, including that of the USSR, declared that it was unacceptable. The whole question of representation had been brought up to deprive the People's Republic of China of its legitimate place in United Nations organs. The establishment of criteria was intended to make it possible, when the question of the recognition of the representation of a given Member State arose, to make particular demands upon that State, and to deprive it of its legitimate rights under the Charter. This would amount to illegal expulsion of the Member State from the Organization. The use of such criteria would inevitably lead to arbitrary and discriminatory measures in respect of certain Member States, and would open the way to interference in the internal affairs of Members. Stating that there was no need for the establishment of any criteria whatsoever, or for any uniformity in practice, these delegations maintained that such problems should be decided independently by each organ of the United Nations in accordance with its own rules of procedure. Recognition should be given only to the representatives appointed by the governments which exercised effective power in given Member States, since only such governments could carry out the obligations of the Charter.

26. The question of the representation of China on United Nations bodies

(a) PROCEEDINGS IN THE SECURITY COUNCIL

The last annual report described the Security Council's discussions in December 1949 and January 1950 on the question of the representation of China. The matter was raised again in a letter dated 31 July 1950, in which the President of the Security Council for the month of August (the representative of the Union of Soviet Socialist Republics) informed the Secretary-General that the next meeting of the Council would have the following provisional agenda:

- "1. Adoption of the agenda.
- "2. Recognition of the representative of the Central People's Government of the People's Republic of China as the representative of China.
- "3. Peaceful settlement of the Korean question".

This provisional agenda was discussed at meetings of the Council on 1, 2 and 3 August.

At the meeting on 1 August, the President ruled that the representative of the Kuomintang group did not represent China and therefore could not take part in the Council's meetings.

The representative of the United States of America considered that no President had the authority to rule, by arbitrary fiat, upon the status of the representative of a country that was a Member of the United Nations. Accordingly, he challenged the ruling.

The President, speaking as the representative of the USSR, said that it was a well-known fact that, as a result of circumstances, the so-called representative of the Kuomintang group had been in the Security Council at the time of the establishment of the Central People's Government of the People's Republic of China and had illegally usurped China's seat. He considered that rule 17 of the provisional rules of procedure of the Council was inapplicable, since it related to plenipotentiary representatives of members of the Council, who had been duly accredited in accordance with rule 13. The case under consideration was concerned not with such an accredited representative, but with the spokesman for a group which represented no one but itself.

The representative of China said that he represented the only Chinese Government which was based upon a Constitution drafted and passed by the representatives of the Chinese people. His Government was the only one headed by a President elected by the representatives of the Chinese people.

After discussion, the Council adopted, by 8 votes to 3 (India, USSR and Yugoslavia), the proposal to overrule the ruling of the President. The President, speaking as representative of the USSR, declared that this decision was illegal because the person concerned was the spokesman of a group which represented no one, and was not the representative of a State.

Against the proposal to include item 2 in the agenda, it was argued, *inter alia*, that the United Nations should establish the principle that the solution of the question of Chinese representation could not be made subject to a solution of the Korean question. The question of representation should not be considered under duress, but should be dealt with separately on its merits at another time. To consider the seating of a declared opponent of the efforts of the United Nations to repel aggression would subvert the men of the United Nations at the front and would weaken the entire peace-making endeavour.

Some representatives felt that the question was of such fundamental importance that it should be considered by the General Assembly, in which all Member States were represented. It was pointed out that adoption of this procedure would eliminate the possibility of different decisions by the Council and the Assembly. It was also argued that it would be strange if the Council attempted to stop aggression in Korea and, at the same time, considered the recognition of the fruits of aggression in another country. The peoples of the world would doubt the Council's sincerity if it were to consider an item of the kind proposed by the USSR, notwithstanding the fact that the Peiping régime had been encouraging the North Korean aggressors.

The President, speaking as representative of the USSR, pointed out that, in his reply to Mr. Nehru's appeal of 15 July, the United States Secretary of State had used the same formula that the two questions must be regarded as separate. That reply had again demonstrated that the policy of the ruling circles of the United States was based not on peace, but on war and aggression. They were afraid that, if the Security Council were to operate with its full legal membership, they would not succeed in transforming it into an obedient tool of aggression against the Korean people, for cloaking new acts of aggression and unleashing war. The representative of the USSR considered that the Korean question and the question of the representation of China in the United Nations were inseparably linked. The settlement of the Korean question required that the Council should begin to function normally with its lawful composition; and that was impossible without the participation of China and of the USSR. The Security Council was not acting in conformity with the Charter when it acted in the absence of two of the permanent members whose unanimity was a prerequisite for the legality of the Council's decisions. The rejection by the United States of Mr. Nehru's appeal and of the provisional agenda showed that the ruling circles of the United States aimed at seizing Korea and did not wish to hear of the termination of hostilities. The USSR was appealing to the Security Council to adhere to the policy of the pacific settlement of the Korean question and the restoration and maintenance of peace.

Finally, the representative of the USSR demanded that the United Nations should immediately recognize the representative of the Central People's Government of the People's Republic of China as the representative of China. He considered that, if this condition were not met, any decision taken by any group of members of the Security Council would be illegal, contrary to the Charter and without international juridical force.

On 3 August, the Council rejected the proposal to include in the agenda the item "Recognition of the representative of the Central People's Government of the People's Republic of China as the representative of China". There were 5 votes in favour, 5 against (China, Cuba, Ecuador, France and the United States of America), and one abstention (Egypt).

(b) PROCEEDINGS IN THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

In a cablegram dated 26 August 1950, addressed to the Secretary-General, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China recalled previous notes sent by his Government to the Secretary-General and to the President of the General Assembly, calling for the expulsion of the Kuomintang representatives from United Nations organs. The continued toleration of those representatives by the United Nations was a violation of the United Nations Charter and involved disregard of the rightful claim of the people of the People's Republic of China. He requested that the necessary arrangements should be made for the delegation of the People's Republic of China to attend the fifth session of the General Assembly.

On 5 September, the Secretary-General replied that he would promptly make a request for the entry into the United States of the delegation of the People's Republic of China on the General Assembly's acceptance of that delegation as representing the Republic of China, or on the invitation to it by the General Assembly to attend the session.

In a cablegram dated 18 September, the Minister for Foreign Affairs of the Central People's Government repeated the statements included in his previous message and declared that, should the fifth session of the General Assembly be held without the participation of his Government's delegation, all the resolutions adopted by the Assembly concerning China would be illegal, and consequently null and void.

At the opening meeting of the fifth session on 19 September, the Assembly had before it four draft resolutions, one by India, one by Canada, and two by the USSR, together with an amendment to the Canadian draft resolution proposed by Australia, which was accepted by Canada.

The draft resolution proposed by India provided for recognition of the Central People's Government of the People's Republic of China as the only Government functioning in the Republic of China which exercised control over the territory and commanded the obedience of the people of that country.

The draft resolution proposed by Canada noted the differences of view concerning the representation of China, provided for the establishment of a special committee of seven members to consider the question and to report back, with recommendations, to the fifth session when consideration of the question of recognition by the United Nations of the representation of a Member State had been completed. Pending a decision on the report of the special committee, the representatives of the National Government of China were to be seated with the same rights as other representatives.

The first draft resolution proposed by the USSR provided that the General Assembly should decide that the representatives of the Kuomintang group could not take part in the work of the General Assembly and its organs because they were not representatives of China. The second USSR proposal provided for inviting the representative of the People's Republic of China to take part in the work of the General Assembly and its organs.

At the same meeting, the General Assembly voted on the draft resolutions. It rejected the Indian draft resolution by 33 votes to 16, with 10 abstentions.

The General Assembly then voted on the Canadian proposal in two parts. The first two paragraphs of the proposal were adopted by 38 votes to 6, with 11 abstentions, and the last paragraph was adopted by 42 votes to 8, with 6 abstentions.

The USSR draft resolutions were rejected by 38 votes to 10, with 8 abstentions, and by 37 votes to 11, with 8 abstentions, respectively.

On 12 December, the General Assembly, on the nomination of the President, elected by secret ballot the following States Members to serve on the Special Com-

mittee: Canada, Ecuador, India, Iraq, Mexico, the Philippines and Poland.

The Special Committee met on 15 December 1950, and elected the representative of India as its Chairman. After some discussion it decided, by 3 votes to one, with 2 abstentions, to leave the convening of the next meeting to the discretion of its Chairman.

The question of the representation of China on various other organs and bodies of the United Nations has been brought up on several occasions, during the period covered by the present report, by the Union of Soviet Socialist Republics and certain other delegations in other bodies of the United Nations.

27. Complaint by the Union of Soviet Socialist Republics regarding aggression against China by the United States of America

(a) COMMUNICATION DATED 20 SEPTEMBER 1950 FROM THE UNION OF SOVIET SOCIALIST REPUBLICS

By a letter dated 20 September 1950, the Union of Soviet Socialist Republics proposed that the question of American aggression against China should be included in the agenda of the fifth session of the General Assembly. In an explanatory note dated 21 September, the Chairman of the USSR delegation recalled that, on 27 June 1950, the President of the United States of America had officially stated that he had issued orders to the United States armed forces concerning operations in connexion with Taiwan (Formosa) (see section 31 below). This order had been followed immediately by the blockade of Taiwan by the United States Navy and the invasion of Taiwan by United States armed forces. These actions represented gross interference in the internal affairs of China, a direct encroachment on its territorial integrity and political independence, and a direct act of aggression against the People's Republic of China. They had been followed by the bombing and machine-gunning of Chinese territory in the area of the Manchurian-Korean frontier by the United States Air Force, causing loss of life and damage to buildings and installations. These acts constituted a serious threat to international peace and security and called for immediate action by the United Nations.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

The General Assembly included the item in its agenda, on 26 September 1950, under the title "Complaint by the Union of Soviet Socialist Republics regarding aggression against China by the United States of America" and referred it to the First Committee for consideration and report.

The First Committee considered the item at eight meetings on 24 and 27 November, 7 December 1950 and 2, 6 and 7 February 1951.

(i) Invitation to the Central People's Government of the People's Republic of China to be represented during the discussion in the First Committee

In a cablegram dated 17 October 1950, the Minister for Foreign Affairs of the Central People's Government

of the People's Republic of China claimed that, as the sole legal government representing the Chinese people, his Government had the right and necessity to send a delegation to attend and participate in the proceedings of the fifth session of the General Assembly. If the General Assembly should proceed with this particular agenda item without the attendance and participation of the representative of the People's Republic of China, its resolutions would be illegal, null and void.

On 15 November, during the First Committee's discussion on the priority to be assigned to the consideration of agenda items, the USSR introduced a draft resolution noting the above request of the Central People's Government of the People's Republic of China, and inviting the representative of that Government to participate in the discussion of the item.

On 24 November, the representative of Chile pointed out that the Minister for Foreign Affairs of the People's Republic of China had based his application on his claim to speak for the only legitimate Government of China, and the USSR draft resolution had, in turn, been based on the request of the People's Republic of China. In order to clarify the point, he submitted an amendment to replace the operative part of the USSR draft resolution. The Chilean amendment proposed that the representative of the People's Republic of China should be invited to present his views and provide such information as the Committee might request during its discussion of the item, and stated that the invitation in no way prejudged the merits of the question under discussion or affected the present status of Chinese representation in the United Nations. Upon further clarification by the representative of the USSR, the representative of Chile agreed to withdraw the amendment if the USSR delegation were agreeable to the addition to its proposal of a provision in the sense of the Chilean amendment. The proposed addition was not accepted by the USSR delegation and the Chilean amendment was therefore put to the vote on 24 November and was rejected by 17 votes to 9, with 33 abstentions. The USSR draft resolution was adopted by 30 votes to 8, with 22 abstentions.

Further discussion of the item was then postponed for two days to enable the Secretary-General to communicate the text of the Committee's resolution to the Government of the People's Republic of China. The Minister for Foreign Affairs of that Government replied by cablegram on 26 November, appointing a representative to participate in the discussion of the item in the First Committee. On 27 November, the Chairman invited the representative of the Central People's Government of the People's Republic of China to the Committee table.

(ii) General discussion in the First Committee

The representative of the USSR listed the illegal acts which he stated the United States of America had committed against the Chinese people and their Government. In execution of President Truman's orders announced on 27 June, United States naval forces had blockaded Taiwan and patrolled the Strait so that Taiwan's ports could be used as United States naval

bases (see also sections 30 and 31 below). It had subsequently been reported in the Press that some detachments of the United States Air Force had been moved to Taiwan and a group of General MacArthur's staff officers had been established as military observers. By these actions, the United States had violated the Cairo and Potsdam Agreements, under which Taiwan would be restored to China. It had also violated the principles of international law and the United Nations Charter, in particular Article 2, paragraph 4, choosing to replace the principle of the territorial integrity of States by the use of armed force in international relations. In August 1950, General MacArthur had gone to Taiwan and had announced that he had reached an agreement with Chiang Kai-shek on the defence of the island. The speeches of various political leaders and other evidence showed that United States aggression had the far-reaching objectives of preventing the ejection of the Kuomintang from its last refuge and of keeping Taiwan as a United States base in the Far East. Furthermore, these American plans relating to Taiwan had been made long before the events in Korea.

The representative of the USSR then gave examples of the complete economic control of the island by United States monopolies. He stated that it was clear from the documents and evidence available that the United States had decided upon aggression against China in accordance with its policy of supporting the Kuomintang in order to secure Taiwan as a strategic base and take possession of its resources. He referred also to the repeated United States violations of Chinese air space near the Manchurian border and, after a review of the history of relations between the United States of America and China, concluded that United States policy in the nineteenth and twentieth centuries had, in fact, been designed to ensure the domination of China by American monopolies, with the help of reactionary Chinese elements.

In conclusion, the representative of the USSR maintained, firstly, that the United States had invaded Taiwan with armed forces, although that island was an integral part of Chinese territory; secondly, that the United States had blockaded the shores of Taiwan with its navy so as to deny access to that island to the armed forces and authorities of the legitimate Government of the People's Republic of China, thereby jeopardizing the territorial integrity of China; and thirdly, that United States armed intervention in the internal affairs of China had been accompanied by the threat of the use of armed force against the only legitimate Chinese Government, in gross violation of the sovereignty and political independence of China.

On 27 November, the representative of the USSR submitted a draft resolution (1) noting, *inter alia*, the facts of the infringement of Chinese territorial integrity and the inviolability of its frontiers by naval and air units of the United States of America, as witnessed by (a) the invasion by United States armed forces of the island of Taiwan and the consequent intervention by the United States Government in the domestic affairs of China, and (b) the blockade of the coast of Taiwan by the United States Seventh Fleet for the hostile purpose of barring the island to the armed forces and authorities of the People's Republic of China; and (2)

requesting the Security Council to take the necessary steps to ensure the immediate cessation of aggression against China by the United States of America.

On 7 December, the Committee decided to give priority to the consideration of the item "Intervention of the Central People's Government of the People's Republic of China in Korea" and therefore postponed further discussion of the USSR complaint.

On 2 February 1951, in reply to the accusation that United States armed forces had invaded Taiwan, the United States representative recalled that, on 27 June 1950, President Truman had stated that the attack on Korea had made it plain that the occupation of Formosa by communist forces would be a direct threat to the security of the Pacific area and to the United States forces performing their lawful functions in that area. Accordingly, President Truman had ordered the Seventh Fleet to prevent any attack on Formosa and had called upon the Chinese Government on Formosa to cease all air and sea operations against the mainland. The United States representative pointed out that Formosa was still of international interest as a former Japanese colony; and that, as President Truman had stated, a decision as to its future status must await the restoration of security in the Pacific, a peace settlement with Japan, or consideration by the United Nations. He said that there were forty-four persons on Formosa belonging to the military establishment of the United States. Of these, nineteen were attached to the diplomatic mission accredited to the Chinese Government; there was also a detachment of twenty-four enlisted men. In order to fulfil his duty and to maintain the *status quo* with respect to Formosa, General MacArthur had directed that units of the United States Air Force should make occasional training flights over the island.

As to the second accusation, the essential factors of a blockade, as defined by international law, were lacking since commercial shipping could enter and leave the ports of Taiwan freely, and conditions of maritime traffic had not changed since 27 June 1950. After making a detailed analysis of the USSR allegations regarding economic aggression by the United States of America in Taiwan, the United States representative concluded that they had no basis whatever. In reply to another charge that had been made, he considered that it was grotesque to assert that the exercise by a State of its sovereign right to recognize or not to recognize a particular régime in China constituted intervention in the internal affairs of that country amounting to an act of aggression. He also replied to the charges of violations of Chinese air space (see section 29 below). Finally, the United States representative recalled that the friendly relationships between the United States of America and China had been based upon a background of long-standing religious, cultural and humanitarian associations, rather than on trade or economic factors, which, in the case of China, were relatively unimportant to the United States. He concluded that the USSR was attempting to destroy that historical friendship and to bring the Chinese people to hate and even to fight the United States.

The representative of China said that his Government knew of no aggression by the United States of

America against China. He said that the charges were part of an anti-American campaign in China which had been started in the summer of 1949, well before the Korean crisis and before the emergence of the question of recognition. That campaign had begun an elaborate and systematic falsification of history with two motives: firstly, to concentrate the attack on the United States as the leading factor in the world struggle for freedom; and, secondly, to maintain the enslavement of the Chinese people by explaining all their troubles as due to United States imperialism.

On 6 February 1951, the Chairman informed the First Committee that he had, on 2 February, informed the Government of the People's Republic of China by cablegram that the Committee had on that date resumed discussion of the USSR complaint, and he had also indicated the date of the next meeting of the Committee. In its reply, the Government of the People's Republic of China requested circulation of a statement by its representative. In this statement, the representative of the People's Republic of China said that he supported the speech by the representative of USSR on the charge of United States aggression against China. In reply to the United States representative, he said that it was true that there had always been a profound friendship between the Chinese and American peoples. However, the history of the past 150 years proved that the United States imperialists had consistently been the aggressors against China. The Chinese people were determined to recover Taiwan from the aggressors, and the United States Government must bear the full responsibility for all consequences that might arise.

The representative of the People's Republic of China submitted that the following facts demonstrated intervention, aggression and hostility against China on the part of the United States Government: (1) it was actively supporting the Kuomintang clique and had directed Chiang Kai-shek to blockade China's coast and to bomb Chinese cities; it was also attempting to sabotage the People's Republic of China from within; (2) it had employed every measure to prevent the representatives of the People's Republic of China from participating in the United Nations and in the Allied Council for Japan, while insisting that the representatives of the public enemy of the Chinese people, the Kuomintang clique, should usurp the seat of China; (3) it was actively re-arming the fascist forces in Japan and contriving to conclude a separate peace without the USSR and China, in order to obtain exclusive domination over Japan; and (4) it had built a vast network of military bases from Alaska to Thailand, thus encircling the new China. The simultaneous armed aggression against Taiwan and Korea was a premeditated step toward a further total attack against the People's Republic of China.

Under such unbearable circumstances, the Chinese people, in order to protect their homeland, were volunteering in great numbers to help the Korean people to resist the American imperialists. The United States had argued that the aggression against Taiwan had been necessitated by armed intervention in Korea. However, the Charter clearly stipulated that no justification whatsoever could be used to excuse aggression. It had also been said that the troops fighting in Korea had no intention of committing aggression against the north-eastern

territory of China, but the Chinese people knew that history showed that the aggressor who invaded Korea subsequently invaded China.

In conclusion, the representative of the People's Republic of China requested that the General Assembly should adopt a resolution requesting the Security Council (1) to condemn and to take concrete steps to apply severe sanctions against the United States Government for its criminal acts of armed aggression against the territory of China and Taiwan and its armed intervention in Korea; (2) to adopt immediately effective measures to bring about the complete withdrawal of United States forces from Taiwan; and (3) to adopt immediately effective measures to bring about the withdrawal from Korea of the armed forces of the United States of America and all other countries and to leave the people of North and South Korea to settle the domestic affairs of Korea themselves, so that a peaceful solution of the Korean question might be achieved.

On 7 February 1951, the First Committee rejected the USSR draft resolution by 49 votes to 5, with 3 abstentions. This being the only draft resolution under discussion, the Committee had no recommendation to submit to the General Assembly.

(iii) *Report of the First Committee to the General Assembly*

On 13 February, the First Committee report came before the General Assembly, which, in the absence of a recommendation, took no decision. At that meeting, the representative of the USSR reintroduced his draft resolution, which was rejected by 48 votes to 5, with 3 abstentions.

28. Complaint of bombing by United States military aircraft of the territory of China

(a) COMMUNICATIONS DATED 28 AND 30 AUGUST 1950 FROM THE PEOPLE'S REPUBLIC OF CHINA AND REPLY DATED 29 AUGUST 1950 FROM THE UNITED STATES OF AMERICA

In a cablegram of 28 August 1950 addressed to the Secretary-General, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China charged 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, railroad stations and railroad carriages and had killed or wounded a number of people. He said that these provocative acts were a serious encroachment on Chinese sovereignty and constituted an attempt to extend the war. The Central People's Government of the People's Republic of China proposed that, in the interest of the peace and security of Asia and the world, the Security Council should condemn the United States aggression forces in Korea for these acts and take immediate measures to bring about the complete withdrawal of all United States forces from Korea, to prevent the aggravation of the situation and to facilitate the peaceful regulation of the Korean question by the United Nations.

In a letter dated 29 August, the representative of the United States of America informed the Secretary-General that the instructions under which aircraft 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 these instructions had been violated, and the United States Government would welcome an investigation on the spot by a commission appointed by the Security Council. Finally, he pointed out that the action being taken by the United States and other Members of the United Nations in Korea was being conducted in accordance with and under the mandate of the United Nations.

In a cablegram of 30 August, 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.

The President of the Security Council (the representative of the USSR) included this item in the provisional agenda of the Security Council meeting on 31 August.

(b) PROCEEDINGS IN THE SECURITY COUNCIL

On 31 August 1950, the Security Council discussed the question of the inclusion of the item in its agenda.

During the discussion on the adoption of the agenda, the representative of the Union of Soviet Socialist Republics said that the two cablegrams from the Central People's Government had shown that the United States Air Force had invaded Chinese air space, dropped bombs and machine-gunned the peaceful population. Thus, it had committed a gross violation of the sovereignty and territorial integrity of China. From the standpoint of international law, that was an act of aggression. According to the definition of aggression approved by the Committee on Security Questions of the League of Nations in May 1933, the attacking party, i.e., the aggressor in an international conflict, would be considered that State which was the first to commit one of the acts of aggression which were described in detail in the definition. These acts included the following: "bombarding the territory of another State by (a State's) land, naval or air forces" and the "landing in, or introduction within the frontiers of, another State of land, naval or air forces without the permission of the government of such a State". The same definition of aggression further stated that "no consideration whatsoever of a political, strategical or economic nature . . . shall be accepted as justification of aggression". The action of the United States Air Force against the territory of China fell entirely within this definition of aggression. As the main organ of the United Nations for the maintenance of peace and security, the Security Council must consider this matter without delay and adopt appropriate decisions thereon.

Accordingly, the representative of the USSR, on 31 August, submitted a draft resolution (1) condemning the illegal acts of the United States Government referred to in the communications dated 28 and 30 August from the Central People's Government of the People's

Republic of China; (2) placing on the United States Government full responsibility for those acts and the whole of the damage caused to the People's Republic of China, and also for the consequences that might result from such acts; and (3) calling upon the United States Government to prohibit such illegal acts, which violated Chinese sovereignty and caused damage to the People's Republic of China and to the peaceful Chinese population.

In supporting the inclusion of the item in the agenda of the Council, the representative of the United States of America pointed out that the Unified Command had issued strict instructions to confine the operations of aircraft to the territory of Korea. As soon as the complaint had been received, the United States military authorities had been instructed to make an investigation, and late reports had indicated that, by mistake, one aircraft might have strafed a Chinese airstrip on 27 August. The United States Government believed that the Security Council should send a commission to the area in order to make an objective investigation of the charges. United States military authorities would give the commission full co-operation, including access to pertinent records. If it were found that an attack did in fact occur, the United States Government was prepared to make payment to the Secretary-General, for transmission to the injured parties, of such damages as the commission should find to be fair and equitable. The United States Government would also see to it that appropriate disciplinary action was taken.

At the request of the United States representative, a copy of his statement was transmitted to the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China.

The representative of China opposed the inclusion of the complaint in the agenda, since it was not based on any *prima facie* case and was submitted by a body not properly qualified to make a complaint to the Council.

The Security Council decided, by 8 votes to 3 (China, Cuba and Egypt), to include the item in its agenda under the title "Complaint of bombing by air forces of the territory of China".

On 5 September, the representative of the USSR submitted a draft resolution proposing that, in connexion with the discussion of the question, the Security Council should decide to invite a representative of the People's Republic of China to its meetings.

On 7 September, the representative of the United States of America submitted a draft resolution providing, *inter alia*, that the Security Council should (1) establish a commission to investigate on the spot and report as soon as possible with regard to the allegations contained in the cables dated 28 and 30 August from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China, this commission to be composed of two representatives, one appointed by the Government of India and one by the Government of Sweden; (2) request all governments and authorities to provide safe conduct and all facilities requested by the commission; and (3) request the Unified Command to provide to the commission,

on its request, all facilities and information, including access to all pertinent records.

At the same meeting, the Council, after taking certain procedural decisions, decided by 8 votes to one (USSR), with two abstentions (Egypt and India), to consider the item "Complaint of bombing by air forces of the territory of China" before the item "Complaint of armed invasion of Taiwan (Formosa)".

In a cablegram dated 10 September 1950, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China stated that, as the sole legal government representing the Chinese people and as the accuser in the case, his Government had the right and necessity to send its delegation to attend and participate in the proceedings of the Security Council. He said that if the Security Council should proceed with this agenda item without the attendance and participation in the discussion of the representative of the People's Republic of China, its resolutions would be illegal, null and void.

On 11 September, the Council discussed the USSR proposal for an invitation to a representative of the People's Republic of China. The representative of the USSR considered that any State which approached the Security Council with a communication about aggression should be heard during the consideration of that communication. In support of that proposal, it was also argued that the main sense of Article 32 of the Charter was that both parties to a dispute must be represented in the Security Council and duly heard, whether or not either of them was a member of the Council or of the United Nations. It was not relevant to consider whether some members of the Council had diplomatic relations with the People's Republic of China. If only one party were present at the meeting of the Council, only one side of the story would be heard and the Council might make a serious error in adopting a decision on the question under discussion. Its members should be guided by the interests of peace and security and not by individual preconceived considerations. In these circumstances, it was the duty of the Council to invite the representative of the People's Republic of China, which had brought a complaint before it and had asked for assistance against aggression.

Against the proposal, it was argued that Article 32 was inapplicable, since China was a member of the Security Council. Furthermore, there was no dispute, since the party which had made the mistake had declared that it was ready to make compensation. It was pointed out that a mistake had been made at the time when several Members of the United Nations were responding to a breach of the peace; but this was not a deliberate act, or an act of provocation. If the Council should place unnecessary obstacles in the path of States performing duties entrusted to them by the Organization, the Charter would be made unworkable. Several representatives considered that the representative of the USSR had placed the complaint on the agenda in an attempt to discredit the United Nations forces in Korea and to shift world attention from the real aggressors. They felt that debate on the merits of the complaint without prior fact-finding would lead to

abuse of the Council for propaganda purposes. The representatives of the People's Republic of China could present whatever evidence they cared to advance to an impartial investigating commission and, after the commission had submitted its findings, the Council could decide whether it wished to invite the Peiping representative under rule 39.

The USSR proposal for an invitation to a representative of the Chinese People's Republic was rejected on 11 September. There were 6 votes in favour to 3 against (China, Cuba and the United States of America), with 2 abstentions (Ecuador and Egypt).

On 12 September, the Council concluded its consideration of the United States proposal and the USSR proposal which had been submitted on 31 August.

In support of the United States proposal, it was pointed out that, in seeking to avoid dispute or conflict, the United States Government had taken a fair and reasonable position. It had proposed that an investigating commission should be dispatched to the spot without delay, to make an objective investigation of the charges, and had declared itself willing to pay such damages as the commission might find equitable. It was argued that the facts should be the subject not of political controversy, but of genuine inquiry. The membership of the commission was a guarantee that it would inspire confidence in each of the parties, owing to the high moral standing, the impartiality and the peaceful international policy characteristic of India and Sweden, and to the fact that both States maintained friendly relations with the Peiping Government. It was to be assumed that the commission would ask the requisite permission of the Peiping Government to carry out the necessary investigation; the hope was expressed that it would not refuse to facilitate this impartial investigation, which was a consequence of its own complaint. The establishment of such a commission by the Security Council would be a proof of good will and of the fact that the United Nations did not wish any people to suffer without cause from the consequences of the police action made necessary by the invasion of the Republic of Korea.

In opposition to the United States proposal, the representative of the USSR argued that it was not possible to send a commission to China, without first discussing the matter with a representative of the People's Republic of China or asking for the consent of the legal government of that country. It could not be argued that the Security Council did not have any facts about the bombing of Chinese territory by United States aircraft, since the facts were clearly stated in the cablegrams of 28 and 30 August. If the United States representative had not stood in the way of inviting the representative of the People's Republic of China, the Council would have had the facts and would have proceeded long ago with the consideration of the substance. Moreover, there was no need to set up the proposed commission of investigation in view of the admission that United States aircraft had violated Chinese air space. In refusing to hear the representative of the People's Republic of China and in insisting that a commission should be sent to China, the United States Government was pursuing hidden and hostile objectives with regard to the People's Republic of China. It was seeking to side-track

the Council from the detailed consideration of the question, to prolong the question and to bury it by referring it to a commission. The United States was also attempting, through the secretariat of the proposed commission if not through its members, to send its own trusted representatives to make a spying reconnaissance of the situation in China. If the Security Council refused the request of the Government of the People's Republic of China to send a representative, that Government would be justified in refusing to abide by the Council's decision.

In support of the USSR proposal, it was pointed out that the United States representative had not denied that the United States Air Force had violated Chinese air space. It could be regarded as firmly established that there had been attacks on Chinese territory. The mere fact of United States military aircraft appearing over Chinese territory was a flagrant violation of international law, and the position was aggravated by the bombing and strafing which had resulted in loss of human life and material damage to the People's Republic of China. The Security Council must condemn these illegal acts and place on the United States Government the entire responsibility for all the damage sustained and for any consequences which might result from such acts.

In opposition to the USSR proposal, it was recalled that the Council had before it only a complaint and an answer which stated that, if the alleged events had occurred, they had been accidental and compensation would be paid. On this basis, the USSR draft resolution called for the condemnation of the United States Government. However, there should be no condemnation without investigation and proof. It was also argued that the last paragraph of the USSR draft resolution was unnecessary, since the United States representative had stated that aircraft operating under the Unified Command had strict instructions not to cross the Korean frontiers.

Seven votes were cast in favour of the United States draft resolution for the appointment of a commission and one (USSR) against, with 2 abstentions (India and Yugoslavia), one member (China) not participating. The draft resolution was not adopted, the vote against being that of a permanent member of the Council.

The USSR draft resolution condemning the United States Government was rejected by 8 votes to one (USSR), with one abstention (Yugoslavia), one member (China) not participating.

In a letter dated 2 October 1950, the representative of the United States of America said that a detailed investigation, undertaken at the request of the Commanding General of the United Nations Command, of the incidents alleged in the communications dated 28 and 30 August from the Chinese communist authorities had disclosed that, on 27 August, two aircraft supplied by the United States to the United Nations Command had, by mistake, flown over the territory of China and fired on an airstrip near Antung. The United States representative explained the circumstances in which this mistake had occurred and said that the investiga-

tion had disclosed nothing to corroborate the complaints set forth in the cables dated 28 and 30 August concerning further violations of Chinese territory.

29. Complaint by the Union of Soviet Socialist Republics regarding the violation of Chinese air space by the air force of the United States of America and the machine-gunning and bombing of Chinese territory by that air force, and against the bombardment and illegal inspection of a merchant ship of the People's Republic of China by a military vessel of the United States

(a) COMMUNICATIONS DATED 24 AND 27 SEPTEMBER 1950 FROM THE PEOPLE'S REPUBLIC OF CHINA AND REPLY DATED 26 SEPTEMBER 1950 FROM THE UNITED STATES OF AMERICA

In cablegrams dated 24 September 1950, addressed to the President of the General Assembly and 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 charged that, on 22 September, military aircraft of the United States forces had flown over Chinese territory and dropped bombs on the city of Antung, causing damage to property and wounding a number of people. He noted that the majority in the Security Council had refused to have his Government's representative present in the Council to state his case and participate in the discussion of the complaints concerning violations of Chinese air space by United States aircraft which had been submitted to the Council in communications dated 28 and 30 August (see section 28 above). The Central People's Government of the People's Republic of China requested that the General Assembly should (1) include in its agenda the complaint of the People's Republic of China against the flights of United States military aircraft over Chinese territory and the strafing and bombing which had caused casualties and property damage; (2) invite the representatives of the People's Republic of China to state their case and participate in the discussion; and (3) recommend that the Security Council should take effective measures to condemn the aggressive crimes of the United States of America and bring about promptly the withdrawal of the United States forces in Korea, so that peace in the Far East and the world might be restored.

In a letter dated 26 September, the deputy representative of the United States of America informed the Security Council that a report from the United States Air Force indicated that one of its planes in the service of the United Nations might inadvertently have violated Chinese territory and dropped bombs in the vicinity of Antung on 22 September. The United States Government deeply regretted any violations of Chinese territory and any damage which might have occurred. It remained willing to assume responsibility and pay compensation through the United Nations for any damages

which an impartial investigation on the spot might show to have been caused by United States planes.

In a cablegram dated 27 September, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China charged that, on 21 September, a Chinese merchant ship on the high seas had been fired at by a United States destroyer, obliged to stop and forcibly inspected. He requested that this complaint should be included in the agenda of the General Assembly together with the charges contained in the cablegram dated 24 September.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTH SESSION

On 5 October, the representative of the USSR proposed in the General Committee of the General Assembly the inclusion of an agenda item based on the requests contained in the communications dated 24 and 27 September from the People's Republic of China. It was decided at that meeting to recommend the inclusion of an item in the agenda under the title "Complaint by the Union of Soviet Socialist Republics regarding the violation of Chinese air space by the air force of the United States of America and the machine-gunning and bombing of Chinese territory by that air force, and against the bombardment and illegal inspection of a merchant ship of the People's Republic of China by a military vessel of the United States". On 7 October, the General Assembly approved this recommendation, by 43 votes to one, with 2 abstentions, and referred the item to the *Ad Hoc* Political Committee. On 1 December, the General Assembly decided to transfer the item from the *Ad Hoc* Political Committee to the First Committee.

In a cablegram dated 17 October, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China stated that, as the sole legal government representing the Chinese people, his Government had the right and necessity to send its delegation to attend and participate in the proceedings of the fifth session of the General Assembly. He said that, if the General Assembly should proceed with this agenda item without the attendance and participation in the discussion of the representative of the People's Republic of China, its resolutions would be illegal, null and void.

By a letter dated 14 November, the representative of the USSR transmitted a statement made by the representative of the Ministry of Foreign Affairs of the Chinese People's Republic on 11 November. This statement contained a list of flights by the United States Air Force over north-east China between 27 August and 10 November.

The First Committee discussed the item at three meetings on 2, 6 and 7 February 1951.

The representative of the USSR and others pointed out that additional information on the subject before the General Assembly was available in the statement made by General Wu Hsiu-chuan, representing the People's Republic of China, before the Security Council on 28 November (see section 9 (a) (iv) above) and

in the reports of the Chinese Telegraph Agency; further, a statement in the Chinese Press had disclosed that, during the month of December alone, there had been sixty-two incidents of violations of Chinese air space by 169 United States aircraft. The numerous violations which had been recorded with full data regarding the dates, figures, names and places ruled out any explanation on the ground of errors by pilots or navigators, as claimed by the United States representative. These aggressive acts on the part of the United States were evidence of designs on the territorial integrity and independence of China and attempts to extend the war.

On 6 February, the representative of the USSR submitted a draft resolution (1) condemning the illegal acts of the United States Government referred to in the communications from the Central People's Government of the People's Republic of China on this item; (2) placing on the United States Government full responsibility for those acts and all damages caused to the People's Republic of China and also for the consequences that might result from such acts; and (3) recommending that the Security Council, in conformity with Article 11, paragraph 2, of the Charter, should immediately take the necessary action to prevent illegal acts by the United States Government, violating the sovereignty of China and causing damage to the People's Republic of China and the peaceful population of China.

The representative of the United States of America noted that the letter dated 14 November 1950 from the USSR representative had referred to eighty-three alleged violations of Manchurian air space, of which sixty-one concerned reconnaissance flights. With respect to the remaining flights, in which it had been alleged that bombs had been dropped, he pointed out that the points at which the bombs were alleged to have fallen were all at Yalu River crossings. If the allegations were correct, they proved that the United States Air Force had bombed the Yalu River bridges across which Chinese communist troops had entered Korea to attack the United Nations forces. The United States representative on the Security Council had previously admitted that United States aircraft had, on two occasions, dropped bombs on Manchurian territory, by error. He had immediately proposed that a neutral commission should be sent to the area to investigate the facts and assess the damages. That proposal had been rejected as the result of a veto by the USSR. In conclusion, the United States representative expressed the hope that the First Committee would decisively reject these baseless charges.

On 7 February, the First Committee rejected the USSR draft resolution by 50 votes to 5, with 2 abstentions. This being the only draft resolution under discussion, the Committee had no recommendation to submit to the General Assembly.

On 13 February, the First Committee report came before the General Assembly, which, in the absence of a recommendation, took no decision. At that meeting, the representative of the USSR reintroduced his draft resolution, which was rejected by 51 votes to 5, with 2 abstentions.

30. Complaint of armed invasion of Taiwan (Formosa)

(a) COMPLAINT BY THE PEOPLE'S REPUBLIC OF CHINA AND REPLY BY THE UNITED STATES OF AMERICA: ACTION TAKEN BY THE SECURITY COUNCIL

In a cablegram dated 24 August 1950 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 United States Government to prevent by armed force the liberation of Taiwan by the Chinese People's Liberation Army. The United States Seventh Fleet had moved toward the Strait of Taiwan and contingents of the United States Air Force had arrived in Taiwan. This action was a direct armed aggression on the territory of China and a total violation of the Charter. The fact that Taiwan was an integral part of China was based on history and confirmed by the situation existing since the surrender of Japan. It was also stipulated in the Cairo Declaration of 1943 and the Potsdam *communiqué* of 1945 which the United States of America had pledged itself to observe. The Central People's Government of the People's Republic of China considered that, to maintain international peace and security and to uphold the dignity of the Charter, it was the duty of the Security Council to condemn the United States Government for its armed invasion of the territory of China and 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.

In a letter dated 25 August, the representative of the United States of America replied that President Truman's statements of 27 June and 19 July, and the facts to which they related, made it clear that the United States had not encroached on the territory of China nor taken aggressive action against that country. The United States action in regard to Formosa had been taken at a time when the island was the scene of conflict with the mainland and more serious conflict was threatened by the public declaration of the Chinese communist authorities. Such conflict would have threatened the security of the United Nations forces operating in Korea under the mandate of the Security Council to repel the aggression on the Republic of Korea. The United States action was an impartial, neutralizing action, addressed both to the forces on Formosa and to those on the mainland. It was designed to keep the peace and was not inspired by any desire to acquire a special position. It had been expressly stated to be without prejudice to the future political settlement of the status of Formosa. Like other territory taken from Japan by the victory of the Allied Forces, its legal status could not be fixed until there was international action to determine its future. The Chinese Government had been asked by the Allies to take the surrender of the Japanese forces on the island, and that was the reason the Chinese were there. The United States would welcome United Nations consideration of the case of Formosa, and would approve full United Nations investigation at Headquarters or on the spot.

After discussion on 25 and 29 August, the Security Council decided to include the item in its agenda under the title "Complaint of armed invasion of Taiwan (Formosa)", by 7 votes to 2 (China and Cuba), with one abstention (Egypt), and one representative (Yugoslavia) not participating.

(b) QUESTION OF INVITING THE CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA TO BE REPRESENTED DURING THE DISCUSSION IN THE SECURITY COUNCIL

The question of inviting the Central People's Government of the People's Republic of China to be represented was discussed on 29 August and on 26, 27, 28 and 29 September 1950.

On 29 August, the representative of the Union of Soviet Socialist Republics submitted a draft resolution proposing that the Security Council, in connexion with the statement of the Central People's Government of the People's Republic of China regarding armed invasion of the island of Taiwan, should decide to invite a representative of the Central People's Government of the People's Republic of China to attend meetings of the Security Council. The representative of the United Kingdom proposed that the words "when the above-mentioned matter is under discussion" should be added at the end of the proposal.

After discussion, the USSR draft resolution, as amended by the United Kingdom representative, was rejected, with 4 votes in favour, 4 against (China, Cuba, Ecuador and the United States of America) and three abstentions (Egypt, France and the United Kingdom).

On 2 September, the representative of the USSR submitted a draft resolution proposing that the Security Council, considering the statement of the Central People's Government of the People's Republic of China on the item, should (1) condemn the action of the Government of the United States of America as an act of aggression and as intervention in the internal affairs of China; and (2) propose to the Government of the United States that it should immediately withdraw all its air, sea and land forces from the island of Taiwan and from other territories belonging to China. (This draft resolution was rejected on 30 November (see section 9 (a) (iv) above)).

In a cablegram dated 17 September, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China stated that, as the sole legal government representing the Chinese people, and being the accuser in the case, his Government had the right and necessity to send its delegation to attend and participate in the proceedings of the Security Council. He said that, if the Council should proceed with this agenda item without the attendance and participation in the discussion of the representative of the People's Republic of China, its resolutions would be illegal, null and void.

At the Council meeting on 26 September, the representative of China noted that, at the request of the USSR delegation, the General Assembly had included in its agenda an item entitled "Complaint by the Union of Soviet Socialist Republics regarding aggression against China by the United States of America". A study of the explanatory memorandum submitted in

support of that item showed that it included the so-called invasion of Taiwan by the United States. In view of the provisions of Articles 10 and 12 of the Charter, relating to simultaneous proceedings in the Assembly and the Council, he moved that the Council should cease consideration of this item during its consideration by the Assembly.

On 27 September, the representative of Ecuador submitted an amendment to the Chinese motion. The amendment noted, *inter alia*, (1) that, without prejudice to the question of the representation of China, the Council might invite representatives of the Central People's Government of the People's Republic of China, under rule 39 of the Council's rules of procedure; and (2) that a USSR complaint regarding United States aggression against the territory of China had been placed on the agenda of the General Assembly. The operative part of the amendment provided that the Council should (1) defer consideration of the question until its first meeting held after 1 December 1950; and (2) invite a representative of the Central People's Government of the People's Republic of China to attend the meetings of the Council held after 1 December during the discussion of that Government's declaration regarding an armed invasion of the island of Taiwan. After discussion, the representative of Ecuador accepted a suggestion by the representative of the United Kingdom that the date in the operative part of the proposal should be changed to 15 November.

Some representatives considered that the USSR proposal of 29 August should not be given priority, since the debate on the item "Complaint of aggression upon the Republic of Korea" was in progress and should not be interrupted. The Council also debated the question whether the consideration of a similar item by the General Assembly made it advisable for the Council to postpone its discussion. The representative of the USSR considered that, in accordance with Article 32 of the Charter, the Council should invite both of the parties to an international conflict which might develop into a threat to international peace and security. He also pointed out that it had been the practice of the Council to invite representatives of both sides when it was considering disputes likely to threaten international peace and security (e.g., in the consideration of the Indonesian, Palestine and Kashmir questions). The invitation was also supported on the ground that the Council should not refuse to examine complaints submitted on subjects which were related to the maintenance of international peace and security. The Council should give a broad and favourable interpretation to the Charter and the rules of procedure so that it could hear the complainants, even if they were *de facto* governments. Other representatives considered that Article 32 of the Charter was inapplicable, but felt that the invitation should be extended, under rule 39, without prejudice to the question of the representation of China.

In opposition to the proposal to invite a representative of the People's Republic of China, it was argued that Article 32 could not apply because China was a permanent member of the Security Council. The representative of China considered that rule 39 was not applicable either, since his own Government was in

effective control of Taiwan, and he claimed that it was the only authority in a position to supply the Council with information it might desire about Taiwan. His Government knew of no aggression by the United States and had no complaint to make. The United States Seventh Fleet was present with his Government's consent and, apart from the Seventh Fleet, there were no United States military forces on Taiwan.

The representative of the United States of America referred to the possibility of the establishment of a representative commission which would have broad powers of investigation and would hear all interested parties. He considered that this would be an effective method of evaluating the charges. After the facts had been ascertained, the question of an invitation, under rule 39, should be considered in the Council before action was taken. The United States delegation opposed an invitation at an earlier stage because a debate on the merits of the question, with a representative of the Peiping régime seated and without any prior ascertainment of the facts, would lead to the use of the Council as a propaganda forum.

On 28 September, the Council rejected a motion that the Ecuadorian proposal should have priority over the USSR draft resolution.

The Chinese motion was rejected by 6 votes to 2 (China and Cuba), with 3 abstentions (Ecuador, France and the United States of America).

The USSR draft resolution for the invitation of a representative of the People's Republic of China, as amended by the representative of the United Kingdom, was again put to the vote and rejected. There were 6 votes in favour, 3 against (China, Cuba and the United States of America), and 2 abstentions (Egypt and Ecuador).

The Council then voted on the Ecuadorian proposal. After adopting the first four paragraphs of the preamble, and rejecting the fifth paragraph, the Council rejected the operative part. There were 6 votes in favour, 4 against (China, Cuba, Egypt and the United States of America), and one abstention (Yugoslavia). The representative of Yugoslavia said that he had abstained from voting on the operative part because he was not convinced of the need to delay the invitation for one month and a half. However, in view of the result of the voting and since he did not see a better way of expressing his desire that the Government of the People's Republic of China should be invited, he wished to change his vote and to vote in favour of the operative part.

On 29 September, the representative of Ecuador re-introduced his proposal as a new draft resolution.

The first four paragraphs of the preamble were adopted and the fifth paragraph was rejected. Seven votes were cast in favour of the operative part, and 4 against (China, Cuba, Egypt and the United States of America). Finally, the Council voted on the new Ecuadorian draft resolution as a whole (with the omission of the fifth paragraph of the preamble). Seven votes were cast in favour and 3 against (China, Cuba and the United States of America); there was one abstention (Egypt).

The President stated that, in his opinion, the resolution had been adopted.

(c) DISCUSSION OF THE LEGAL EFFECT OF THE VOTE ON THE ECUADORIAN DRAFT RESOLUTION

The representative of China considered that paragraph (b) of the operative part of the Ecuadorian draft resolution was a question of substance and that his vote against the draft resolution should be considered as a veto. He said that it was for the very contingency of a difference of opinion on this question that the statement made by the delegations of the four sponsoring Powers of the San Francisco Conference on 7 June 1945 had provided for a preliminary vote on the issue whether a question was one of substance or of procedure. This preliminary vote must have the concurring votes of the five permanent members.

After the issues raised by this statement had been discussed at two meetings both held on 29 September, the President asked the Council to vote on the question that the Ecuadorian draft resolution which had been voted upon should be regarded as procedural. Nine votes were cast in the affirmative, one in the negative (China), and there was 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 argued that the vote was regulated by the following provision in the San Francisco Four-Power Declaration: "The decision regarding the preliminary question as to whether or not such a matter is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members". Since the vote just taken had not had the concurring vote of his delegation, the proposal that the matter was procedural had not been adopted. The President replied that a vote which was regarded as procedural by nine members of the Security Council had been pronounced as substantive by one of the permanent members. He considered that, if this situation were allowed to stand, a very grave precedent would have been created, which might impede the whole functioning of the United Nations in the future. Consequently, he ruled that, notwithstanding the objection of the representative of China, the Council's vote on the Ecuadorian draft resolution was procedural.

The representative of China considered that the President's ruling was arbitrary and *ultra vires*. He suggested that the International Court of Justice should be asked for an advisory opinion on the following question: "In view of the statement of 7 June 1945 by the delegations of four sponsoring Governments on voting procedure in the Security Council, and in view of the precedents of the Council, is the claim of the representative of China to veto paragraph (b) of the operative part of the proposal of Ecuador of 29 September 1950 justified?"

The President said that, since his ruling had been challenged, he would put it to the vote. The representative of China replied that it was well known that a matter of this kind was not subject to a presidential ruling. The President then put the challenge to his rul-

ing to the vote. No votes were cast in favour of the challenge and none against, and there were no abstentions. The President said that, since there was no vote in favour of overruling his decision, it stood. The representative of China stated that he had not chosen to participate in a vote which was in itself illegal. He wished to have it recorded that the President's action was arbitrary and that the decisions he had arrived at were illegal and therefore invalid.

* * *

By a cablegram dated 2 October, the Secretary-General informed the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China that, on 29 September, the Security Council had decided to invite a representative of that Government to attend meetings of the Security Council held after 15 November during discussion of the complaint of armed invasion of Taiwan (Formosa).

By a cable dated 23 October, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China informed the Secretary-General of the names of the representatives his Government had appointed to attend meetings of the Security Council during the discussion of this complaint.

On 27 November, the Council, on the proposal of the President, decided to consider together the items entitled "Complaint of armed invasion of Taiwan (Formosa)" and "Complaint of aggression upon the Republic of Korea" (see section 9 (a) (iv) above).

31. The question of Formosa

(a) REQUEST FOR THE INCLUSION OF THE ITEM IN THE AGENDA OF THE FIFTH SESSION OF THE GENERAL ASSEMBLY

By a letter dated 20 September 1950, the United States of America requested that the question of Formosa should be included in the agenda of the fifth session of the General Assembly. In an explanatory note dated 21 September, the United States delegation recalled the provisions of the Cairo Declaration of December 1943, the Potsdam Proclamation of July 1945 and the General Order of the Japanese Imperial Headquarters issued pursuant to the terms of surrender, providing for the surrender of the Japanese forces in Formosa to Generalissimo Chiang Kai-shek. The delegation also recalled that, on 27 June 1950, President Truman had stated that the North Korean forces had defied the orders of the Security Council and that, in those circumstances, the occupation of Formosa by communist forces would be a direct threat to the security of the Pacific area and to United States forces. Accordingly, President Truman had ordered the United States Seventh Fleet to prevent any attack on Formosa and had called upon the Chinese Government on Formosa to cease all air and sea operations against the mainland. Finally, the President had stated that the determination of the future status of Formosa must await the restoration of security in the Pacific, a peace settlement with Japan, or consideration by United Nations. The letter added that the United States Government had made it abundantly clear that the measures it had taken with respect

to Formosa were without prejudice to its long-term political status and that the United States had no territorial ambitions and sought no special position or privilege with respect thereto. The United States further believed that the future of Formosa should be settled by peaceful means in accordance with the Charter. Finally, it was suggested that the General Assembly should study the general situation with respect to Formosa, with a view to formulating appropriate recommendations.

The representative of the Union of Soviet Socialist Republics and others opposed the inclusion of the item in the agenda on the ground that the Cairo Declaration had unreservedly recognized that Taiwan (Formosa) and the Pescadores belonged to China. The Potsdam Proclamation had confirmed those provisions, and the order for the surrender of the Japanese forces had provided that the Chinese Command should accept the surrender of Japanese troops on Taiwan on the legal ground that Taiwan was an inalienable part of Chinese territory. A peace treaty with Japan would merely endorse an international act, which had already been completed and could not be reviewed, by which Taiwan had been handed over to China. Discussion by the United Nations of the question of Formosa would be contrary to Article 107 of the Charter and would also constitute an intervention in the internal affairs of China, in violation of Article 2, paragraph 7. The principal reason why the United States delegation had raised the question of Formosa was that there had been a change of political régime in China and the United States intended to transform Formosa into a strategic base.

In reply, it was argued that the very fact that the item was clearly a cause of dispute warranted its inclusion in the agenda as a matter of international concern. Some representatives considered that the settlement of the question of Formosa had become necessary in the interests of the maintenance of international peace and security in general, and the settlement of the Korean question in particular. It was also argued that the wishes of the inhabitants of Formosa should be taken into consideration when any future decision was made. In reply to the legal arguments advanced by the representative of the USSR, it was pointed out that some

Powers had not been parties to the Cairo Declaration and did not recognize the competence of the great Powers to decide the future of any part of the world without consulting their war-time allies. It was further pointed out that an appeal to Article 2, paragraph 7, of the Charter was invalid because Article 14 placed within the competence of the General Assembly measures for the peaceful adjustment of any situation, regardless of origin. Article 107 was irrelevant since it came merely under the heading of "Transitional security arrangements".

(b) DISCUSSION IN THE FIRST COMMITTEE UNTIL 7
FEBRUARY 1951

On 7 October 1950, the General Assembly referred the question of Formosa to the First Committee for consideration and report.

In a cablegram dated 17 October, the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China maintained that Taiwan was an inseparable part of the territory of China. This fact was based on history, confirmed by the situation since the surrender of Japan, and corroborated by the Cairo and Potsdam declarations. He protested against the decision to include the item in the agenda and demanded that the General Assembly should cancel this illegal decision.

On 15 November, after discussing a United States motion that consideration of the item should be deferred, the Committee decided, by 53 votes to none, with 5 abstentions, to postpone the discussion until after consideration of the items "Threats to the political independence and territorial integrity of China and the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations" and "Complaint by the Union of Soviet Socialist Republics regarding aggression against China by the United States of America".

On 7 February 1951, the Committee adopted, by 38 votes to 5, with 8 abstentions, a United Kingdom proposal to adjourn the discussion of this item *sine die*.

The discussion had not been resumed at the time of writing of the present report.

Chapter II

DEVELOPMENTS IN THE ECONOMIC AND SOCIAL FIELD

Despite ever growing difficulties in the political sphere, the United Nations has pursued with undiminished vigour the objectives outlined in Article 55 of the Charter.

One of the greatest problems facing the United Nations in the economic and social field is the vast and steadily increasing discrepancy between standards of living in the economically more highly developed countries and in the "under-developed" areas, the people of which comprise some two-thirds of the world's population. The past year has seen substantial progress by the Organization towards a long-term solution of this problem. Worthy of special mention is the creation, in July 1950, of the Technical Assistance Administration, as a major unit within the Secretariat, responsible for operational activities under the various United Nations programmes of technical assistance. During the year, technical assistance has been rendered on an ever-increasing scale with the full co-operation of the Departments of Economic Affairs and of Social Affairs of the Secretariat, much of whose work is, as a result, becoming increasingly oriented towards the needs and problems of the under-developed countries. Concerted policies and programmes are necessary in order to create favourable conditions for the introduction of more advanced economic and social techniques as a means of raising the standard of living of the populations concerned.

Attention has also been given to the social and demographic problems which result from rapid changes brought about in traditional economic patterns, in order to prevent social dislocation or alleviate its consequences. In view of the great need for technical assistance, an increase in these activities is to be expected during the years to come.

With the establishment of the machinery for technical assistance, attention has been concentrated on the more complex aspect of the problem of economic development, namely, the formulation on an international basis of a sound and active programme for financing economic development. During the year, an extensive study of this question has been undertaken by the General Assembly, the Economic and Social Council, the Economic, Employment and Development Commission and a group of experts appointed by the Secretary-General under Council resolution 290 (XI). Solid progress has been made in the formulation of policy and general recom-

mendations. It is hoped that the Economic and Social Council, which will study the question as a major item on the agenda of its thirteenth session, will adopt recommendations constituting the basis for a programme of specific action.

A further development of outstanding significance was the adoption by the Economic and Social Council at its eleventh session of a very extensive resolution on full employment. This resolution, which provides a basis of agreement for concerted international action to maintain economic stability at the full employment level, marks the culmination of much preparatory work over several years. Under its terms each government is requested, *inter alia*, (1) to publish annually a statement of its economic objectives for the ensuing year or such longer period as may be appropriate; (2) to publish the standard by which it defines the meaning of full employment as a continuing objective of policy; and (3) to announce the policies, programmes and techniques which it intends to pursue for the purpose of achieving its objectives. With this information at its disposal, the Council will annually review developments and trends in the world economic situation with a view to recommending appropriate additional action.

Continued attention has also been given to developments in the world economic situation, which has been drastically affected by events subsequent to the outbreak of hostilities in Korea. During the year, the Secretariat at Headquarters and the secretariats of the three regional commissions have continued the publication of annual factual surveys of economic conditions and trends within the areas of their respective responsibilities. These surveys, in view of the rapidly changing economic situation, are assuming a major importance.

In addition to their continuing functions, the regional economic commissions have each taken up a series of pressing problems and have sought to provide solutions through practical co-operation on a regional level. A typical instance is the Regional Technical Conference on Flood Control convened in January 1951 under the auspices of the Economic Commission for Asia and the Far East. This Conference, which was attended by 120 experts from fifteen member and associate member countries of the Commission, provided an invaluable opportunity for studying and exchanging information on what has long been a pressing problem of the region. Another typical example of the practical work of the

regional commissions is a joint study by the Economic Commissions for Europe and Latin America on promotion of inter-regional trade. The increasing co-operation between the regional economic commissions is a trend to be noted and also a measure of their effective operation.

In the social field, the Universal Declaration of Human Rights, adopted in Paris less than three years ago, has continued to influence the thinking and constructive action of people in all parts of the world. Its text has found its way into some thirty-five languages, its articles have been built into several newly-written national constitutions, it has been frequently cited as grounds for collective international action in the field of human rights, it has been quoted by judges in court decisions.

The influence of the Universal Declaration continues to widen as the peoples of the world become aware of the rights and freedoms and responsibilities which are proclaimed as their own.

Under directives from the General Assembly and the Economic and Social Council, a new step has been taken toward the completion of the draft Covenant on Human Rights. While, for lack of time, the Commission on Human Rights could not complete the full task assigned to it by the General Assembly at its last session, it has nevertheless made a significant contribution by drafting provisions on economic, social and cultural rights to be included in the Covenant with the civil and personal rights which had already been prepared. The Commission has also drafted provisions contemplating a system of reporting to the United Nations concerning the progress made in achieving the observance of these rights and has reviewed the measures of implementation drafted in 1950. The increasing flow of communications addressed to the Secretary-General by individuals and organizations testifies to the faith that eventually international action will guarantee that all rights are protected.

At its fifth session, the General Assembly decided that the United Nations International Children's Emergency Fund should continue in existence for a further period of three years, at the expiration at which the Assembly would again consider the future of the Fund, with the object of continuing it on a permanent basis. At the same time, the membership of its Executive Board was constituted in such a way as to link it very closely with the Social Commission. The Secretariat is collaborating actively in planning the policies on which the programmes undertaken by UNICEF are based, especially in connexion with long-range activities for children. With this aim in view, studies, research and the development of standards have been undertaken, both in regard to children's needs and in the broader field of social progress for less developed areas.

In planning assistance to under-developed countries, constant thought is being given to demographic questions. Population problems are common to both peace and war. Changes in the size and composition of populations can be decisive factors for and against successful economic development and social progress. A major study on the findings of some thousands of recognized

works concerning the relationships of demographic to economic and social factors has been completed and will be in print in 1952. In order to supplement the scanty knowledge now available about these relationships in less-developed countries, a field investigation was recently begun in India by the Secretariat in co-operation with the Government of India.

The Secretary-General has continued to carry out his obligations under the international treaties relating to narcotic drugs, and to further the work on the draft single convention to replace eight international treaties existing in this field and on plans to limit the production of opium.

It is an important function of the United Nations to disseminate knowledge of international consequence to governments and interested organizations. The Secretary-General wishes to draw attention to three new bulletins which he has been requested to publish: international reviews on cartography and on criminal policy and a population bulletin will be issued in 1951 and will provide information on the latest developments and progress in the respective fields. Many other substantive studies referred to in the present chapter have been communicated to the governments of Member States and are also available to the public.

The Office of the High Commissioner for Refugees, established by the General Assembly at its fourth session in an endeavour to deal constructively with the continuing serious problem of refugees, has now been formally constituted. The High Commissioner entered upon his functions on 1 January 1951 and set up his office at the European Office of the United Nations at Geneva. A conference of plenipotentiaries to complete the drafting of and to sign both the Convention relating to the Status of Refugees and the Protocol relating to the Status of Stateless Persons will be held in Geneva in July and the High Commissioner will participate in the work of this conference. The High Commissioner will present a report to the General Assembly on the progress accomplished in the first months of his office.

The Economic and Social Council has formulated policies and initiated action through the Secretary-General in order to encourage and assist governments in their national administrations and enterprises in their efforts to reach a goal of higher achievement. The Secretary-General, in close co-operation with the specialized agencies concerned, has and will continue to support and encourage every step toward social progress and the understanding of social problems, in the firm conviction that work in the social field is one of the most effective means to serve peace.

In conclusion, mention should also be made of the Economic and Social Council's decision, enunciated in resolution 295 B (XI), to undertake a comprehensive review of the organization and operation of the Council and its commissions with a view to increasing their effectiveness. To prepare its work, the Council established an *ad hoc* committee to study the matter and report to the Council. A detailed account of the Council's action in this matter will be contained in the report of the Council to the General Assembly.

A. GENERAL ECONOMIC AND SOCIAL QUESTIONS

1. World economic situation

The world economic situation has undergone profound changes since the last annual report of the Secretary-General on the work of the Organization was published in July 1950. That report was written at the end of a period of recovery from the serious economic difficulties which had confronted the world during 1949, notably those associated with the dollar crisis of that year and with the recession in the United States of America. By the middle of 1950, there had been a renewed upsurge of production in the United States and a continuation of upward trends in output elsewhere. Although in a number of under-developed countries, as is noted in section 2 below, there was stagnation or even retrogression, progress in the industrialized countries was sufficiently marked to carry the world's total output of goods and services to new high levels. In the sphere of international trade and payments, many countries were able to effect reductions in abnormally high imports from the western hemisphere, replacing them with supplies from other countries where production and trade had recovered from wartime dislocations. This reorientation of international trade made possible a wide-spread improvement in dollar balances of payments, and a reduction in external financial assistance to a number of countries, particularly from the United States of America.

The outbreak of hostilities in Korea in June 1950, and the subsequent announcements by many governments that they intended to make considerable increases in their defence expenditures, introduced into the world economic outlook entirely new elements, the full impact of which has yet to be felt. Speculative activity and anticipatory buying began during the second half of 1950, even before rearmament programmes were initiated. While the extent to which these programmes have manifested themselves in actual expenditures by governments remains relatively limited thus far, the rise in the prices of all types of goods, especially of primary products, has begun to exert a profound influence both upon national economies and upon international economic relations. Governments which, during 1949, were interested in measures designed to cope with accumulating surpluses of primary products, have begun to examine problems arising out of actual or impending shortages.

The basic economic problem of the period ahead is to contain the inflationary pressures resulting from the great demands upon the world's productive resources generated by the new rearmament programmes, and to limit the encroachment of these programmes upon the standards of living of the peoples of the world. The heavy demand in the United States of America for foreign goods has been reflected in further increases in the gold and dollar assets of other countries, indicating a return toward a balance in the foreign transactions of countries hitherto suffering from a steady pressure on their balances of payments. But these achievements should not be mistaken for a lasting improvement in international economic relations. The indications are that the recent improvement is temporary. The industrial

nations are bound to be affected by the increased burden of armaments and associated inflationary pressures, and by the deterioration in their terms of trade; and in many of the countries that principally export primary goods, any improvement in the terms of trade may be outweighed by the disadvantages likely to result from strong inflationary pressures and from the increased difficulty of obtaining from the industrial nations whatever capital goods are required for rapid economic development.

During the past year, world economic developments have continued to be the subject of close study by the Secretariat, in accordance with the Secretary-General's responsibility under General Assembly resolution 118 (II) of 31 October 1947, to prepare factual surveys and analyses of world economic conditions and trends. In February 1951, the Secretary-General submitted the *World Economic Report, 1949-50*, to the Economic and Social Council at its twelfth session. The report contained a full account of economic developments in the year 1949 and the first half of 1950, together with some preliminary comments on subsequent events. Accompanying the report were two supplements: (a) *Review of Economic Conditions in Africa*,¹ prepared in accordance with Economic and Social Council resolution 266 (X); and (b) a companion volume, *Review of Economic Conditions in the Middle East*.²

At its twelfth session, the Economic and Social Council discussed the current world economic situation on the basis of the *World Economic Report, 1949-50*. The Council gave particular attention to the problems of under-developed countries during the coming period; its actions are discussed in section 2 below. The Council also recommended that the Members of the United Nations should take all steps in their power to prevent the development of inflationary pressures, thereby preventing speculative profits and maintaining the purchasing power of the poorer sections of the population. Because governments had had insufficient time to study the *Report*, particularly the supplements dealing with Africa and the Middle East, the Council decided to consider the report further at its thirteenth session, together with any views submitted by Members in response to General Assembly resolution 406 (V) of 12 December 1950.

Economic developments in Europe, in Asia and the Far East and in Latin America have been treated separately in the economic surveys prepared by the secretariats of the regional economic commissions serving those areas. References to these regional surveys are made in section 9 below.

¹ This study reviewed briefly the basic characteristics of African economy, recent economic and demographic trends and government-sponsored development plans, and noted the need for heavy and sustained capital investments and extensive reorganization of the traditional economy in order to raise appreciably *per capita* levels of production and consumption in Africa.

² This study discussed the basic characteristics of the Middle East economy, major economic trends in the area, the role of petroleum in the development of the region and the main aspects of its economic development.

2. Economic development of under-developed countries

(a) GENERAL

Improvements in living conditions in 1949 and 1950 were generally confined to a limited number of countries. These included mainly those countries, where standards of living were already high, in North America, Western Europe and Oceania, and certain countries in Eastern Europe. The fact that in much of the rest of the world relatively little economic progress was made, and that in some under-developed countries conditions actually deteriorated, is a matter of grave concern not only to the countries concerned but to the United Nations as a whole.

A measure of the problem confronting the under-developed countries in their attempts to narrow the difference between their own standards of living and those of the developed countries is afforded by available data concerning *per capita* income in various parts of the world. The *World Economic Report, 1949-50* noted that some two-thirds of the world's population disposed of only 15 per cent of the total world income and probably had an average annual *per capita* income of under \$200. Available figures indicate, moreover, that income at present is less evenly distributed among the countries of the world than during the period immediately preceding the Second World War.

The economic development of the under-developed countries remains the most important single long-range economic problem confronting the world. This problem has both short-term and long-term aspects:

Short-term aspects: In the period of rearmament ahead, the under-developed countries will find ready export markets for their primary products at relatively high prices. However, in the *World Economic Report, 1949-50*, the Secretary-General drew the attention of the Economic and Social Council to the fact that the improved export position of the under-developed countries, unless associated with an increased supply of imported goods, would exert serious domestic inflationary pressures; and that appropriate and timely measures were needed if the aspirations of many under-developed countries were not to be discouraged and if their imports of capital goods were to expand at least as rapidly as their ability to pay for them with increased exports.

With this situation in mind, the Economic and Social Council, at its twelfth session, recommended that all Members of the United Nations, during the period of general shortage of goods, should take special measures to bring about adequate production and equitable international distribution of capital goods, essential consumer goods and raw materials especially needed for the maintenance of international peace and security, the preservation of standards of living and the furtherance of economic development; and should take measures, direct or indirect, to regulate at equitable levels and relationships the prices of essential goods moving in international trade.

Long-term aspects: A high priority has been given to the study of longer-term problems involved in the economic development of under-developed countries. It will be recalled that, in his memorandum to the General Assembly regarding the development of a twenty-year programme for achieving peace through the United Na-

tions, the Secretary-General called upon the Members of the United Nations to develop, in the interest of the economic development of under-developed countries, a sound and active programme for the encouragement of broad-scale capital investment, using all appropriate private, governmental and inter-governmental resources. The following sub-section contains an account of the preparatory work which has been accomplished in this connexion.

(b) ACTION BY THE GENERAL ASSEMBLY AND THE ECONOMIC AND SOCIAL COUNCIL ON THE FINANCING OF ECONOMIC DEVELOPMENT

During the past year, the question of financing economic development continued to receive major attention both in the General Assembly and in the Economic and Social Council. At its eleventh session, the Council, after an extensive discussion of the problems involved, adopted resolution 294 (XI) on methods of financing economic development, in which it recognized that a more rapid increase of production in under-developed countries was essential for raising the level of productive employment and the living standards of their populations and for the growth of the world economy as a whole; that the mobilization of both domestic and international capital had been insufficient to assure the desired rate of economic development; and that such accelerated development required, not only a more effective and sustained mobilization of domestic savings, but also an expanded and more stable flow of foreign capital investment. The Council recognized, further, that economic development required the carrying out, not only of self-liquidating projects, but also of a number of basic projects which, although not fully self-liquidating, were justified because of their effect on national productivity and national income. The Council accordingly recommended several measures for improving the mobilization of domestic capital for economic development and for increasing the flow of international capital to under-developed countries.

Among the major recommendations were the following: (1) that the attention of governments should be called to the desirability of joint participation of domestic and foreign capital in financing development projects in under-developed countries; (2) that more of the developed countries should permit the International Bank for Reconstruction and Development to utilize an increasing proportion of their subscriptions in domestic currencies for loan transactions involving a demand for such currencies; (3) that international lending institutions, in considering the amount of external loans, should take into account the indirect foreign costs of development projects; (4) that lending institutions should make loans at rates of interest and on terms of amortization designed to place the smallest feasible burden on the exchange availabilities of under-developed countries; and (5) that governments of both capital-exporting and capital-importing countries should seek to encourage by all appropriate means the international flow of private capital for economic development. The Council also recommended that the Economic, Employment and Development Commission should keep under review the nature and magnitude of the problems involved in financing economic development. Accordingly, the Commission was requested to place that matter on the agenda of at least one of its sessions each year.

Special attention was also given to the problem of financing economic development by the Second Committee during the fifth session of the General Assembly. While noting that important progress had been made by the Council in its study of the problem, the Committee recognized, in its report to the General Assembly, that much remained to be done, particularly in devising practical means for achieving an adequate expansion and a steadier flow of public and private foreign capital to under-developed countries.

There was general agreement in the Assembly that (1) an accelerated rate of economic development, particularly increased production, was urgently required, not only for raising the level of productive employment and the standard of living in under-developed countries, but also for expanding the world economy as a whole and for maintaining international peace and security; (2) although economic development must depend primarily on domestic resources and the efforts of the peoples of under-developed countries, the necessary acceleration of development on the basis of their own plans and programmes would require both technical assistance and external financial aid, particularly from more developed countries; (3) accelerated development required a more effective and sustained mobilization of domestic savings and an expanded and more stable flow of foreign finances, including an increased supply of international public funds; and (4) some basic development projects could not be adequately serviced through existing sources of foreign finance, although they contributed directly or indirectly to increased national productivity and national income.

In resolution 400 (V), adopted unanimously on 20 November 1950, the General Assembly recommended that the Economic and Social Council, "in giving further study to the problem of the financing of economic development, consider practical methods, conditions and policies for achieving the adequate expansion and steadier flow of foreign capital, both private and public, and pay special attention to the financing of non-self-liquidating projects which are basic to economic development". The resolution called on the governments of Member States and interested specialized agencies to submit to the Council proposals bearing on the resolution, and requested the Council to submit its recommendations to the General Assembly at its sixth session.

The General Assembly resolution was considered by the Economic and Social Council at its twelfth session in the spring of 1951. After an extensive debate on the question of financing economic development, the Council, on 20 March 1951, adopted resolution 342 (XII), in which it requested the Economic, Employment and Development Commission to give priority to the problem at its sixth session in May 1951. It also urged all Member States of the United Nations and the specialized agencies concerned to submit, if possible by 15 June 1951, relevant proposals on financing economic development, for consideration by the Council's Economic Committee at its next meeting. Moreover, recognizing the urgency of the problem, the Council further decided that its Economic Committee should meet one week before the opening of the thirteenth session of the Council to consider practical methods, conditions and policies for improving or augmenting existing sources of foreign finance, both private and public, with the aim of achieving an adequate expansion and a steadier

flow of foreign capital to meet the financial needs of under-developed countries.

At that time the Economic Committee will also have before it, as basic material for its discussion, the report of a group of five experts appointed by the Secretary-General, in accordance with Council resolution 290 (XI), to study unemployment and under-employment in under-developed countries and the national and international measures required to reduce such unemployment and under-employment. These experts met at Headquarters from 19 February to 2 May 1951, and prepared a unanimous report entitled *Measures for the Economic Development of Under-Developed Countries*. The report included recommendations for action by the under-developed countries themselves, by the developed countries, and by the United Nations and other international agencies. The recommendations in the third category are as follows:

(1) The International Bank for Reconstruction and Development should set for itself the objective, to be reached within the next five years, of lending one billion dollars annually to under-developed countries;

(2) The United Nations should establish an international development authority to assist the under-developed countries in preparing, co-ordinating and implementing their programmes of economic development; to distribute to under-developed countries grants-in-aid for specific purposes; to verify the proper utilization of such grants; and to study and report on the progress of development programmes;

(3) In order to assist the governments and peoples of Africa in analysing and keeping under continuous survey the development problems of that continent, the United Nations should establish an economic commission for Africa and provide for it an international secretariat;

(4) The United Nations should explore the possibility of establishing an international finance corporation to make equity investments and to lend to private undertakings operating in under-developed countries.

The report, which was distributed to the governments of Member States and to specialized agencies, was considered by the Economic, Employment and Development Commission at its sixth session in May 1951, and will be on the agenda of the thirteenth session of the Economic and Social Council.

(c) STUDIES ON RESOURCES FOR ECONOMIC DEVELOPMENT

One of the central problems in raising standards of living in under-developed countries, to which the above-mentioned group of experts devoted considerable attention, is to find the means for financing economic development and, specifically, to mobilize the resources available for this purpose in the under-developed countries themselves, in the important lending countries and in international institutions. It is generally recognized that the bulk of the resources for economic development must of necessity come from the under-developed countries themselves. Methods by which such financial resources might be mobilized was discussed in a report entitled *Domestic Financing of Economic Development*, published early in 1951 and based on the conclusions of a meeting of experts convened by the Secretary-General in October 1949. A preliminary version of the

report was issued earlier under the title "Methods of increasing domestic savings and of ensuring their most advantageous use for the purpose of economic development". Among other reports and studies relating to the domestic resources and development programmes of under-developed countries published by the Secretary-General during the past year is one entitled *World Iron Ore Resources and their Utilisation*. A further report on some problems in formulating and executing economic development programmes in under-developed countries, to be published shortly, will present the results of a meeting of experts convened by the Secretary-General at San Juan, Puerto Rico, in May 1950. A study is also in preparation, pursuant to General Assembly resolution 403 (V) of 20 November 1950, on the volume and distribution of national income in under-developed countries. Further reference to this study is made in section 8 below.

The United Nations is deeply concerned not only in the economic but also in the scientific and technical aspects of the utilization of resources. As stated in the previous annual report, the Economic and Social Council, at its tenth session, recognizing the importance of deriving the fullest benefits from the United Nations Scientific Conference on the Conservation and Utilization of Resources, held at Lake Success in August and September 1949, requested the Secretary-General to study the proceedings of the Conference and to submit appropriate proposals for consideration by the Council.

A report by the Secretary-General was accordingly submitted to the Council at its twelfth session and the Council, on 9 March 1951, adopted two resolutions containing a series of recommendations concerning international action for conserving and utilizing non-agricultural resources. The first resolution (345 A (XII)) requested the Secretary-General to initiate a programme to promote a systematic survey and inventory of non-agricultural natural resources. The second resolution (345 B (XII)) requested the Secretary-General to explore, at the request of Member States concerned, the scope and subject matter of any particular resource conferences that might appear desirable. The Secretary-General will submit to the Council at its thirteenth session a report on the implementation of the first resolution.

Under General Assembly resolution 402 (V) of 20 November 1950, and a subsequent request by the Economic and Social Council at its twelfth session, the Secretary-General was asked to report on practical measures for studying the problems of arid zones, including the field of water control and utilization, and on the technical and financial means employed for this purpose by the specialized agencies. Reports on the subject will be submitted to the Economic and Social Council at its fourteenth and subsequent sessions.

A number of studies have also been made on other problems in the general field of economic development. At its fifth session the General Assembly, in resolution 401 (V) of 20 November 1950, recommended that the Secretary-General, in co-operation with the Food and Agriculture Organization and in consultation with other appropriate specialized agencies, should prepare and submit to the Economic and Social Council at its thirteenth session an analysis of the degree to which un-

satisfactory forms of agrarian structure, particularly systems of land tenure, impede economic development. The Secretary-General has accordingly prepared a report on land reform entitled "Defects in agrarian structure as obstacles to economic development". The report discusses the main characteristics of the agrarian structure in under-developed countries, such as the small size of the average farm; the fragmentation of holdings; the existence of large estates and plantations; communal tenures; insecurity of title to land and water rights; the prevalence of high rents and insecurity of tenure; the high level of indebtedness and the heavy burden of taxation carried by the rural population. Measures taken by a number of governments to deal with these problems are examined and the report stresses the inadequacy of isolated measures in dealing with agrarian problems, as well as the need to integrate agricultural reform within a wider framework of economic development.

(d) STUDIES ON THE INTERNATIONAL ASPECTS OF ECONOMIC DEVELOPMENT

The major resources available to the under-developed countries for financing imports of the equipment and other goods which they need are derived from their exports of primary products. The prices commanded by under-developed countries in international exchange are therefore clearly of crucial importance. It has been noted, in section 1 above, that during 1950-51 the prices of primary commodities rose very sharply owing to the large demands generated by rearmament programmes as well as by anticipatory buying in advance of those programmes. There remains, however, the long-term problem of the relation of fluctuations in the prices of primary products to the ability of under-developed countries to obtain foreign exchange. Pursuant to Economic and Social Council resolution 294 (XI), the Secretary-General has prepared a study on this matter to be submitted to the Council at its thirteenth session.

The study contains detailed statistical analyses, covering the period 1901-1949, of the behaviour of prices, and of changes in quantities and total proceeds in respect of the major export commodities of under-developed countries. A similar statistical analysis is made in respect of dollar earnings for a large number of commodities exported by under-developed countries to the United States of America, covering the period 1922-1949. The composition of balances of payments of under-developed countries as between export proceeds, invisible items on current account and capital movement are also analysed. The study shows the heavy cyclical year-to-year fluctuations in the prices obtained by under-developed countries for primary commodities and points out that such fluctuations tend to be reinforced, rather than compensated, by fluctuations in quantity. It is further shown that export proceeds are the most important, and in many cases almost the only way by which under-developed countries obtain foreign exchange and that, therefore, variations in export proceeds have a pronounced effect on their balances of payments. Moreover, the fluctuations in the other items are such as to intensify even further the fluctuations in export proceeds. The report concludes that the interaction of these de-stabilizing factors produces extreme instability in the capacity of under-developed countries to finance imports of necessary commodities by means of their own

exports and, in general, to finance their economic development.

3. Economic stability and full employment

A most important landmark in the history of international action to promote full employment, in accordance with Article 55 of the Charter of the United Nations, was reached with the adoption by the Economic and Social Council, on 15 August 1950, of resolution 290 (XI).

Among the principal recommendations of this highly significant resolution were the following: that each government should publish annually a statement of its economic objectives for the ensuing year or for such longer periods as might be appropriate; that it should publish the standard by which it defined the meaning of full employment as a continuing objective of policy; and that it should announce the policies, programmes and techniques which it intended to pursue for the purpose of achieving its objectives.

It will be recalled that, in December 1949, a group of five independent experts, selected by the Secretary-General, had reported their unanimous findings and recommendations in this field, in a report entitled *National and International Measures for Full Employment*. The recommendations of this report were summarized in the last annual report of the Secretary-General.

The Economic and Social Council discussed this report extensively at its tenth and eleventh sessions. At its eleventh session, the Council also had before it replies by governments to a questionnaire concerning full employment policies which had been sent to them on 17 February 1950, in pursuance of Council resolution 221 E (IX); and a preliminary analysis³ of these replies prepared by the Secretary-General.

The analysis related to the replies received from twenty-one countries in the second half of 1949 to questions concerning unemployment. In the replies, unemployment was reported low or practically non-existent in about half the countries with industrialized private enterprise economies. In the rest of the industrialized private enterprise economies, unemployment was significant but for the most part still relatively low; in two of them (Belgium and the United States of America) it was relatively high. In the countries where unemployment was significant but relatively low, no important measures aimed at the reduction of unemployment had been undertaken; in those where unemployment was relatively high, measures to cope with the problem had been proposed or initiated but without significant effects on unemployment in the second half of 1949. The replies from governments with centrally planned socialist economies reported that unemployment did not exist in those countries. With regard to the under-developed countries, the replies indicated that, while the governments of those countries emphasized the need for development as the only means to overcome large-scale disguised unemployment, some reported at the same time a slackening of economic activity due to internal factors. Some replies illustrated also the vulnerability

to external fluctuations in demand of under-developed countries which are dependent on the export of only a few commodities.

On the basis of the above-mentioned documents, the Economic and Social Council adopted resolution 290 (XI), some leading aspects of which are summarized above.

In this resolution, the Council further requested the Secretary-General to amend the questionnaires previously issued in accordance with Council resolution 221 E (IX) by including certain specified items, and to send the first issue of the amended questionnaire to governments as soon as possible. The Council also requested the Secretary-General to assemble and analyse the reports submitted to him by governments in response to this questionnaire and to transmit them, together with his analysis and any special studies, to the Economic, Employment and Development Commission. The Commission in turn was requested, *inter alia*, to examine the information transmitted to it, in consultation with representatives of the appropriate specialized agencies, in the light of current and foreseeable economic trends and their possible effects on the world economic situation, and, in particular, (1) to call attention to the effects of the goals, policies and programmes of the various governments upon the economic situation of other countries; and (2) to formulate significant problems of international concern that might arise for consideration by the Economic and Social Council, and recommend proposals for action by the Council.

Accordingly the Secretary-General, on 1 December 1950, sent to all governments an amended questionnaire which, *inter alia*, requested information on full employment standards, economic trends and objectives for 1950 and 1951; on economic policies in 1950 and 1951, including information on measures to prevent unemployment and measures designed to reduce inflationary pressures; and on balance of payments and related governmental policies (see section 4 below).

The Secretary-General will send this questionnaire to governments on an annual basis and will publish once a year reports on the replies received. The replies to the first amended questionnaire were submitted to the Economic, Employment and Development Commission at its sixth session.⁴ An analysis of the replies will be submitted to the Economic and Social Council at its thirteenth session.

The General Assembly considered resolution 290 (XI) of the Economic and Social Council at its fifth session and noted with satisfaction the action taken by the Council with regard to full employment policies. In addition, after noting the wide range of international and statistical information that governments were requested to furnish to the Secretary-General under the resolution, the Assembly recommended to the Secretary-General and to the specialized agencies that they should prepare, for the use of governments, guides setting forth the types of data considered necessary to provide up-to-

³ The final report was published under the title *Implementation of Full Employment Policies, Report No. 1, Second Half of 1949*, 6 July 1950.

⁴ However, in view of the priority which this Commission had been asked by the Economic and Social Council to give to problems of economic development, it was unable to discuss the replies to the full employment questionnaire at its sixth session.

date information regarding the level of economic activity, employment, unemployment and under-employment, as well as procedures and methods suitable for obtaining and presenting such data.

Closely related to a number of suggestions made in the report on *National and International Measures for Full Employment* was a request made by the Economic and Social Council in resolution 290 (XI) that the Secretary-General should appoint a group of experts to prepare a report presenting alternative practical ways of reducing the international impact of business recessions. This resolution was amended, at the Council's twelfth session, to request the experts to include in their report recommendations concerning measures to lessen the vulnerability of the economies of under-developed countries to fluctuations in international markets, including measures to establish appropriate relations between prices of raw materials and prices of essential manufactured goods with a view to ensuring greater economic stability. The group of experts in question is at present being organized, and it is hoped that it will be able to meet in August and September 1951.

Other aspects of resolution 290 (XI) are referred to in sections 2 and 4 of the present chapter.

4. International financial and commercial relations

It has been noted above in section 1 that during 1950 there was a widespread improvement in dollar balances of payments and a consequent lessening of the international economic disequilibrium of earlier post-war years; however, it was also pointed out that part of this improvement was probably of a temporary character. The problems in this field have continued to be the subject of study by the Secretary-General, notably in the *World Economic Report, 1949-50*, and also by the specialized agencies, particularly the International Monetary Fund.

At its eleventh session, the Economic and Social Council discussed these problems on the basis of the report referred to in section 3 above entitled *National and International Measures for Full Employment*. In resolution 290 (XI), the Council recommended that each government should intensify its efforts, while pursuing its employment and other domestic economic objectives, to achieve and maintain equilibrium in its balance of payments, and indicated a number of criteria of such equilibrium. It recommended that governments should furnish the Secretary-General, on his request, with annual estimates of their balance of payments and information on related economic policies. The information supplied was to be analysed by the Secretary-General and provision was made for drawing appropriate conclusions with regard to future economic policy.

On the basis of this resolution, the questionnaire which had earlier been issued to countries with reference to their domestic policies for full employment (see section 3 above) was amended to include a number of questions relating to economic policies affecting balance of payments, as well as a series of questions calling for a statement on balance of payments in 1950.

The latter series of questions was prepared in collaboration with the International Monetary Fund and, with a view to reducing the work that would fall on governments, was co-ordinated with the Fund's own request for a similar statement. An analysis of replies is being made and will be submitted to the Economic and Social Council at its thirteenth session.

Under the terms of resolution 290 (XI), the governments of Member States were also asked to furnish the Secretary-General, on request, with estimates of the main elements of the balances of payments they hoped to attain by 1954, and details concerning their estimated trade in commodities in the same year. In view of the recent rapid changes in the economic situation which render it difficult for countries to make such future estimates, the Secretary-General has decided to ask the Council, at its thirteenth session, for further advice before taking action on the resolution.

The Council furthermore recommended that governments should (1) achieve, to the extent feasible, a high level and regular rate of flow of international investment capital; (2) seek to avoid, in their economic policies and programmes, measures likely to affect other countries adversely; (3) adopt measures which would offset the adverse effects of economic recessions on the balances of payments or employment levels of other countries; and (4) in general, co-operate in preventing domestic recessions from spreading to other countries. It urged the International Bank for Reconstruction and Development to take steps to expand the volume of its lending, and further urged the International Monetary Fund "to make its resources available to its members to meet needs arising from economic recessions as fully and readily as its Articles of Agreement permit".

The study of the multilateral settlement of international accounts, to which reference has been made in earlier reports, has been continued during the past year to the extent that current tasks have permitted.

The series of studies on foreign investments in Latin-American countries, referred to in last year's report, has been brought nearer to conclusion by the completion of such studies for the following six countries: Bolivia, Costa Rica, Haiti, Honduras, Paraguay and Peru. These studies were presented to the Economic Commission for Latin America at its fourth session. Studies referring to nine countries had been previously submitted to the Commission at its third session in June 1950.

5. International commodity problems

The tendency towards the accumulation of surpluses of certain primary commodities, which had been apparent in the early part of 1949, disappeared with the outbreak of hostilities in Korea. A heavy demand for such commodities was generated by rearmament programmes, increased government purchases for stockpiling and anticipatory commercial buying. Serious shortages of many commodities occurred and prices rose sharply.

As a result, consideration has been given to the question of international allocation. In the case of

wheat, the existence of an international agreement has assured importers of certain quantities at a maximum price. Under the terms of this agreement 14.3 million metric tons had already been sold, prior to 20 April 1951, to forty-one importing countries for the 1950-51 crop season.

Following a request by the International Tin Study Group and on the advice of the Interim Co-ordinating Committee for International Commodity Arrangements, the Secretary-General convened a Tin Conference in Geneva on 25 October 1950. The Conference considered a draft international agreement on tin submitted by the Study Group and alternative proposals made by various delegations. These proposals related particularly to buffer stock arrangements and the control of exports. The rapid increase in the price of tin during the second half of 1950, however, rendered it more difficult to assess the long-term position and led to greater emphasis on provisions for action in times of shortage. It was considered that the operation of the various schemes required detailed examination, and the Conference adjourned on 21 November 1950 to allow further consideration by governments.

Inter-governmental discussions have continued regarding the desirability of concluding a new international sugar agreement, and consideration has been given to the provisions which should be included in such an agreement.

In the first half of 1950, when there was a tendency towards a surplus of cotton, the International Cotton Advisory Committee began to assemble material regarding a possible international commodity agreement on cotton. This preparation was continued in 1951 in spite of the fact that a shortage of cotton had in the meantime occurred.

In order that there should be no procedural delay in inter-governmental consultation on commodity problems, the Economic and Social Council, at its eleventh session, laid down procedures for convening commodity conferences. At its request, in the first part of 1951, the Secretary-General prepared a study on procedures for the calling of study groups and inter-governmental commodity conferences; this study will be considered by the Council at its thirteenth session.

The Interim Co-ordinating Committee for International Commodity Arrangements, meeting at Torquay, England, late in 1950, prepared the *Review of International Commodity Problems, 1950*, which was published early in 1951. In this review, the Committee summarized changes in primary commodity trends and outlined the steps that were being taken at that time to deal with shortages.

6. Fiscal problems

The expanded technical assistance programme has served to orient much of the Secretary-General's work in the fiscal field toward the needs and problems of under-developed countries. Requests for technical assistance missions have called increasingly for the dispatch of experts to advise on matters of budgetary

and tax policies, and on fiscal administration reforms. During the year such experts have been sent to Chile, Bolivia, Iran and Colombia; previously established missions in Haiti and Ecuador have continued their work on fiscal problems.

The fiscal information service established by the Secretary-General, in pursuance of Economic and Social Council resolution 67 (V) of 24 July 1947, has also been directed toward the collection and provision of information likely to give a clear picture of economic development as reflected in budgets and financial reports and to make it possible to analyse the policies designed to further economic stability of the countries under study.

Two studies in the series "Public finance information papers" were used as background papers by technical assistance missions, namely those on Colombia and Iran. Other studies in this series have dealt with Egypt, Italy and Iraq; those on Peru and the Belgian Congo will be published in the summer of 1951. The Secretary-General has also instituted more comprehensive studies in the form of *Public Finance Surveys* on selected countries. The first *Survey* dealt with Venezuela, because a study of that country demonstrated the nature and effect of a number of fiscal reforms undertaken in a period of major economic development. The second will deal with India, which is facing problems peculiar to a new nation and, therefore, presents a number of interesting issues. Regional public finance surveys have been included as chapters in the economic surveys prepared by the Economic Commissions for Asia and the Far East and for Latin America; they present data showing in particular the most important changes in the tax structure of the various countries, as well as government contributions to capital formation, and report on relevant fiscal developments in the area. Future chapters will deal more fully with the relationship between public finances and the savings and investment process.

A questionnaire prepared jointly by the United Nations and the International Monetary Fund is used for gathering primary fiscal data in order to prepare a series giving a comprehensive picture of the financial transactions of central governments and their inter-relationship with the changes in government cash holdings and in the public debt outstanding; these tables are currently published in the International Monetary Fund's "International Financial Statistics". Data showing, in addition to over-all results, breakdowns of expenditures, receipts and the public debt are included in the United Nations *Statistical Yearbook*.

Early in 1951, the Secretary-General published a study entitled *Budgetary Structure and Classification of Government Accounts*. This study constitutes the first part of a major analytical project on budgetary reporting and management, the purpose of which is to discuss the most effective technical devices for periodical appraisal of the economic effects of the financial transactions of governments and for policy orientation toward economic development. The most significant features of the budgetary systems of Italy, Sweden, the Union of Soviet Socialist Republics and

the United States of America are analysed in individual chapters.

In the field of budgetary management, the Fiscal Commission, at its third session held in the spring of 1951, urged the development of minimum requirements for a uniform system of reporting financial information of governments, including an over-all picture of their operations for international use. Further studies will deal with the problems of the preparation, execution and control of the budget, with special emphasis on the auditing and accounting aspects.

The continued emphasis on the expansion of foreign investment for economic development has given a strong impetus to the work on international tax problems. Two major developments highlighted this work during the year. One was the publication of the *World Guide to International Tax Agreements, 1843-1951* as volume III in the series *International Tax Agreements*, published in pursuance of Economic and Social Council resolution 226 B (IX). The *World Guide* is a reference work which presents for the first time a complete analysis of the status of all known tax agreements, giving for each a statement on its subject, its ratification and possible modification or expiration, and on the laws and regulations which implement its application within the framework of the national tax system. The second important development was the adoption by the Fiscal Commission, at its third session, of important policy recommendations on the basis of the Secretary-General's study entitled *The Effects of Taxation on Foreign Trade and Investment*. Among these recommendations the foremost were for the rejection of special tax incentives, granted to foreign investors only, by capital-importing countries, and the affirmation in principle of the right of these countries to tax revenue arising within their borders. Another recommendation was that the obligation to avoid double taxation by renouncing overlapping tax jurisdiction should be undertaken by the capital-exporting countries.

In view of the special importance of corporations as vehicles of private foreign investment, a preliminary study on the comparative approach to national and international corporate tax problems was issued in the spring of 1951, with final publication scheduled for the early part of 1952. This study contained individual papers on the corporate tax systems of Argentina, Canada, France, the Netherlands, New Zealand, the United Kingdom and the United States of America.

The Fiscal Commission, at its third session, while generally endorsing the continuation of technical assistance and research activities, recommended also that the Secretary-General should undertake a number of special projects, such as a joint study with the Food and Agriculture Organization on the taxation of agriculture and related fiscal problems; the investigation of the possibility of including data on local and provincial finance together with the central government data now being collected and studied by the Secretary-General; and the establishment of a world tax service, in co-operation with Harvard University and other interested universities, which would provide current au-

thoritative information on the tax systems of the various countries of the world.

7. Transport and communications

(a) INTERNATIONAL CO-OPERATION IN REGARD TO TRANSPORT AND COMMUNICATIONS

The past twelve months have been marked by continued co-operation among governments in the field of transport and communications through the machinery provided by the United Nations, the specialized agencies and regional economic commissions.

Most of the problems in this field which have a worldwide character fall within the competence of the relevant specialized agencies. In the sphere of maritime navigation, however, the Convention concluded at the United Nations Maritime Conference (Geneva, 1948) for the creation of an Inter-Governmental Maritime Consultative Organization has not yet entered into force owing to an insufficient number of ratifications, although a few more have been notified during the period under review. Since the handling of many important and urgent technical problems is dependent upon the establishment of this organization, the Economic and Social Council, at its eleventh session, drew the attention of the governments of Member States to this fact and pointed out the desirability of early action in the matter.

With respect to aviation, the Economic and Social Council, at the same session, adopted resolution 298 E (XI) urging all governments to apply, wherever feasible, annex 9 to the Convention on Civil Aviation adopted by the International Civil Aviation Organization, entitled "Standards and Recommended Practices on the Facilitation of International Air Transport".

With regard to telecommunications, the Administrative Council of the International Telecommunication Union, at its seventh session held in April-May 1951, decided upon 16 August 1951 as the opening date for the Extraordinary Administrative Radio Conference, which will have the task of approving an international list of frequencies; this Conference was postponed from September 1950. In connexion with the Conference, the Economic and Social Council, in resolution 298 J (XI) adopted at its eleventh session, drew the attention of governments to the fact that the situation with respect to the allocation of radio frequencies had not so far been settled satisfactorily, and requested the governments of Member States to be represented at the Conference to give this matter their most careful consideration and direct their representatives to take steps to ensure that the Conference should reach a successful conclusion without unnecessary delay.

In another sphere of international activity, as noted in part C of the present chapter, the past year saw the entry into operation of a new specialized agency, the World Meteorological Organization. Establishment of this new agency will facilitate and render still more effective the co-ordination of activities in the field of transport and communications, notably with respect to the important problem of safety of life at sea and in the air, in which the interests of the

agencies concerned with maritime navigation, aviation, telecommunications and meteorology are all directly involved.

A number of problems of a world-wide character concerning inland transport have continued to be the subject of international action. In the field of international road transport, the Convention on Road Traffic, concluded at the United Nations Conference on Road and Motor Transport (Geneva, 1949) has been ratified by three Governments, those of Czechoslovakia, France and the United States of America. The Convention will come into force when it has been ratified by five countries. The Protocol on Road Signs and Signals, concluded at the same Conference, has also been ratified by the Government of Czechoslovakia.

It should be noted that the Protocol just mentioned, while open to accession on a world-wide basis, relates only to the European system of road signs and signals. There are two main systems, the other being that in use in the United States of America and, with certain modifications, in other parts of the American continent. The problem of reconciling the differences between these two systems and devising a uniform system acceptable on a world-wide basis is, in accordance with Economic and Social Council resolution 272 (X), under study by a group of six experts from various regions of the world. The group held its first session in November-December 1950 and submitted a progress report to the Transport and Communications Commission at its fifth session. The second session of the group will be held during the summer of 1951.

In accordance with the request made by the Economic and Social Council in the same resolution, that the Transport and Communications Commission should review periodically developments in the field of international road transport and advise the Council what further international action was desirable, the Commission has drawn the Council's attention to certain problems which in the Commission's view merit consideration at a global level; these include licensing of motor vehicle drivers, customs formalities for private vehicles and tourists, and international transport of dangerous goods by road and other transport means.

The Secretary-General has meanwhile continued to examine the problem of co-ordination of inland transport, in pursuance of Economic and Social Council resolution 298 H (XI). Since a large proportion of the problems connected with inland transport are regional in character, the regional economic commissions have been actively engaged in this field. In Europe, the multilateral short-term agreements lifting restrictions on the freedom of the road, concluded in 1947 within the framework of the Economic Commission for Europe, have been continued in force from year to year by the signatory governments, while a permanent régime for European road transport is under study by the Commission. Several other agreements have also been concluded during the past year under the auspices of the Economic Commission for Europe, among them certain regional agreements supplementary to the world-wide 1949 Convention on Road Traffic, and a Declaration on the Construction of Main International Traffic Arteries. In addition, a compre-

hensive study of the problem of co-ordination of inland transport is under study by the Commission.

In two other regions—Asia and the Far East and Latin America—work in the field is also progressing. The Economic Commission for Asia and the Far East held its second meeting of inland transport experts, the *Ad Hoc* Committee of Experts on Inland Transport, in the autumn of 1950. The experts drew up a comprehensive programme of short-term and long-term tasks relating to transport by road, rail and inland waterways, and proposed the creation of an Inland Transport Committee to deal with problems in this field. This Committee has since been established. The Economic Commission for Latin America has likewise considered a number of problems concerning inland transport including, *inter alia*, problems arising in connexion with the development of international traffic on the Inter-American Highway.

Assistance in co-ordinating the work of the regional economic commissions in this field and in ensuring that the regional approach to problems harmonizes with the policies adopted on a world-wide level, is one of the continuing tasks of the Secretary-General. The latter also keeps in touch with developments in the field of inland transport in the Middle East and Africa, where no regional economic commissions exist.

(b) REDUCTION OF OBSTACLES TO THE MOVEMENT OF PERSONS AND GOODS

Facilitation of the international movement of both persons and goods has continued to be an important objective of inter-governmental action as well as of action by the competent international non-governmental organizations. Mention has already been made of the efforts by the International Civil Aviation Organization in this connexion.

An increased number of bilateral agreements and unilateral actions by governments for the abolition of passport and visa requirements were among the measures implementing the recommendations of the Meeting of Experts to prepare for a World Conference on Passports and Frontier Formalities (Geneva, 1947) reported by governments to the Secretary-General in reply to his most recent inquiry on this subject. The Transport and Communications Commission, which is entrusted with the task of following developments in the general field of travel and of reporting on them to the Economic and Social Council, has noted that, in addition to the International Civil Aviation Organization, the following organizations with world-wide responsibilities have been active in promoting and facilitating international travel: the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the International Air Transport Association, the International Union of Official Travel Organizations and the World Touring and Automobile Association. Regional bodies active in the field included the United Nations Economic Commissions for Asia and the Far East and for Europe, and also the Caribbean Interim Tourism Committee and the Central and Southern Africa Transport Conference held in Johannesburg in 1950.

As regards the problem of barriers to the international transport of goods, Economic and Social Council resolution 298 D (XI) has been brought to the attention of governments and of the Interim Commission of the International Trade Organization. In this resolution, the Council urged the Members of the United Nations and all other interested governments to continue consideration of national measures, consistent with the principles of the Charter of the International Trade Organization, for the simplification of customs and related formalities which constitute barriers to the international transport of goods.

8. Statistical services of the United Nations

The year under review has been a period of continued and increased activity in the statistical field.

(a) COLLECTION AND PUBLICATION OF STATISTICS

The basic and continuing function of the Statistical Office of the United Nations and, in a sense, the product of all its other activities, is the regular collection of statistics from different countries and their publication for the benefit of the international community, though many of its activities are also of direct benefit to countries in helping to improve their statistics. The statistics are collected from national publications and by means of special returns, and are published in a variety of documents.

During the year under review, a second and considerably enlarged edition of the *Statistical Yearbook* appeared, containing 556 pages and 166 tables covering a wide range of economic and social subjects, as well as extensive appendices and indexes. A feature of the *Yearbook* is that most tables cover a twenty-year period and that virtually all were brought up to date for 1949 or the early part of 1950. The enlargements, as compared with the first *Statistical Yearbook*, apply both to the number of subjects included and to the country coverage.

Parallel with the *Statistical Yearbook*, a second edition of the *Demographic Yearbook* also appeared, containing 558 pages. Because of the large and increasing amount of demographic data available, it was decided to adopt a plan of rotation whereby, in addition to certain standard tables, each edition of the *Yearbook* would feature a different aspect. For the second edition, the emphasis was placed on marriage and fertility statistics. This edition also contains tables on major categories of arrivals and departures of international travellers and migrants—the first time such tables have been published on an international basis.

Between them, these two *Yearbooks* bring together substantially all the important economic, social and demographic statistical series at present publicly available in the world. They are, however, basic documents and by their nature do not throw light on current movements. The need for up-to-date information in a somewhat less detailed form than in the *Yearbooks* is met by the *Monthly Bulletin of Statistics*, which gives monthly or quarterly data on some two thousand separate series. The subjects included and the country

coverage in the *Bulletin* have also been somewhat expanded during the year, but the major emphasis was placed on the adaptation of national series to new standard definitions and concepts developed by the United Nations and the specialized agencies. A very valuable part of this publication is the *Supplement to the Monthly Bulletin of Statistics*, which contains definitions and explanatory notes describing the scope, coverage, methods of compilation, definition and other factors affecting international comparability relating to all the series included in the *Bulletin*. A second edition of the *Supplement* was issued during the year.

In addition to these general publications, the Statistical Office publishes a great number of statistical series in specialized publications. Since foreign trade is a subject of particular international interest, special attention is paid to the adequate dissemination of trade statistics. During the year under review, the first edition of the *Yearbook of International Trade Statistics* was published, containing basic tables on the trade of forty-two countries. This is a continuation of "International Trade Statistics" which was published by the League of Nations. Attention is also paid to the need for trade data at less than yearly intervals. World and regional imports and exports measured in United States dollars, together with the corresponding quantum and unit value indexes (for export only) appear quarterly in the *Summary of World Trade*. Trade-by-country data measured in United States dollars are given in a monthly publication entitled *Direction of International Trade*, issued jointly by the Statistical Office, the International Monetary Fund and the International Bank for Reconstruction and Development. Work has been intensified during the year on the preparation of trade-by-commodity data; with the growing adoption by countries of the *Standard International Trade Classification* (more than 50 per cent of the world's trade will be classified according to this standard by the end of 1951), it is expected that enough data so classified will shortly be available to justify publication quarterly.

Another subject to which the Statistical Office gives particular attention is national income. During the year under review, a second volume of the series *National Income Statistics of Various Countries* was issued, bringing the data in general up to the year 1948. A supplement containing later material is now in preparation. This volume gives detailed statistics relating to the national income and expenditure of thirty-two countries, and for many of them complete social accounts. Less detailed statistics, but for many more countries, were given in a report on *National and Per Capita Income of Seventy Countries in 1949*, also published in the period under review. This report also dealt briefly with the methodology of international comparisons of income. In addition, a special report on the value and distribution of national income in under-developed countries was prepared in pursuance of General Assembly resolution 403 (V).

In the field of demography, the *Demographic Yearbook* is supplemented by a quarterly publication of population estimates entitled *Population and Vital Statistics*.

In addition to these publications of the Statistical Office itself, data are regularly provided to specialized agencies for their corresponding publications. For example, data on industrial production and national income estimates are supplied to the International Monetary Fund for inclusion in its publication "International Financial Statistics". In return, the specialized agencies provide data in the fields of their responsibility for inclusion in the general publications of the Statistical Office. These arrangements are intended to avoid duplication, as between international agencies, of requests to countries for data and in processing the data received.

Apart from data for statistical publications, the Statistical Office supplies numerous tables for the United Nations economic reports, for example, the annual *World Economic Report* and the annual surveys of the regional commissions. At the request of the Economic Commission for Asia and the Far East, the Statistical Office also prepared a chapter on national income of countries in that region for inclusion in the *Economic Survey of Asia and the Far East, 1950*.

As the central statistical division of the United Nations, the Statistical Office provides statistical data and technical advice to any organ of the United Nations which requests it. During the year, the Office has again assisted the Committee on Contributions of the General Assembly by placing national income data and related statistical material at its disposal for revising the scale of contributions.

The Statistical Office does not publish all the data it collects. A substantial amount of supplementary statistical information, too detailed or too specialized for regular publication, but which is often valuable in interpreting the published statistics, is maintained by the Office and is available to interested inquirers for reference.

(b) ESTABLISHMENT OF INTERNATIONAL STANDARDS IN STATISTICS

The work of the Statistical Office is not limited to collecting, recording and publishing the body of statistical data described above; one of its principal functions is to appraise the statistics which pass through its hands for reliability and adequacy, and to form a judgment on the extent of their comparability with one another. A detailed appraisal of existing statistics, their methods of collection, coverage, classification, frequency and related characteristics, is necessary as a starting point for the improvement of the statistics. A large part of the resources of the Office is absorbed in assisting the Statistical Commission and the Sub-Commission on Statistical Sampling to improve the level of national statistics by the establishment of standards for the guidance of countries. In past years, standards have been approved by the Commission in many fields, notably censuses of population, national income, transport, index numbers of industrial production, industrial classification and trade classification. The development of such standards is necessarily a slow process, however, since apart from technical difficulties account must be taken, if the

results are to be of practical use, of the variations of method in many countries, including countries at very different stages of economic and statistical development. As a result, the work normally proceeds in stages. During the year under review, the Statistical Office has carried forward its work in a number of subject-matter fields, especially in vital statistics, basic industrial statistics, price index numbers, international trade statistics and capital formation, and in most of them has reached a definite stage of progress.

In the fields of vital statistics, price index numbers and capital formation, following preliminary work in earlier years, the Statistical Office completed reports on the concepts involved, the problems encountered in collecting the data and the methods employed in different countries, with draft recommendations aimed at improving the level of national statistics and rendering them more comparable. These reports, together with draft recommendations, were submitted to the Statistical Commission at its sixth session and will be circulated to countries for their comments before final recommendations are drawn up.

In regard to basic industrial statistics, the Statistical Office completed a study of the data which countries collected on their industries, and drew up a proposed list of recommended items which was approved by the Statistical Commission. The Statistical Office has also continued to work on a technical manual on industrial censuses, which it is hoped to complete shortly.

In the development of standards for international trade statistics, the work has been tackled stage by stage. During the year under review, the Statistical Office completed a study of several aspects of this large subject and, at the request of the Statistical Commission, will now undertake a full examination of the concepts, problems and current practices of countries before submitting final recommendations.

In addition to its work in developing standards in new subject-matter fields, the Statistical Office has continued to work towards the wider application of standards already approved, notably as regards trade classification, industrial classification, index numbers of production and transport statistics. For example, a new edition of the *Standard International Trade Classification* was prepared, in which convertibility keys were provided (in both directions) between the *Classification* and the new tariff nomenclature of the European Customs Union. Work is also proceeding, in co-operation with the Inter-American Statistical Institute, on the production of an alphabetical index of commodities entering external trade, showing for each commodity the item of the *Classification* under which it is classified. These two documents, by providing exact definitions of the items of the *Classification*, will greatly increase its usefulness and make it more readily applicable to national statistics. In addition, in order to promote wider use of the *Classification*, and to help improve the comparability of trade statistics in general, the Statistical Office sent representatives to technical meetings on trade statistics in Western Europe, the Far East and the Caribbean area, and provided documents for discussion at the meetings. Similar efforts have been made towards the greater

precision of general standards and their increased application in the other subject-matter fields.

The Office is also concerned with the improvement and wider use of technical statistical methods, as illustrated by its work on statistical sampling. The application of sampling methods is a powerful means for collecting statistical information at low cost and with the minimum of delay. Particularly in the under-developed countries, which do not possess a highly developed administrative organization for the collection of complete statistics, sample surveys have been found very useful for obtaining information on certain subjects for which data could not otherwise be collected. During the past year, the Statistical Office studied the application of sampling methods for obtaining census results by advance processing of a sample. It also prepared, for consideration by the Sub-Commission on Statistical Sampling, reports on the measurement of goods traffic carried by road, the use of sampling methods for estimating distribution by size of individual and family income, the application of such methods in the field of international migration, and various other subjects. In the field of sampling there is an urgent need for exchange of information on the experience of countries using these methods. In November 1950, the third *Report on Sample Surveys of Current Interest* was published by the Statistical Office. A fourth report, covering inquiries carried out in 1950, is now in preparation.

(c) DEVELOPMENT OF NATIONAL STATISTICS

The purpose of establishing international standards and of suggesting improved methods is, first, to assist countries in developing their statistics for national purposes and, second, to improve the international comparability of statistics. Many activities of the Statistical Office contribute to these ends, for example, by informing national statistical offices of the practices of other countries, with which they can compare their own. Moreover, in collecting and publishing statistics, the Office is in constant correspondence with national and international statistical offices. This correspondence provides a continuous opportunity for answering inquiries, drawing attention to relevant data and making suggestions for improvement and standardization. In the case of statistically under-developed countries, however, these measures may not be sufficient and direct assistance may be needed. It has been a function of the Statistical Office from its inception to assist these countries; since the establishment of the Technical Assistance Administration, this work has been expanded and carried on in co-operation with that Administration under the technical assistance programmes.

Assistance to countries has taken the following four main forms:

Preparation of technical manuals. As a part of its regular activities, the Statistical Office obtains a large amount of material on the various statistical methods and procedures used in different countries, and on the success of different methods under varying conditions. This technical material is of great value to national technicians in planning their own programmes, and is also essential to the Office as a background for offer-

ing suggestions and advice. The value of the material is clearly increased if it can be compiled in handy reference manuals. Following the completion of the manual on population censuses, which has been extensively used in connexion with the censuses of population of 1950 and 1951, the Statistical Office has worked during the year on similar manuals on statistical organization, industrial censuses, national income and vital statistics. This work has been expedited, in response to the request of the General Assembly, contained in resolution 407 (V), for the preparation of guides for the assistance of under-developed countries in reporting on their full employment programmes and on the level of economic activity.

Conduct of training courses, seminars and conferences. The Statistical Office has collaborated with the Technical Assistance Administration, specialized agencies, regional organizations and Member States in organizing a number of seminars, conferences and training centres at which groups of statisticians from various countries in a region come together for consultation among themselves and with outside experts or to receive courses of instruction. In total, more than 250 national technicians from fifty different countries have participated in these meetings. During the year under review, two such meetings were held. A conference on trade and balance of payments statistics, sponsored jointly by the Government of Burma, the International Monetary Fund, the United Nations Statistical Office and the Economic Commission for Asia and the Far East, was held in Rangoon and was attended by forty participants from fifteen countries. A seminar on bio-statistics, sponsored jointly by the Government of Chile, the World Health Organization, the Pan-American Sanitary Bureau, the Inter-American Statistical Institute, the United States National Office of Vital Statistics and the United Nations, was held in Santiago and was attended by thirty-nine persons from thirteen Latin American countries. During the same period, the Statistical Office also participated in the conduct of the International Statistical Education Centre in Calcutta. Six more centres and seminars are planned for the remaining months of 1951, or for the early part of 1952.

Granting of fellowships and scholarships for statistical training. This is part of the general programme of fellowships for economic development which is described in part B of the present chapter. For the year 1951, ten fellowships and one scholarship have been awarded in the field of statistics.

Provision of expert consultants. During the past year, in response to requests from governments, statistical consultants have been assigned for varying periods to Brazil, Burma, Chile, Colombia, Cuba, Ecuador, Haiti, India, Lebanon, Libya, Pakistan, Paraguay, Thailand and Uruguay. Other requests have been received, and expert advice will continue to be provided in the current year. A detailed account of the assistance rendered is contained in part B below.

The improvement of national and international statistics is a heavy task, requiring sustained effort over the years. The effort is best applied at several points simultaneously, for progress made at one point has

favourable repercussions at others. The programme of collection and publication, appraisal and analysis, development of standards and provision of expert advice and assistance is therefore a co-ordinated programme, its parts inter-related and each with the same ultimate objective. The year's work has, it is hoped, resulted in considerable further progress towards this objective.

9. Regional economic activities

(a) ECONOMIC COMMISSION FOR EUROPE

The Economic Commission for Europe held its sixth session in Geneva from 29 May to 13 June 1951.

The members of the Commission are the European Members of the United Nations and the United States of America. The Executive Secretary of the Commission has exercised his discretion under the Commission's terms of reference to invite non-member countries of Europe, with the exception of Spain, to participate in a consultative capacity in the work of the Commission and its subsidiary organs. In addition, certain non-European Members of the United Nations have participated in the work of the Commission in which they have had special interest.

Co-operation with specialized agencies, inter-governmental and non-governmental organizations has been further strengthened, in particular, with respect to certain technical activities carried on by the various Committees of the Commission.

At its sixth session, the Commission, *inter alia*, reviewed the European economic situation, discussed the reports of its committees, adopted new terms of reference for the Coal Committee, and referred for decision by the Economic and Social Council the question of according voting rights to European States non-members of the United Nations which are invited to participate in the Commission's work in a consultative capacity. Considering that "constructive economic co-operation is essential to the maintenance of peace", the Commission, in a unanimously adopted resolution, reaffirmed its faith in the possibility of such co-operation within the framework of the Commission, and recommended that the Commission should "continue its work in this direction".

In its annual report to the Economic and Social Council, to be discussed at the Council's thirteenth session which will open on 30 July, the Commission reviewed its activities and those of its secretariat during the period 16 June 1950 to 13 June 1951. In connexion with the Council's consideration of the future of the regional economic commissions, to be undertaken at its thirteenth session, the Commission drew the Council's attention to the statement of the Executive Secretary prepared for the *Ad Hoc* Committee on the Organization and Operation of the Council and its Commissions.

(i) General

In 1950, European industrial production, not including the Union of Soviet Socialist Republics, increased by about the same amount as in the previous year, that

is, 14 per cent. Agriculture continued to lag behind, and production of all commodities in Europe increased by 9 per cent. In some countries the increase of industrial production was rather unsteady and before the middle of the year France and Belgium, for instance, appear to have experienced some form of recession. By the end of the year, however, in all countries, including Germany, which made a remarkable recovery, industrial production was above the 1938 level; the total European index for 1950 was 124 as compared with 100 for the base year 1938. In the Union of Soviet Socialist Republics gross industrial output increased by 23 per cent and was about twice as high as in 1938.

By the end of 1950, raw material shortages were beginning to affect European production. The coal output increased by only 3 per cent and this, coupled with a reduction of imports (due to an apparent abundance in the earlier part of the year), caused serious shortages when European industrial activity reached a high level in the last quarter. Shortages of imported materials were also threatening to grow more acute as a result of the expansion of world demand (due in part to stockpiling) following events in Korea. In the latter part of 1950, Europe was particularly affected by shortages of non-ferrous metals, sulphur and cotton.

Rises in prices of imported raw materials induced an inflation of costs in most European countries and a deterioration in the terms of trade. From September 1950 up to and including the early months of 1951, most countries experienced increases in import prices at rates varying from 2 to 4 per cent per month, and the cost of living rose from 1 to 2 per cent per month. Prior to May 1951, the impact of rearmament was not sufficiently great to be directly responsible for inflation, but expectations of rearmament led to hoarding of goods and enhanced the general inflationary atmosphere in certain European countries.

During 1950, European trade and payments developments were rather favourable, but the outlook for 1951 is more uncertain. Total European exports to overseas countries in 1950 were 20 per cent more in volume than in 1949, the volume of imports from overseas was slightly reduced and intra-European trade rose in volume by some 30 per cent. The balance of payments deficit of Europe as a whole (excluding the Union of Soviet Socialist Republics) with the rest of the world declined from \$2.9 thousand million to \$1.6 thousand million. The dollar position was also greatly improved: direct exports from Europe to Canada and the United States of America increased by 75 per cent in volume and the payments deficit of Europe and Europe's affiliated areas with Canada and the United States of America was reduced from \$4.1 thousand million to zero. It appears, however, that Europe's dollar position may deteriorate in 1951 owing to the continued price rise in the United States of America and the need of European countries for essential imports from the United States.

(ii) Problems of agriculture

The Committee on Agricultural Problems, established by the Commission to assist in the formulation

of ways and means of European co-operation in developing agricultural production and in facilitating the exchange of agricultural commodities, has now determined the priorities according to which the problems will be studied. At its next (third) session the Committee will consider reports prepared by the secretariat on livestock production and animal feed-stuffs; means of production (e.g., fertilizers and farm machinery); assistance to small and medium farmers; tenancy regulations; the relationship between prices of coarse grains and prices of the main livestock products; and the relationship between prices of the different types of fertilizers and of vegetable products. A working party of the Committee is engaged in the study of the standardization of perishable food-stuffs entering into intra-European trade.

(iii) *Problems of coal*

In the autumn of 1950, a sharp increase in the demand for solid fuels, with which coal production could not keep pace, brought about a shortage of practically all qualities of solid fuels in Europe, and, in consequence, some countries resumed imports of coal from the United States of America. The Coal Committee has been faced with the problem of the equitable distribution of inadequate supplies and, although machinery for allocating coal no longer exists, has succeeded in agreeing upon a quarterly distribution of the available European supplies of solid fuels. The Committee has made good progress towards an international coal classification and is actively working to promote increased efficiency in solid fuel utilization. It has also been engaged in general studies on coal prices and in forecasting and analysing production and consumption trends, as a step towards bringing about a reasonable equilibrium between coal supply and demand.

(iv) *Problems of electric power*

The Electric Power Committee has continued the examination of various problems arising from the electric power situation in European countries, and to this end has examined a number of studies initiated by the secretariat both in the economic and legal fields. Recommendations for the transfer of electric power across frontiers and for increased production have been made and are now under discussion by several groups of experts convened for this purpose.

(v) *Problems of engineering and housing*

As requested by the Commission at its fifth session, a specially convened working party formulated a programme and method of work for the Industry and Materials Committee in the field of engineering and materials. According to this programme, the main task of the Committee is to make a practical contribution to maintaining and developing the level of production and consumption of engineering products, to increasing the efficiency of the industry, and to expanding trade in engineering products, both within Europe and with overseas areas. Rapporteurs are drafting model clauses for inclusion in contracts for the purchase and sale of engineering products. A *General Survey of the European Engineering Industry* was issued in April

1951. Increasing attention is being given to such technical advisory services as may be rendered through the Committee.

The Housing Sub-Committee has continued to be active. A special Conference on Building Research, convened in November 1950 agreed upon the need for increased international collaboration in building research, and defined the scope and methods of such collaboration. The Conference elected an organizing committee to pave the way for systematic and continuous collaboration. As a consequence of an earlier recommendation made by the Housing Sub-Committee, an international Council for Building Documentation has been established as a non-governmental organization. The Sub-Committee has also undertaken studies on the economic and technical aspects of housing, such as the volume of investment in new housing in different countries, methods of financing, cost of building, design considerations and consumption of scarce building materials.

(vi) *Problems of inland transport*

The Inland Transport Committee, through its appropriate bodies, has continued to act as an international co-ordinating agency in the field of European inland transport.

In connexion with rail transport, the Committee prepared two draft conventions relating to the simplification of frontier formalities for passengers and goods. As a result of recommendations by the Committee, an agreement was concluded between international non-governmental railway organizations, aimed at avoiding duplication in their activities. The Committee also dealt, *inter alia*, with tariff and monetary problems, questions relating to identification, and the improved utilization and renewal of rolling stock. It has also studied the possibilities of a uniform system of accountancy for main railway lines.

In connexion with road transport, the Committee pursued its studies on the development and improvement of transport of passengers and goods by road, the establishment and financing of main international traffic arteries, the adoption of a scheme for civil liability and compulsory insurance, and the preparation of a draft contract for the international transport of goods by road.

With regard to inland waterways, model regulations concerning the transport of dangerous goods and a draft contract for transport by inland waterways are being drawn up.

The following problems which concern several forms of inland transport are also being studied: co-ordination of transport, improvement of statistics and the transport of perishable foodstuffs. Work has begun on the preparation of model regulations governing the related operations of the handling of dangerous goods.

(vii) *Problems of manpower*

The Manpower Committee has not met during the period under review.

(viii) *Problems of steel*

The Steel Committee reviewed the European steel position in 1950 and found that the situation had changed radically towards the middle of the year. By the end of the year production in most countries was at the highest rate ever attained. The demand for steel, real or speculative, was outstripping production, prices were rising and all the features of another period of steel scarcity had reappeared. The raw material position was satisfactory throughout 1950 but in 1951 a more serious position developed as regards the supplies of coke and scrap and the sea transport of iron ore for countries importing it. It was estimated that the European steel industry, excluding the Union of Soviet Socialist Republics, would be capable of producing over 69 million tons of steel in 1951, but actual production may be substantially lower because of insufficient supplies of raw materials.

In the light of the above situation, the Steel Committee urged the Coal Committee to take all possible steps to improve supplies of coke. The Panel on Scrap was revived to investigate measures which are being or could be taken in individual countries in order to stimulate the collection of scrap. Anticipating a long-term shortage of rich iron ore, a Working Group was also set up to see what measures could be taken to ensure adequate supplies.

The Steel Committee is continuing its statistical work with a view to improving the information collected, extending the field of its operation and making it as widely comparable as possible with statistics in other parts of the world. The Committee has also initiated a scheme for the periodic preparation of reports on recent developments in the techniques of the iron and steel industry, on the basis of information prepared by trading authorities in the field.

(ix) *Problems of timber*

The Timber Committee reviewed the European situation as regards the supply of and the demand for timber. It was anticipated that some shortage of the principal timber products, such as sawn softwood and pitprops, was likely for 1951, but that the general supply situation for the year should not cause undue anxiety. In view of the necessity for a general long-term forecast of the consumption and supply of timber, the secretariat commenced a study of timber production, consumption and marketing trends from 1913 to 1960. It is hoped that this study will give governments and interested international institutions the basic elements for a consideration of future forestry and timber policies.

The Committee laid emphasis on the development of a more rational utilization of wood in the widest sense of the term, and took steps to enter into closer collaboration with the Food and Agriculture Organization, the International Labour Organisation and the International Union of Forestry Research Stations in this field.

(x) *Problems of trade*

While no meeting of the Committee on Development of Trade took place during the period under

review, an *ad hoc* meeting of European countries interested in increasing their trade in certain grains was held at Geneva from 14 to 20 November 1950. After an exchange of views and information on the requirements and availabilities for the current crop year, and on the possibilities of negotiating some form of long-term arrangements, the meeting initiated a series of bilateral conversations which were to lead to agreements with a view to meeting part of the importing countries' crop requirements for the current crop year. In the period since the *ad hoc* meeting, the secretariat has had conversations with governments in order to ascertain their views as to the desirability of a further meeting during the present year. Most delegates gave their approval in principle to this suggestion.

(xi) *Studies on the economic situation in Europe*

In addition to a considerable number of studies made for the Commission and its subsidiary bodies, the following publications prepared by the secretariat may be mentioned:

1. *Economic Survey of Europe in 1950*. This fourth annual review of European economy was submitted to the Commission at its sixth session. The *Survey* contains extensive analyses and full statistical information on the European economy and its development during 1950. There is a special discussion of world economic developments as they affect Europe, including the problems of development in the primary producing countries. Other special analyses concern the problem of balanced growth of European agricultural and industrial production; the prospective supplies in 1951 of the main raw materials, both imported and domestically produced; the likelihood of material shortages affecting European industrial production and the basic causes of the present shortages. There is a detailed discussion of trade and payments developments in 1950 and the prospects for 1951, which leads up to a final chapter discussing inflation. This chapter reviews the case for a general appreciation of European currencies against the dollar and for a return to a system of more flexible exchange rates.

2. *Economic Bulletin for Europe*. This *Bulletin*, initiated in 1949, continued to be published in 1950. It provides a regular review of the economic situation in Europe in the intervals between the publication of the annual *Economic Survey*. In addition to routine statistical information, the issues of the *Bulletin* contain special articles on changes in the structure of taxation in Europe; the coal and steel industries of Western Europe; changes in the structure of wages in European countries; Europe's trade with Latin America; and changes in Europe's balance of payments.

3. *Special studies*. During the period between the fifth and sixth sessions of the Commission, the secretariat initiated three special studies: one dealt with energy resources of Europe and their use, and another with the trends in the production, consumption and marketing of timber. The provisional results of these investigations were made available to the Commission at its sixth session. The third study, undertaken in co-operation with the Economic Commission for Latin

America and FAO, concerned trade between Europe and Latin America.

4. *New publications.* In September 1950, the first issue of an *Annual Bulletin of Transport Statistics* was published, pursuant to a decision of the Inland Transport Committee. In addition to the statistics for 1949, the *Bulletin* contains an analysis of the European transport situation. On the recommendation of the Steel Committee, the secretariat has also begun the publication in printed form of a *Quarterly Bulletin of Steel Statistics* for Europe, based on data provided regularly by seventeen European countries. The first issue was published in December 1950.

(xii) *Advisory services*

In conformity with the resolution on technical assistance adopted by the Economic Commission for Europe at its fifth session, the secretariat has paid increasing attention to such advisory services to governments as may be rendered through the Commission and has co-operated actively with the Technical Assistance Administration in this respect (see part B below).

(b) ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

(i) *General*

The Economic Commission for Asia and the Far East held its seventh session at Lahore, Pakistan, from 28 February to 7 March 1951. The Committee on Industry and Trade held its third session at Lahore from 15 to 23 February 1951, and the Sub-Committee on Iron and Steel held its third session, also at Lahore, from 14 to 16 February 1951. An *Ad Hoc* Committee of Experts on Inland Transport met at Bangkok from 24 October to 4 November 1950.

The only change in the membership of the Commission during the year took place when Indonesia, after passing through associate membership, automatically became a member of the Commission as a result of its admission to membership in the United Nations on 28 September 1950.

Co-operation with specialized agencies and non-governmental organizations has continued to be very close.

In its annual report to the Economic and Social Council, which will be discussed at the Council's thirteenth session, the Commission surveys the organization and work of the Commission, of its subsidiary bodies and of the secretariat since its establishment in June 1947, especially during the period from 21 May 1950 to 7 March 1951, and expresses a unanimous desire that the Commission should be continued indefinitely on substantially the same lines as in the past.

(ii) *Problems of industrial development*

In the field of industrial development and planning, the Committee on Industry and Trade, at its third session, emphasized the fundamental need to maintain consumption standards during the implementation of

development programmes, and the present need to base external aid to countries of the region on an overall assessment of current requirements, rather than merely on specific projects. It recommended that the secretariat should undertake a comparative study of "the structure of industrial organizations in the public sector" of the economy, and continue the examination of industrial development plans in the light of known mineral resources.

The Committee endorsed the recommendations of the Sub-Committee on Iron and Steel (1) that the review of the plans for the iron and steel industry of countries of the region should be continued and (2) that the supplying countries should take account of the importance of the supply of semi-finished and finished iron and steel materials to the development of the economies of the countries in the region. The Committee noted that the dissemination of technical information and certain advisory services have been undertaken by the secretariat on a wide variety of subjects, particularly in regard to suitable processes for utilising low-grade coal and iron ore in the production of steel. Emphasis was also laid on the preparation of a standard classification of scrap for production and trade purposes; the desirability of adopting standard forms for the compilation of iron and steel statistics; the organization of group visits and seminars; and the formulation of a procedure for obtaining samples and transmitting them to laboratories in the region for testing and analysis.

In the field of mineral resources, the Committee decided that action should be taken relating to specific problems faced by governments. The Committee also approved certain projects such as joint research and an inquiry as to the possibility of setting up a pilot plant for treating low-grade coal and iron ores, as well as the preparation of a standard coal classification for regional use.

The Committee approved the establishment of a Sub-Committee on Electric Power to consider problems of development of electric power, with special reference to the following: power projects and organizational problems involved therein; development of power transmission systems over large areas; co-ordination between industrial and power development; methods of surveying load-growth upon which to base power programmes; the possibility of processing and burning low-grade fuels for generating power; and requirements for and availability of plant and machinery.

A report on the production and use of chemical fertilizers was submitted to the Committee at its third session, but action was deferred pending the meeting of the fertilizers working party of the International Rice Committee.

A working party on cottage and small scale industries was convened in April 1951.

It is planned to organize a seminar, in co-operation with the Technical Assistance Administration, for the purpose of considering the technical and legislative problems involved in the manufacture and use of power alcohol. A joint working party of ECAFE,

UNICEF, WHO and FAO has been formed to examine problems of manufacturing DDT, antibiotics and other urgently needed medical supplies in countries of the region.

(iii) *Problems of inland transport*

The *Ad Hoc* Committee of Inland Transport Experts considered the studies presented by the secretariat dealing with methods of improving transport facilities and means of furthering regional co-operation. Its report to the Commission contained detailed recommendations on problems concerning rail, road and water transport and on the establishment of subsidiary bodies in the field of inland transport. The Commission, at its seventh session, adopted the report and decided to establish an Inland Transport Committee, recommending that it should set up a Sub-Committee on Railways and one on Inland Waterways, and authorizing it to set up a Sub-Committee on Roads.

As regards inland waterways, agreement has been reached with the Technical Assistance Administration and the Governments of Burma, India, Indonesia, Pakistan, Thailand and Viet-Nam for a team of ten experts from these countries to visit Europe and the United States of America for three months to study modern technological advances in inland water transport methods. Consideration will also be given by the experts and by the Technical Assistance Administration to the possibility of a pilot project covering craft design and operation to be undertaken in the region. A field study has been made of towing methods in Indonesia and Thailand.

With regard to railways, preliminary discussions have taken place with governments concerning the organization, in conjunction with the Technical Assistance Administration, of a seminar on modern methods of railway signalling. Discussions have taken place with the International Labour Office and several railway administrations regarding a joint approach to the problem of improved productivity of labour in workshops. A programme of work has been drawn up and submitted to governments for field studies on the use of firewood as locomotive fuel, to be undertaken jointly by the secretariat and the regional office of FAO.

In connexion with road transport, a draft project on vehicle maintenance and the training of mechanics has been prepared and submitted to ILO for consideration.

The first and second issues of a technical quarterly *Transport Bulletin* have been compiled and distributed to governments.

(iv) *Problems of trade and finance*

In the field of trade, the Commission's work covers two main types of activity. The first is the preparation of a series of analytical reports on problems of regional and inter-regional trade. The second is assistance to governments in the development of trade and tourist travel.

Special investigations of problems relating to trade with Japan have resulted in four reports, the final one of which was presented to the third session of the

Committee on Industry and Trade. This report, entitled "Trade with Japan and related problems of international finance," analysed the latest developments in trade and some of the current barriers to increased purchases of material and equipment from Japan.

The Commission, at its seventh session, recommended that a study on trade with Europe should be undertaken in co-operation with the Economic Commission for Europe. In a separate resolution, the Commission decided that special attention should be given to the problems facing countries of the region in obtaining capital goods as a result of the increasing demands of defence in the supplying countries.

The Committee on Industry and Trade reaffirmed its support of the work being done to assist governments in developing national commercial and trade promotion services, including the wider dissemination of various publications in the field of trade and travel promotion and the preparation of a glossary of commercial terms in use in the region. Preparations have been made for a conference on trade promotion to be held in the second half of 1951. The Committee approved two new projects, one concerned with the dissemination of information on requirements for and availabilities of building materials in the region, and the other with assembling information on construction methods and preliminary work on possibilities of research regarding the utilization of indigenous materials for building. It also requested the secretariat to start work on marketing and distribution surveys of principal products of countries of the ECAFE region.

Largely as a result of the work and recommendations of the Commission, the International Union of Official Travel Organizations decided to establish a regional travel commission for Asia and the Far East. The secretariat was instructed, by the Committee on Industry and Trade, to co-operate closely with the Union and to continue its work on travel promotion until the regional travel commission was fully organized and prepared to take up the work.

A joint working party was established with UNESCO to study economic measures to increase the availability of educational, scientific and cultural materials in the region. The working party submitted a report to the Commission at its seventh session, resulting in the adoption of recommendations relating, *inter alia*, to trade agreements, grants under aid programmes, extension of medium-term credits, utilization of non-dollar sources of supply, and increased regional production.

In the field of financing of economic development, the secretariat presented a report, entitled "Mobilization of domestic capital through financial institutions of the ECAFE region," to the Committee on Industry and Trade at its third session. The Committee authorized the continuation of work on the subject of financing economic development, including detailed studies of measures for mobilizing savings through postal facilities, co-operatives and other credit associations; methods of promoting increased domestic savings through expanding sales of government bonds; and steps for improving the unorganized money and capital markets. It authorized the secretariat to give

assistance on request to individual governments in the analysis of problems of the mobilization of domestic capital. Individual requests for such assistance have already been made by Burma, Pakistan and the Philippines. Finally, a working party of experts was authorized to meet to consider ways and means of increasing domestic resources for the financing of economic development.

The Commission also approved a study of the impact of industrialization on the economies of the countries within the ECAFE region, with special reference to the effects on population and agriculture and changes in the economic structure.

(v) *Problems of food and agriculture*

In view of the major role of agriculture in the region, close attention has been devoted by the Commission to the economic aspects of regional agricultural problems. Co-operation and close liaison have been maintained between the Commission and FAO through the latter's regional office in Bangkok.

(vi) *Advisory services*

In the course of its work, the secretariat has been able to provide various forms of advisory service direct to governments on such matters as flood control; trade and financial problems, trade promotion; handicraft marketing; tourist travel facilities; economic planning; geological survey problems; development of mineral resources; management procedures; development of iron and steel industries; and development of small-scale and cottage industries. Whenever appropriate these activities were undertaken in co-operation with the Technical Assistance Administration.

In particular the secretariat has been able to assist several governments, at their request, in the formulation of their applications for technical assistance under the United Nations technical assistance programme and by recommending experts from within the region in connexion with their stated needs for specific types of assistance. Among other services, the secretariat has advised the Technical Assistance Administration on the requests for technical assistance submitted by countries of the region, and has provided comments on the nominations for fellowships and scholarships submitted by governments.

The Committee on Industry and Trade, at its third session, approved the conclusions and recommendations regarding specific shortages of personnel contained in the secretariat's report on fields of economic development handicapped by lack of trained personnel, and recommended the establishment of a joint working party of ECAFE, ILO and UNESCO to make a periodic survey of the progress being made in overcoming the more persistent shortages through national training programmes and through the activities of the participating agencies themselves.

(vii) *Problems of flood control*

Considerable progress has been made by the Bureau of Flood Control in promoting the improvement of

techniques by bringing specialists together and by the interchange of experience. A Technical Conference on Flood Control was convened by the Bureau at New Delhi in January 1951, and was attended by 120 experts in flood control and related matters, representing member and associate member countries, specialized agencies and international technical organizations. The discussions were based on thirty conference papers prepared by experts of the region and on two submitted by the Bureau. The Conference stressed problems of common interest which merited early investigation by the Bureau, and worked out basic principles of flood control for the region.

Technical advice and assistance have been rendered by the Bureau to the Governments of Ceylon, India and Thailand at their request. Experts of the Bureau drew up a comprehensive plan of flood control for the Kalu Ganga River. An expert of the Bureau also assisted the Royal Irrigation Department of Thailand to design and conduct model tests on the Chao Phya project, Thailand's largest irrigation-cum-flood control scheme. These were the first hydraulic model tests to be carried out in Thailand and they proved that, by raising the bottom of the dam by four metres, a saving of approximately \$US 1,000,000, or 20 per cent of the total cost of the dam, could be effected in construction costs. Late in 1950, two experts of the Bureau were invited by the Government of India to serve on the Advisory Committee for the Reconnaissance and Survey of the Earthquake and Flood Affected Areas in North Assam, which investigated the flood damage caused by the Brahmaputra River following the earthquake earlier in the year.

The promotion of improved techniques of flood control by the exchange of experience is one of the most important aspects of the Bureau's work. Seven issues of a *Quarterly Flood Control Journal* have been published since 1949, containing information on the latest developments in flood control techniques both within and outside the region. Early in 1951, a report entitled *Flood Damage and Flood Control Activities in Asia and the Far East*, illustrated with many maps, was published by the Bureau and distributed to governments and technical organizations in the region. These publications are part of a Flood Control Series, subsequent volumes of which will deal with methods of flood control in the region.

The Bureau has also secured the co-operation of the Governments of Thailand and the Associated States of Indochina in the exchange of hydrological data for the prediction of floods on the Makong River. This constitutes a first attempt to promote co-operation in the solution of problems of international rivers in the region.

(viii) *Economic Survey and Economic Bulletin*

The fourth volume of the annual *Economic Survey of Asia and the Far East*, covering the year 1950, has been completed for publication. In addition to reviewing economic trends in 1950 in the ECAFE region and Japan, the *Survey* contains an analysis of the extent of post-war economic recovery and a

statistical comparison with the period immediately before the war. It also contains a comprehensive survey of human, natural and financial resources and their development within the region, and a study of the national income of certain countries in the region.

In the latter half of 1950, the publication of a quarterly *Economic Bulletin for Asia and the Far East* was put in hand. Three issues have appeared, covering the first, second, and third quarters of 1950 respectively. The *Bulletin* is designed primarily to give up-to-date information on economic developments in the region and in Japan, in the intervals between the publication of the annual *Economic Surveys*. The *Bulletin* regularly contains a review of the more important developments during the three months under review in the fields of agricultural and industrial production, trade, finance and price movements. This is supplemented by a statistical section, entitled "Asian Economic Statistics", containing a series on production, transport, trade, finance and prices. In addition, the *Bulletin* includes articles on particular aspects of the economic problems of the region.

(ix) Statistics

A regional conference of statisticians, jointly organized by the Statistical Office of the United Nations, the International Monetary Fund and the secretariat of ECAFE, met in Rangoon from 22 January to 3 February 1951. Representatives of all the countries in the ECAFE region and of most of the other member countries of the Commission participated, as well as representatives of FAO, of the Supreme Commander for the Allied Powers in Japan, and of non-governmental organizations specializing in statistics. The main subjects discussed were international trade statistics, balance of payments statistics and statistical organization. In connexion with international trade statistics, the discussion dealt especially with the problems involved in the adoption by countries of the region of the *Standard International Trade Classification*. The Conference adopted a resolution recommending the convening of a working party on the trade classification in 1951, and a second regional conference in 1952, at which the principal item to be discussed would be statistics on production. Studies were made by the secretariat on the organization of statistics in countries of the region, and a report was presented to the conference.

In co-operation with the Statistical Office of the United Nations and specialized agencies, the secretariat has continued its work of compiling basic statistical series on various aspects of economic activity in the countries of the region. Many of these statistics are published in the annual *Economic Survey* and the quarterly *Economic Bulletin*. An index of Asian statistics is also being compiled for publication.

Of the other activities in the field of statistics, mention may be made of the project initiated in 1950 to reclassify government accounts and budgets in order to reveal their economic significance; a report, including studies of the budgets of Burma, Hong Kong, India and the Philippines, was presented to the Commission at its seventh session. The secretariat is also

assisting the Government of Thailand to reclassify its budget according to the proposed scheme. Another important activity has been the study of methods of compiling national income statistics in countries of the region; up to June 1951 the Philippines and Japan had been covered in this study.

(c) ECONOMIC COMMISSION FOR LATIN AMERICA

The Economic Commission for Latin America held its fourth session in Mexico City from 28 May to 16 June 1951.

The members of the Commission are the twenty Latin-American Republics and France, the Netherlands, the United Kingdom and the United States of America. Although territories within the geographical scope of the Commission may be admitted to associate membership upon application by the Members responsible for their international relations, no such application has as yet been received by the Commission.

At its fourth session, the Commission concentrated its attention on questions related to its future activities, including problems of co-ordination, and economic development and trade questions with special reference to the effects of the present emergency situation on trade and prospects for economic development in Latin America. As a background for its discussion and recommendations, the Commission had before it the following major studies and reports prepared by the secretariat: the *Economic Survey of Latin America*; an interpretative analysis of practical and theoretical problems of economic growth; a report on economic development trends in selected Latin-American countries; a study on the productivity of labour in the cotton textile industries; a report on the economic and legal status of foreign investments in Latin-American countries; a study on the trade between Europe and Latin America; a report on the capacity of the United States of America to absorb Latin-American products; and a report on the effects of the United States defence programme on the economy of Latin America.

A detailed description of the Commission's work since its establishment and a full account of the proceedings of its last session are to be found in the Executive Secretary's statement to the *Ad Hoc* Committee on the Organization and Operation of the Council and its Commissions and in the annual report of the Commission to the Economic and Social Council.

(i) General

In connexion with the forthcoming consideration by the Economic and Social Council of the future of the regional economic commissions, the Economic Commission for Latin America, at its fourth session, reviewed its past work, endorsed the Executive Secretary's statement on this subject presented to the *Ad Hoc* Committee on the Organization and Operation of the Council and its Commissions, and came to the conclusion that the Commission was a highly useful centre of investigation of Latin-American economic conditions, had proved its ability to contribute greatly to the improvement of the economies of Latin-American countries, and was an effective instrument for inter-governmental action. It unanimously agreed, therefore, to recommend to the

Economic and Social Council that the Commission should be continued indefinitely and should continue to concentrate its attention on the economic development of the region and on related problems.

The Commission emphasized that its achievements had been greatly facilitated by co-operation with the other inter-governmental agencies in the region and, in particular, by the arrangements made for co-ordination and co-operation with the specialized agencies which were further developed during the past year.

As at previous sessions, the Commission devoted special attention to the problem of co-operation and co-ordination of activities with the Inter-American Economic and Social Council. The Commission had before it a full account of the measures taken to implement earlier resolutions on the subject contained in the Executive Secretary's statement to the *Ad Hoc* Committee. The section of this document dealing with co-ordination was prepared in consultation and agreement with the Executive Secretary of the Inter-American Economic and Social Council. Official representatives of that organization and its Executive Secretary participated fully in the Commission's consideration of these matters.

The Commission took the view that collaboration between the two bodies could be achieved by continuing the existing arrangements between their Executive Secretaries and invited the Executive Secretary of the Inter-American Economic and Social Council to join with the Executive Secretary of the Commission in a Committee on Co-ordination, which will meet at least twice a year. It further invited the Council to appoint an official of the Organization of American States to study jointly with the Executive Secretary of the Commission problems of co-ordination at the government level.

Lastly, the Commission unanimously reaffirmed its view that the existing co-ordination arrangements are effective, and stated that the Economic Commission for Latin America, as a highly useful instrument for dealing with regional economic problems, would receive the full and continuous support of all its member governments.

(ii) *Economic development*

The Commission since its first session has emphasized the need for studies of long-term economic trends and economic development problems, to be carried out systematically. In view of the lack of comprehensive analytical studies of the characteristics of the process of economic development in Latin-American countries, the main task of the Commission and its secretariat in the initial years of their work was necessarily one of analysis and evaluation of these and related questions.

During the fourth session, the Commission reaffirmed its interest in the problems of economic development and extended the scope of its work in this field. It also showed a growing concern regarding recent economic trends as affecting the process of economic development in Latin America. Considerable attention was devoted to current economic issues and, particularly, to problems bearing upon the markets for Latin-American export products; the supply of materials and equipment necessary to the economic development of countries in the

region; the availability of capital for investments essential to economic development; and the anticipated effects and policies in connexion with the expected accumulation of foreign exchange balances during the period of rearmament in the industrialized countries.

In response to the interest shown by the Commission, the third annual *Economic Survey of Latin America* was largely devoted to the study of recent economic trends in Latin-American countries in the fields of agriculture, mining, industry, inflation, exchange policies and balances of payments, and analysed their effects on the economic development of those countries. The *Survey* also dealt with the inflationary effects of recent changes in the balance-of-payments position of Latin-American countries and the consequences of a possible shortage of capital goods on the implementation of plans for economic development.

In a report entitled "Theoretical and practical problems of economic growth", special analyses were presented of major economic development problems and policies. This report was supplemented by additional studies of structural changes in selected countries of Latin America.

The Commission discussed at length a number of questions arising in connexion with the process of economic development, including the factors which should be taken into consideration by governments in formulating their programmes and projects. It requested the Executive Secretary to assist the governments concerned, at their request, in the formulation of economic development programmes and to seek the co-operation of the United Nations Technical Assistance Administration and the appropriate specialized agencies.

The Commission welcomed statements by the representatives of five Central American republics, expressing the interest of their governments in promoting the integration of their economies through the co-ordination of economic development plans and the creation of industries in which those countries have a joint interest and which could supply the needs of all interested countries. The Commission invited the governments of Central American States to establish an inter-governmental committee for economic co-operation for the purpose of co-ordinating the activities aimed at the economic integration of the countries concerned and, acting as a consultative organ of the Executive Secretary, both to direct relevant studies and to examine the conclusions reached therein.

Bearing in mind the need to promote applied technological research in the region, especially with respect to the application of technological processes suitable to prevailing conditions, the Commission requested the Executive Secretary to collect relevant information and, in due course, to convene meetings of experts for the purpose of preparing reports and making recommendations.

The Commission also requested the secretariat to continue publication of the *Economic Survey of Latin America* on a permanent basis, as well as studies on the following subjects among others: economic development in each Latin-American country; analysis of the different aspects of the process of economic development; comparative analysis of the problems of economic devel-

opment; and the examination of development plans and programmes and their results.

(iii) *Financing of economic development*

Considerable attention was paid by the Commission to ways and means of increasing the availability of capital for economic development, both by increasing domestic savings and by expanding the flow of foreign investments. Among other studies and reports prepared by the secretariat, the Commission had before it a report entitled "Economic and legal status of foreign investments in selected countries of Latin America" and, as background material, the report of the group of experts appointed by the Secretary-General on *Measures for the Economic Development of Under-Developed Countries*. In addition to recommending that the secretariat should give due attention in its annual studies to problems of financing economic development, the Commission requested it to suggest the most appropriate means which governments might employ for increasing the rate of domestic capital formation, by providing facilities and incentives for increasing savings, and for directing such savings into productive channels. The Commission further requested the secretariat to undertake studies and prepare reports on the following subjects: inflationary pressures; the monetary and related policies best adapted to the economic development needs of Latin-American countries; the organization and structure of capital markets in Latin America; and the influence that the fiscal systems of the capital-exporting countries may have on the decisions of private investors to make foreign investments.

The Commission noted with satisfaction the offer made by the International Monetary Fund to co-operate with the secretariat in an analysis of monetary and exchange problems relating to economic development.

Finally, the Executive Secretary was requested to co-operate with the governments of member countries, at their request, on the formulation of policies applying to currency, credit and taxation, and to advise them on appropriate measures for increasing saving and channelling them towards purposes consistent with economic development.

The Commission recommended that the international financing institutions should take note of the expanding demands that the economic development programmes place upon under-developed countries, and that they should also adjust their lending to the economic development programmes of Latin-American countries so that resources allocated to financing will be available throughout the period covered by the programmes.

The Commission welcomed the co-operation between its secretariat and the International Bank for Reconstruction and Development and recommended that it should be continued and strengthened.

(iv) *Industry studies*

In the last annual report it was noted that the secretariat had undertaken a survey of productivity in individual textile mills in selected countries of Latin America, and had compared the results with standards of productivity determined after considering the type

of equipment and of goods produced. The results of this inquiry are embodied in a report entitled *Productivity of Labour in the Cotton Textile Industries of Five Latin-American Countries* presented to the Commission at its fourth session. The report indicates to what extent improved organization and modernization of equipment would contribute to increasing the productivity of textile industries and presents recommendations based upon the results of the study. During the year the secretariat also initiated over-all studies of other major industries. High priority is attached by the Commission to these analytical studies in view of their importance to economic development. It requested the secretariat to undertake further study of the textile industries and called for similar over-all industrial and productivity studies to be undertaken for other industries: steel, wood-pulp and paper, basic chemicals and foodstuffs. The Commission also authorized the Executive Secretary to convene meetings of industrial experts to examine the conclusions and recommendations of each study before submitting it to the Commission.

(v) *ECLA Centre for Economic Development in Latin America*

From the outset, a continuing preoccupation of the Commission has been to make the fullest possible contribution to the training of Latin-American economists in problems of economic development. It will be recalled that, at its second session, the Commission adopted a resolution calling for an inquiry into the facilities available in Latin America for economic research and training of economists, with a view to determining requirements in this respect. In his statement to the *Ad Hoc* Committee on the Organization and Operation of the Council and its Commissions, the Executive Secretary called attention to the special opportunity which the Commission could provide to enable economists to undertake creative research which would link theoretical knowledge with preparation for practical action, especially in the field of economic development.

At its fourth session, the Commission requested the Executive Secretary to arrange for the establishment of an "ECLA Centre for Economic Development" and to work out the relevant administrative and financial provisions in consultation with the Director-General of the Technical Assistance Administration. The activities of the Centre would be co-ordinated with those of the specialized agencies, and of universities and other institutions within the region which provide facilities for economic research and study. The Commission further requested the Secretary-General to utilize the facilities of the Centre for conducting courses and seminars on economic development problems and for placing fellows and scholars under the United Nations technical assistance programme.

(vi) *Technical assistance and advisory services*

In accordance with an earlier decision of the Commission, TAA prepared an account of activities in Latin America under the United Nations technical assistance programme for consideration by the Commission at its fourth session.

The Commission recommended that the Secretary-General should utilize the secretariat of the Commission

as fully as possible in assisting the governments of member countries to appraise their needs for technical assistance, to formulate their requests for such assistance and to carry out such advisory services as might be agreed upon. The Commission also welcomed the designation of a TAA representative to be attached to its secretariat.

The importance of the technical assistance programme to the economic development of Latin America was further emphasized in several resolutions dealing with specific problems which urged governments to avail themselves of the existing facilities and requested the Executive Secretary to co-operate with the governments concerned, at their request, and with TAA.

(vii) *Agriculture*

The relations between the secretariats of the Commission and of the Food and Agriculture Organization have been further strengthened during 1950. The two organizations reached an understanding defining in detail the fields of study of common concern and establishing machinery for dealing with the relevant questions at the secretariat level. In pursuance of this understanding, ECLA has created an Agriculture Section, the chief of which is a senior agricultural economist from FAO. The Agriculture Section will undertake research and other projects of common interest to ECLA and FAO.

Because of its special interest and facilities for preparing agricultural commodity studies related to trade, the secretariat of FAO has actively collaborated with the secretariats of the Economic Commissions for Latin America and Europe in the study of trade between Europe and Latin America.

The study of agricultural developments in Latin America was continued and the results of these inquiries were incorporated into the *Economic Survey of Latin America* and other reports submitted to the Commission.

At its fourth session, the Commission recommended that governments should take measures designed to meet the agrarian problems of Latin-American countries, and requested the Secretary-General of the United Nations and the Director-General of FAO to provide to interested governments, at their request, technical assistance with a view to the balanced development of agriculture.

After considering a report on problems of forestry and timber production, the Commission adopted a series of recommendations and requested the secretariat to carry out, in collaboration with FAO, a study of the effects of freight charges and tariffs on the lumber industry of Latin America. With regard to the implementation of its resolution on agricultural credit in Central America adopted at the third session, the Commission recommended that governments should supply data requested by the secretariat in pursuance of that resolution; it also urged the Executive Secretary to consult with the Director-General of FAO with a view to convening, jointly and in co-operation with the governments concerned, a meeting of experts on agricultural credit.

(viii) *International trade problems*

As noted in the previous annual report, the Commission, at its third session, requested its Executive Secretary to consult with the Executive Secretary of the

Economic Commission for Europe with a view to undertaking a joint study of ways and means of expanding trade between the countries of both regions. The FAO participated with the secretariats of both Commissions in the preparation of this study, and the International Monetary Fund also gave valuable assistance. A preliminary joint report on *Trade Between Europe and Latin America* was presented to the Commission at its fourth session.

The Commission also had before it secretariat studies on the capacity of the United States of America to absorb Latin-American products, the effects of the United States defence programme on trade with Latin America, and a progress report on the study of inter-Latin-American trade.

The effects of current conditions on the trade between Europe, the United States of America and Latin-American countries were examined at length by the Commission. Particular attention was given to questions relating to the economic development of Latin America, the maintenance of the purchasing power of the foreign exchange balances expected to be accumulated by Latin-American countries during the emergency period and the orderly liquidation of such balances, as well as problems of multilateral price-fixing in foreign trade.

The Commission, *inter alia*, requested the Executive Secretary to provide the interested governments with technical advice in order to assist them in carrying out studies of practical measures to maintain and expand trade between Latin America, Europe and the United States, to advise such governments as to the appropriate steps they might take in the future to obtain greater transferability of foreign exchange balances, and to convene in due course meetings of experts to study such problems and make relevant recommendations. In regard to multilateral price-fixing in foreign trade, the Commission requested the Executive Secretary to examine the possibility of extending the procedure of inter-governmental consultation to non-hemispheric trade.

The Commission agreed to widen the scope of the studies on intra-Latin-American trade now in progress. It requested the Executive Secretary to intensify these studies, and to present to the fifth session a special interim report on the possibilities of expanding intra-regional trade. He was further authorized to call a special meeting of experts on trade between Latin-American republics to discuss such aspects of the problem as he might wish to draw to their attention.

The Commission called for the continuation or initiation of research on the following topics: trade between Europe, the United States of America and Latin America; trade trends and policies of Latin-American countries; possible measures to obviate or alleviate disturbances in the monetary field which might affect Latin-American countries as a result of the accumulation of foreign exchange balances; the effect of rearmament programmes on Latin-American trade; measures to increase the volume of Latin-American exports to the United States of America; and measures to expand trade between Latin-American countries.

(ix) *Immigration*

On the basis of a progress report submitted by the secretariat, the Commission, at its fourth session, reviewed the work of the Working Committee at the

Secretariat Level on Economic Development and Immigration, established pursuant to a resolution adopted at the previous session.

The Commission recommended that the Executive Secretary should consult with the executive heads of interested specialized agencies with a view to the establishment of an inter-agency regional co-ordination committee on migration which would meet when necessary to review progress and co-ordinate action in the field of migration in Latin America. It further requested the Executive Secretary to co-operate with the International Labour Organisation, the Food and Agriculture Organization and other agencies in the field of immigration, especially by assisting whenever necessary in the appraisal of economic aspects of immigration projects.

(x) *Other matters*

The Commission also had before it, at its fourth session, a progress report on the measures taken jointly by the secretariats of the Commission and of the United Nations Educational, Scientific and Cultural Organization to implement an earlier resolution of the Commission on measures to increase the availability of supplies of educational, scientific and cultural material. The Commission requested the Executive Secretary to consult again with the Director-General of UNESCO with a view of establishing a working group to study the subject, and requested the governments of member countries to reply as soon as possible to the questionnaire circulated by the secretariat.

After considering several questions connected with motor vehicle traffic over the Inter-American Highway and the ratification of the world Convention on Road Traffic of 1949, the Commission requested the Executive Secretary to initiate a general study of the international aspects of automotive transport in Latin America, with special emphasis on problems affecting the Highway, and to submit a report to the Commission at its next session.

The Executive Secretary was also requested to undertake, within the means at his disposal, preliminary inquiries regarding the economic effects of the operation of the Free Zone of Colon (Panama) and to report his findings to the Government of Panama.

At the request of the Economic and Social Council, the Commission considered the promotion of systematic surveys of non-agricultural resources and the holding of international conferences on problems relating to such resources. After reviewing a note by the Executive Secretary on the subject, the Commission agreed that such surveys and conferences would constitute an important means of furthering the economic development of Latin America. It recommended that, in planning conferences on particular problems of non-agricultural resources, the Secretary-General should take into consideration the suggestions made in the Executive Secretary's note.

10. Human rights

The United Nations continues to make the promotion of human rights and fundamental freedoms one of its prime objectives. It is of great significance that the General Assembly, at its fifth session, recognizing that the proclamation of the Universal Declaration of Human

Rights marked "a distinct forward step in the march of human events", invited all States and interested organizations to adopt 10 December of each year as Human Rights Day. The anniversary of the proclamation of the Universal Declaration has already been widely celebrated throughout the world.

During the year under review, progress has been made in preparing plans for the further definition and the implementation of human rights. Acting under the guidance of the General Assembly and the Economic and Social Council, the Commission on Human Rights has revised and enlarged the draft Covenant on Human Rights to include economic, social and cultural rights, and has outlined in some detail adequate measures of implementation. It has not been able, for reasons of time, to carry out the full assignment given to it by the Assembly and the Council in connexion with the drafting of the Covenant, but what the Commission has accomplished must be regarded as an outstanding contribution to the United Nations human rights programme.

The paragraphs which follow describe the complex activities of the Organization in the field of human rights. The year has marked the preparation in draft form of four international instruments: the draft Convention relating to the Status of Refugees, the draft Protocol relating to the Status of Stateless Persons, the draft Convention on Freedom of Information, and the draft Convention on Political Rights for Women. Particular interest attaches to certain actions and decisions taken in the interest of groups and classes of individuals whose rights have been neglected and violated. In this connexion, attention may be drawn to the establishment of the Office of the High Commissioner for Refugees which is now actively functioning; to the steps taken to alleviate the tragic circumstances of the survivors of nazi concentration camps who were victims of so-called scientific experimentation; to the appointment of a committee, in collaboration with the International Labour Organisation, to investigate the nature and extent of forced labour and to study measures for its abolition; and to the establishment of a commission with a view to settling the problem of prisoners of war who have not yet been repatriated or otherwise accounted for.

(a) DRAFT INTERNATIONAL COVENANT ON HUMAN RIGHTS

One of the significant tasks of the United Nations in the field of human rights has been the drafting of an International Covenant on Human Rights. During the past year some progress has been recorded in the accomplishment of this task.

The Economic and Social Council, at its eleventh session held in the summer of 1950, received from the Commission on Human Rights the draft of a Covenant. This the Council transmitted to the General Assembly for its consideration, with a request that the Assembly should reach policy decisions on the following points: (1) the general adequacy of the first eighteen articles; (2) the desirability of including special articles on the application of the Covenant to Federal States and to Non-Self-Governing and Trust Territories; (3) the desirability of including articles on economic, social and cultural rights; and (4) the adequacy of the articles relating to implementation.

In response to this request, the General Assembly, in resolutions 421 (V) and 422 (V) of 4 December 1950, laid down certain directives for the future work of the Commission on Human Rights.

The Assembly indicated that the list of rights in the first eighteen articles did not contain certain of the most elementary rights; that the present wording of the first eighteen articles should be improved in order to protect more effectively the rights to which they referred; that, in drafting the Covenant, account should be taken of the Purposes and Principles of the Charter of the United Nations and that these Purposes and Principles should be consistently applied and assiduously protected. The Assembly also requested that the draft Covenant should be revised, taking into consideration the views expressed in the Council and in the General Assembly and the desirability of defining the rights set forth in the Covenant and the limitations thereto with the greatest possible precision.

The General Assembly further requested the study of a federal State article and the preparation of recommendations which would have as their purpose the securing of the maximum extension of the Covenant to the constituent units of federal States and the meeting of the constitutional problems of federal States.

The Commission was to include a provision to the effect that the Covenant should extend to or be applicable equally to signatory metropolitan States and to all territories, whether Non-Self-Governing, Trust or Colonial Territories, which were administered or governed by such metropolitan States.

The Commission was also asked to study ways and means that would ensure the right of peoples and nations to self-determination. It was requested further "in accordance with the spirit of the Universal Declaration, to include in the draft Covenant a clear expression of economic, social and cultural rights", and to obtain the fullest co-operation of the other organs of the United Nations and of the specialized agencies in the consideration of these rights.

Within the field of implementation, the Commission was called upon to proceed with the consideration of provisions to be inserted in the Covenant or in separate protocols for the receipt and examination of petitions from individuals and organizations with respect to alleged violations of the Covenant, and to take into account, in its studies of questions relating to petitions and implementation, certain proposals presented to the General Assembly by Chile, Ethiopia and France, Israel, and Uruguay.

At its seventh session in the spring of 1951, the Commission on Human Rights had only time to deal with the question of economic, social and cultural rights, to revise the articles of implementation drawn up at its sixth session, and to insert in the draft Covenant the article on its territorial application (article 72), as decided by the General Assembly. It was not able to revise the first eighteen articles on the lines indicated by the Assembly, or to study the question of the federal State article and draft a provision thereon, or to deal with the question of petitions. Nor had the Commission time to consider the agenda item on the right of self-determination of peoples and nations.

As to economic, social and cultural rights, the Commission drafted fourteen articles with the assistance of representatives from the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, and the World Health Organization. These articles (19 to 32) recognize the right to work, to just and favourable conditions of work, to social security, to adequate housing, to an adequate standard of living, to the highest standard of health obtainable, to special protection for mothers and children, to join trade unions, to education, to take part in the cultural life of the community and to enjoy the benefits of scientific progress; and the equal right of men and women to the enjoyment of all economic, social and cultural rights and particularly of those set forth in the Covenant. A general article (19) provides that the States parties to the Covenant will undertake to take steps "to the maximum of their available resources with a view to achieving progressively the full realization of the rights recognized in this part of the present Covenant".

In a new series of articles (60 to 68) the Commission outlined a system of reporting by States parties on the progress made in achieving the observance of these rights. The reports, which would indicate factors and difficulties affecting the degree of fulfilment of the obligations assumed by States, would be submitted in stages, in accordance with a programme to be established by the Economic and Social Council after consultation with the parties and the specialized agencies concerned. To avoid duplication, the Commission provided that if States had already furnished relevant information to the United Nations or to any specialized agency, their reports might merely refer to it. The Council would make special arrangements with the specialized agencies concerning reports to be submitted by them on progress made in achieving the observance of the provisions of the Covenant falling within their competence. The reports would include particulars of decisions taken and recommendations adopted by the competent organs.

The Council would transmit all reports to the Commission on Human Rights for study and recommendations. It would also, from time to time, submit to the General Assembly, with its own report, reports summarizing the information made available by the States parties and the specialized agencies. It was also provided that the Council might submit to the Technical Assistance Board, or to any other appropriate international organ, any conclusions reached by the Commission on Human Rights which might assist them in deciding on the advisability of international measures likely to contribute to the progressive implementation of the Covenant.

In the course of the work on the articles covering the system of reporting, the question was raised as to whether they should in fact apply only to economic, social and cultural rights or to all the rights recognized in the Covenant. The Commission did not reach a decision on this point, nor did it decide whether the measures of implementation providing for the establishment of a human rights committee (articles 33 to 59) should apply to all the rights now defined in the Covenant.

The Commission, however, was definite in its view that economic, social and cultural rights should be included in the same Covenant as civil and political rights,

and rejected, by 12 votes to 5, with one abstention, a proposal put forward in opposition to this view recommending that the decision of the General Assembly and the Economic and Social Council should be reconsidered.

The Commission made certain changes and additions in the articles dealing with a permanent human rights committee which had been drafted at its sixth session. The task of the committee is to ascertain the facts in cases of alleged violation brought to its attention by States parties to the Covenant and to make available its good offices to the States concerned, with a view to a friendly solution of the matter on the basis of respect for human rights as defined by the Covenant. If a friendly solution is not reached, the committee is to state in its report its conclusions on the facts.

Under the provisions adopted by the Commission at its seventh session, the human rights committee is to be composed of nine members who are persons "of high moral standing and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having judicial or legal experience". They are to be elected by the International Court of Justice, which will also appoint the secretary of the committee.

In addition to the functions of the committee as set forth in the draft prepared at the sixth session of the Commission, the committee is empowered, at the request of one of the States parties concerned, in serious cases where human life is endangered, to deal immediately with a case on receipt of the original communication and after notifying the State concerned, without waiting for the settlement of the matter between the States within six months. It is further provided that the committee will not deal with any matter for which a competent organ or specialized agency of the United Nations has established a special procedure by which the States concerned are governed, or with any matter of which the International Court of Justice is seized. The committee may recommend the Economic and Social Council to request the Court to give an advisory opinion on any legal question connected with a case before it. The States parties to the Covenant agree not to submit to the Court, except by special agreement, any dispute arising out of the interpretation or application of the Covenant in a matter within the competence of the committee. The committee is required to submit a report of its activities to the General Assembly.

In connexion with the General Assembly's request to proceed with the consideration of provisions to be included in the Covenant, or in separate protocols, for the receipt and examination of petitions from individuals and organizations, a separate draft protocol was before the Commission, together with several amendments thereto. The Commission, however, did not have time to discuss the draft protocol. A proposed article which would have allowed the human rights committee to initiate an inquiry on receipt of complaints from individuals, groups and non-governmental organizations, was rejected by 10 votes to 7, with one abstention.

Lastly, the Commission on Human Rights decided to submit, for the consideration of the Council, the draft Covenant as revised at the seventh session of the Commission, and asked the Secretary-General to transmit

the draft to the governments of Member States and to the specialized agencies for their comments.

(b) FREEDOM OF INFORMATION

In a further attempt to solve a problem which has been the subject of considerable discussion in various organs of the United Nations since the United Nations Conference on Freedom of Information met in Geneva in the spring of 1948, the General Assembly, at its fifth session, set up a special fifteen-member Committee to prepare a draft Convention on Freedom of Information (resolution 426 (V) of 14 December 1950).

The Special Committee was asked to take into account the draft Convention approved by the United Nations Conference on Freedom of Information, the text voted during the second part of the third session of the General Assembly, article 14 of the provisional text of the draft First International Covenant on Human Rights, and the observations contained in the summary records of the meetings of the Third Committee dealing with the question.

The Committee met at Lake Success from 15 January to 7 February 1951, and prepared a preamble and nineteen articles of a draft Convention on Freedom of Information which the Secretary-General has submitted to all the governments concerned for their suggestions and observations. The Committee expressed the hope that these comments would permit the Economic and Social Council to convene a conference of plenipotentiaries with a view to the framing and opening for signature of a Convention on Freedom of Information. The Committee also urged that work on a draft international code of ethics for information personnel should be completed at the earliest possible date with a view to having the code submitted to an international professional conference for final formulation and acceptance.

On the recommendation of the Sub-Commission on Freedom of Information and of the Press, the Economic and Social Council, at its eleventh session, adopted resolution 306 (XI) condemning interference with radio signals, and recommending to the General Assembly that it should call on the governments of Member States to refrain from such interference. It recommended to the Assembly that it should adopt a resolution on limitations on freedom of information during a state of emergency. The Council invited Members to put an end to confiscatory measures and discriminatory actions which interfere with the supply of newsprint. In accordance with the Council's requests, the Secretary-General has asked information enterprises and professional associations to provide comments and suggestions concerning the draft international code of ethics and has prepared an analysis of these comments for the Sub-Commission on Freedom of Information and of the Press at its fifth session. The Secretary-General has also requested governments to furnish details of new legislative and administrative measures in this field, and has requested information enterprises and professional associations to supply him with any reports or surveys compiled by them on the current status of freedom of information in any part of the world, with a view to the compilation of studies and analyses.

The General Assembly, at its fifth session, approved the Council's recommendations concerning interference

with radio signals and limitations on freedom of information during a state of emergency (resolution 424 (V) of 14 December 1950).

The Secretary-General prepared a report delimiting the respective activities of the United Nations and UNESCO in the field of freedom of information with a view to their co-ordination; this report was considered by the Council at its twelfth session.

The Council, at its eleventh session, had decided that the Sub-Commission on Freedom of Information and of the Press should not hold a session in 1951. The General Assembly, at its fifth session, invited the Council to reconsider its decision in order that the Sub-Commission might continue its work. In January 1951, the Council reaffirmed its previous decision that the Sub-Commission should not meet in 1951. At its twelfth session, the Economic and Social Council again had before it a proposal to convene the Sub-Commission in 1951, but decided to defer its decision until its thirteenth session.

(c) PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

In order that the Sub-Commission on Prevention of Discrimination and Protection of Minorities might continue the "thorough study of the problem of minorities" called for by General Assembly resolution 217 (III), the Economic and Social Council, at its eleventh session, on the recommendation of the Commission on Human Rights, requested the Secretary-General to invite governments to furnish examples of legislation and court decisions relevant to the prevention of discrimination and the protection of minorities. The information thus provided is to serve, *inter alia*, as a basis for preparing a definition of minorities. Twenty-two replies have been received to date and the Secretary-General has circulated a compilation of these replies to Member States.

Following the request of the Economic and Social Council at its sixth session, the Secretary-General had prepared a study of the continuing validity of treaty provisions and declarations for the protection of minorities after the conclusion of the First World War. This study was brought up to date and was presented to the Commission on Human Rights at its seventh session, but was among the items which the Commission, through lack of time, was compelled to postpone for later consideration.

In regard to the prevention of discrimination, the Council noted with satisfaction the initiative taken by UNESCO in the preparation of a statement on race from the viewpoint of scientific knowledge, and its actions directed towards the improvement of textbooks and teaching materials and the organization of educational seminars designed to eradicate prejudice and discrimination. The Council urged the continuation and expansion of this valuable work.

At the request of the General Assembly, the Council, at its twelfth session, reconsidered the previous decision taken at its eleventh session, and agreed that the Sub-Commission should meet in the autumn of 1951; the date has been set by the Secretary-General for 1 October.

(d) REFUGEES, DISPLACED PERSONS AND STATELESS PERSONS

Since 1949, when it was first decided that the International Refugee Organization was to terminate its functions, the United Nations has been faced with two problems: (1) what future international action should be undertaken on behalf of the hundreds of thousands of refugees who were within the mandate of IRO; and (2) what long-range programme could be evolved under the auspices of the United Nations to eliminate the problem of statelessness?

The past year has seen considerable progress in the solution of these two problems. The Office of the High Commissioner for Refugees is already functioning in Geneva. The draft Convention relating to the Status of Refugees and the draft Protocol relating to Stateless Persons have been sent to a Conference of Plenipotentiaries, which will meet in July 1951, for final revision and signature. The question of statelessness is currently under consideration by the International Law Commission and the Economic and Social Council.

(i) Office of the High Commissioner for Refugees

The Economic and Social Council, at its eleventh session, considered the question of the establishment of the Office of the High Commissioner for Refugees and prepared a resolution and a draft statute.

The General Assembly at its fifth session adopted, with certain modifications, the Council resolution concerning the Office of the High Commissioner. It accepted with some variations the draft Statute prepared by the Council and, in order to define the competence of the High Commissioner, incorporated in it a definition of the term "refugee" along the same lines as, but not identical with, the definition in article 1 of the draft Convention relating to the Status of Refugees. The resolution called upon governments to give their full co-operation to the High Commissioner in the performance of his responsibilities (resolution 428 (V) of 14 December 1950).

Under the terms of the General Assembly resolution and the Statute annexed thereto, the High Commissioner's responsibilities include the provision of international protection of refugees falling under his competence and the seeking of a permanent solution for the problems of refugees by assisting in their voluntary repatriation or assimilation within new national communities. He will follow directives given by the General Assembly and the Economic and Social Council, and his Office will be financed under the budget of the United Nations.

The work of the High Commissioner is non-political and humanitarian in character. In the performance of his duties, the High Commissioner is authorized to promote the conclusion and ratification of international conventions providing for the protection of refugees and to supervise their application. He will conclude special agreements with governments to improve the situation of refugees and to reduce the number requiring protection and will assist governments and private organizations in their efforts to promote the repatriation and assimilation of refugees. He will administer

funds, public or private, which he may receive for the assistance of refugees and distribute them among private and official agencies. He may not appeal to governments for funds without the prior approval of the General Assembly.

The Statute provides that the Economic and Social Council may decide, after hearing the views of the High Commissioner on this subject, to establish an advisory committee on refugees, composed of representatives of such States, Members as well as non-members of the United Nations as have demonstrated interest in and devotion to the solution of the refugee problem.

The General Assembly elected Mr. van Heuven Goedhart to the office of High Commissioner in December 1950, for a term of three years. The Assembly will review, not later than at its eighth session, the question whether the Office should be continued beyond 31 December 1953.

(ii) *Draft Convention relating to the Status of Refugees*

At its eleventh session, the Economic and Social Council considered, in the light of comments submitted by a number of governments, a draft Convention relating to the Status of Refugees and a draft Protocol relating to the Status of Stateless Persons, which had been prepared by an *Ad Hoc* Committee composed of the representatives of thirteen governments appointed by the Council at its ninth session.

The Council devoted special attention to the preamble and article 1 of the draft Convention defining the term "refugee". In its consideration of the definition of "refugee" the *Ad Hoc* Committee had been presented with two alternative definitions, the one in broad and general terms, the other listing categories of refugees to which the draft Convention would apply. Article 1 of the draft Convention as finally approved by the *Ad Hoc* Committee defined as refugees coming within the scope of the Convention, those persons who were within the mandate of IRO or who came within the scope of previous international instruments concerning refugees, and persons who, for well-founded fear of persecution, were unable or unwilling to avail themselves of the protection of their countries of origin or habitual residence.

The Council decided to ask the Secretary-General to reconvene the *Ad Hoc* Committee to revise the draft instruments in the light of comments of governments and of specialized agencies and the discussions and decisions of the Council. The *Ad Hoc* Committee was reconvened in August 1950 and reviewed the substantive articles of the draft Convention.

The General Assembly, at its fifth session, considered the texts of the draft Convention and Protocol, including the revised preamble and definition of "refugee", as prepared by the Council. It decided (resolution 429 (V) of 14 December 1950) to convene a conference of plenipotentiaries to complete the drafting of and to sign the Convention and Protocol. The Assembly amended the definition of the term "refugee" and decided to submit its definition as a recommendation to the conference; among the changes made was the exclusion from the protection provided by the Convention of all persons receiving protection or assistance from other organs

or agencies of the United Nations. It instructed the Secretary-General to invite to the conference of plenipotentiaries non-member as well as Member States of the United Nations.

The General Assembly, having been informed that IRO had decided to continue its operations until 30 September 1951, addressed an urgent appeal to all States to assist IRO in its task of resettlement of refugees (resolution 430 (V) of 14 December 1950).

The General Council of IRO subsequently decided to continue operations until the date when its available funds would be exhausted, estimated to be 31 December 1951.

(iii) *Elimination of statelessness*

The problem of the elimination of statelessness had been given some consideration by the *Ad Hoc* Committee on Refugees and Stateless Persons at its first session. The Committee was not able to draft an international instrument on the subject, but submitted certain recommendations to the Economic and Social Council at its eleventh session.

The Council, after taking note of article 15 of the Universal Declaration of Human Rights concerning the right of every individual to a nationality, felt that statelessness entailed serious problems both for individuals and for States and that it was necessary to reduce the number of stateless persons and to eliminate the causes of statelessness. It recommended to States involved in changes of territorial sovereignty that they should include in the arrangements for such changes provisions, if necessary, for the avoidance of statelessness. It invited States to examine sympathetically applications for naturalization submitted by stateless persons who were residents in their territory and, if necessary, to re-examine their nationality laws so as to reduce as far as possible the cases of statelessness created by the operation of such laws. It noted with satisfaction that the International Law Commission intended to consider problems relating to nationality and statelessness, and urged that the Commission should prepare at the earliest possible date the necessary draft convention or conventions for the elimination of statelessness.

(e) TRADE UNION RIGHTS

During the past year, the United Nations, in close collaboration with the International Labour Organisation, has taken action for the promotion of trade union rights. To ensure the safeguarding of freedom of association, the Economic and Social Council, at its tenth session, had accepted on behalf of the United Nations the services of the Fact-Finding and Conciliation Commission established by ILO, and had evolved a procedure for treating allegations against Members of the United Nations which were not members of ILO. At its eleventh and twelfth sessions, the Council had before it a large number of communications alleging violation of trade union rights; these it referred to the Governing Body of ILO for its consideration as to referral to the Fact-Finding and Conciliation Commission. The Council also took action on allegations against certain States not members of ILO. In one case of an alleged violation of trade union rights in a Trust Territory, the Council requested a report from the Secretary-General on the action to be taken on it by the Trusteeship Council.

(f) SLAVERY

The *Ad Hoc* Committee on Slavery, established by the Economic and Social Council in accordance with Assembly resolution 278 (III) of 13 May 1949, held its second session at Headquarters in April 1951.

Having studied sixty-four replies from governments to its questionnaire on slavery and servitude, and an even larger number from non-governmental organizations and experts having special competence in the field, the Committee attempted to define slavery and other institutions or customs resembling slavery and to evaluate the nature and extent of these problems at the present time. It found no reason to suggest alterations in the definitions of slavery and the slave trade found in article 1 of the International Slavery Convention of 1926, but felt that certain forms of servitude might not be covered by these definitions.

It appeared to the Committee that, in addition to legislative measures, it was necessary to introduce schemes of international assistance to check the economic and social causes responsible for the practices of slavery and servitude. The Committee was aware of a change of public opinion towards slavery, as evidenced by the adoption of the Universal Declaration of Human Rights with its firm stand against slavery and the slave trade (article 4), and by the fact that many new States that have come into being since the signing of the Convention have provided, in their basic laws, guarantees against slavery and servitude.

In its report to the Economic and Social Council, the *Ad Hoc* Committee made a number of recommendations of which the most important were the following: (1) that the United Nations should assume the functions and powers formerly exercised by the League of Nations under the International Slavery Convention of 1926, and that a convention supplementary to the above should be drafted, providing for the abolition of the legal status of slavery and of all forms of servitude; (2) that governments should adopt legislative and administrative measures designed to end slavery and servitude without creating unnecessary social disorder, and that a standing body of experts on slavery should be created by the United Nations to perform tasks of a supervisory nature; (3) that regional conferences on the question of slavery and servitude should be held under United Nations auspices; and (4) that ILO should undertake a study of the implications of contracts of service for life or for a long period of years, and other contracts of service which come within the category of "hard bargains", with particular reference to the creation or continuance thereby of servile status.

(g) FORCED LABOUR

During the period under review, specific action has been taken on preliminary plans for a survey of forced labour. The question of forced labour and measures for its abolition has been considered by the Economic and Social Council since its sixth session, and by the Governing Body of the International Labour Organisation during its 11th and 113th sessions.

The Secretary-General reported to the Economic and Social Council at its twelfth session that thirty-two

Member States and six non-member States were prepared to co-operate or to render assistance in an impartial inquiry. Many governments also furnished information concerning the existence or non-existence of forced labour within their respective countries.

The Economic and Social Council, at that session, adopted a resolution inviting ILO to co-operate in the early establishment of an *ad hoc* committee on forced labour of not more than five independent members qualified by their competence and impartiality, to be appointed jointly by the Secretary-General of the United Nations and the Director-General of the International Labour Office. The task of the committee would be to study the nature and extent of the problem raised by the existence in the world of systems of forced or "corrective" labour, which are employed as a means of political coercion or punishment for holding or expressing political views, and which are on such a scale as to constitute an important element in the economy of a given country. To this end, the committee was to examine the texts of laws and regulations and their application in the light of the principles laid down in International Labour Convention No. 29, the human rights provisions of the Charter and the principles of the Universal Declaration of Human Rights. The committee could take additional evidence into consideration if it thought fit. The resolution also prescribed that the committee would report to the Council and to the Governing Body of ILO concerning the results of its studies and progress thereon; it requested the Secretary-General and the Director-General to supply the professional and clerical assistance necessary to ensure the earliest initiation and effective discharge of the *ad hoc* committee's work.

The Secretary-General, in consultation with the Director-General of the International Labour Office, has appointed three members to constitute the *Ad Hoc* Committee on Forced Labour, which will hold its first session in the early part of October 1951 in Geneva.

(h) PLIGHT OF SURVIVORS OF CONCENTRATION CAMPS

At its eleventh session, the Economic and Social Council adopted resolution 305 (XI) requesting the Secretary-General to consider as soon as possible, with the competent authorities and institutions, means for alleviating the plight of survivors of concentration camps who, under the Nazi régime, were the victims of so-called scientific experiments. The Secretary-General communicated with a number of authorities and institutions, including the Allied High Commission in Germany, the Federal Government of Germany, the German Democratic Republic, the International Refugee Organization, the World Health Organization, the International Tracing Service and the International Committee of the Red Cross. He later reported to the Council at its twelfth session on the progress made, particularly with regard to determining the number, whereabouts and condition of victims, their position under German legislation and the availability of international funds or services for their assistance.

The Council, on 19 March 1951, adopted resolution 353 (XII), in which it appealed to the competent German authorities to consider making the fullest possible reparation for the injuries suffered by such persons;

invited IRO and any authority succeeding it in the administration of the reparation funds, and voluntary agencies distributing these funds, to alleviate the plight of victims as far as possible; and invited WHO to assist in the health aspects of the problem. The Council further requested the Secretary-General to study the possibility of securing voluntary contributions to supplement reparation measures if the latter proved inadequate.

The Secretary-General has conducted further discussions with the appropriate authorities, including the Government of the Federal Republic of Germany, and hopes to be able to submit a report on the matter to the Economic and Social Council at its thirteenth session.

(i) PRISONERS OF WAR

The problem of prisoners of war was brought to the attention of the General Assembly at its fifth session. Information was presented by several Member States tending to show that large numbers of prisoners taken in the course of the last war had not been repatriated or otherwise accounted for.

The General Assembly, by resolution 427 (V) of 14 December 1950, expressed its concern at this information, and called upon all governments still having control of such persons to act in conformity with the recognized standards of international conduct, the Geneva Convention of 1949 and the specific agreements among the Allied Powers which required that, upon the cessation of hostilities, all prisoners should, without delay, be given an unrestricted opportunity of repatriation. The Assembly requested such governments to publish and transmit to the Secretary-General, by 30 April 1951 (a) the names of prisoners still held by them, the reasons for their detention and the places where they were detained; and (b) the names of prisoners who had died while under their control, as well as the date and cause of death, and the manner and place of burial in each case.

The Assembly further requested the Secretary-General to establish an *ad hoc* commission of three qualified and impartial persons chosen by the International Red Cross, or failing that, by the Secretary-General, with a view to settling the question of prisoners of war in a purely humanitarian spirit and on terms acceptable to all the governments concerned. The commission was to convene at a suitable date after 30 April 1951 to examine and evaluate the information submitted by governments in the light of the information presented to the General Assembly at its fifth session.

In the event that the commission considered the information submitted by governments to be inadequate or to furnish reasonable grounds for believing that prisoners coming within the custody or control of any foreign government as a consequence of military operations of the Second World War have not been repatriated or otherwise accounted for, it was requested to take certain further steps. The commission was to seek from the governments and authorities concerned full information regarding such prisoners. It was to assist all governments and authorities who so desired in arranging for and facilitating the repatriation of such prisoners. The commission was authorized to use the good offices of any qualified and impartial person or organization whom it considered might contribute to the

repatriation or accounting for of such prisoners. In connexion with the task of the commission, governments and authorities were urged to co-operate fully, to supply all necessary information and to grant right of access to their respective countries and to areas in which such prisoners were detained. Governments were further urgently requested to make all possible efforts, based in particular on the documentation to be provided, to search for prisoners of war whose absence has been reported and who might be in their territories. The commission was directed to report as soon as practicable the results of its work to the Secretary-General for transmission to the Members of the United Nations.

In conformity with this resolution, the Secretary-General called upon the governments of Member States to supply information concerning prisoners of war who might still be in their custody. A large number of replies have been received and compiled for study by the Commission.

In view of the unwillingness of the International Committee of the Red Cross to appoint the members of the *Ad Hoc* Commission on Prisoners of War, the Secretary-General has named three persons to serve on the Commission, which will meet at Headquarters in July 1951.

(j) YEARBOOK ON HUMAN RIGHTS

The Yearbook on Human Rights for 1949, which was published in 1951, consists of four parts. Part I contains constitutional and legislative texts on human rights promulgated throughout the world in 1949 and, in some instances, in 1948 where those texts could not, for technical reasons, be included in the preceding *Yearbook*. Part II contains texts of basic laws in Trust and Non-Self-Governing Territories—which is a new feature in the latest *Yearbook*. Part III records provisions on human rights in international treaties and agreements and texts adopted by specialized agencies and other inter-governmental organizations. This section includes texts adopted by ILO, UNESCO, and UNICEF, as well as important multilateral treaties and agreements such as the Geneva Conventions of 12 August 1949 and resolutions of the Council of Europe and the Organization of American States. Part IV surveys the activities of the United Nations in the field of human rights, noting the progress made in the drafting of the Covenant on Human Rights and measures of implementation, and the continuing activities in the fields of freedom of information, eradication of slavery, improvement in the status of women, prevention of discrimination, trade union rights and problems of refugees.

In accordance with a decision of the Economic and Social Council at its eleventh session, future editions of the *Yearbook* will include decisions by national and international courts and texts of basic laws on human rights in Trust and Non-Self-Governing Territories and other relevant texts in respect of such territories. The Council also decided that, in future, each volume of the *Yearbook* should contain a compilation concerning the application, and so far as necessary the evolution, of one of the rights or of a group of closely related rights set forth in the Universal Declaration. The Secretary-

General has prepared a plan for a series of such studies for consideration by the Commission on Human Rights.

(k) COMMUNICATIONS

The amended procedure for dealing with communications concerning human rights laid down by the Economic and Social Council at its tenth session, was followed for the first time at the seventh session of the Commission on Human Rights. In accordance with the Council's recommendations, the Secretary-General prepared and circulated a non-confidential list summarizing all communications dealing with the principles involved in the promotion of universal respect for and observance of human rights. He also prepared a confidential list summarizing other communications concerning human rights which, as previously, was presented to the Commission in private meeting. The Commission took note of these lists and called the attention of the Council, in its consideration of the question of petitions in connexion with the report of the seventh session of the Commission, to the fact that it has been receiving communications concerning human rights since its establishment.

11. Status of women

Steady progress continues to be made in a worldwide, up-to-date, reliable and valid survey of laws pertaining to the status of women, and their application. As the original nuclear Sub-Commission on the Status of Women realized, such a survey provides the necessary basis for recommendations implementing the principles of equality of rights and opportunities for all without distinction as to sex, as stated in the Charter and affirmed in the Universal Declaration of Human Rights.

Action relating to political and educational rights, nationality, status of women in private law, equal remuneration for men and women workers for work of equal value, and other matters, is indicated in the following sections. Certain additional interesting developments during the past year, however, may be noted.

It will be remembered that article III of the Agreement between the United Nations and the World Health Organization provided that the Economic and Social Council and its Commissions should include in their agenda items proposed by WHO. In pursuance of this arrangement the report of the first session of the WHO Expert Committee on Nursing was presented to the Commission on the Status of Women at its fifth session. The possibility of utilizing the advisory social welfare services and training programmes of the United Nations for the improvement of the status of women was considered by the Commission. Reports on the status of women in private law were extended to include the position of women in Trust and Non-Self-Governing Territories. The great interest taken by non-governmental organizations in all matters affecting the status of women continued to be evinced by their increasing co-operation and participation in the work of the Commission.

(a) POLITICAL RIGHTS OF WOMEN

The annual revision of the report on constitutions, electoral laws and other legal instruments relating to

the political rights of women, prepared by the Secretary-General, shows that during the past year the right to participate in municipal elections has been granted to women in Haiti and Lebanon. In the case of Haiti, the Constitution of 1950 also provides that equal political rights with men will be extended automatically to women three years after the next general municipal elections.

There remain, however, fourteen countries, eleven of which are Members of the United Nations, in which women enjoy no political rights. In three of these countries, men likewise have no such rights (Ethiopia, Saudi Arabia and Yemen). In seven other countries (six Member States), women may vote in all elections subject to certain qualifications not imposed on men. Forty-one Member States grant women equal political rights with men, as do fifteen non-member countries.

The Secretary-General also prepared the following studies, for the consideration of the Commission on the Status of Women at its fifth session, held at Lake Success in May 1951: (1) draft convention on political rights of women; (2) draft pamphlet on political education for women; and (3) report on the status of women in Trust Territories.

The discussion in the Commission centred on the first two studies. The Commission decided to recommend to the Economic and Social Council that a convention on political rights of women should be drawn up, and submitted a draft text for such a convention, largely based on the draft prepared by the Secretary-General. The majority of the members of the Commission felt that a convention would constitute the most effective means to promote women's rights in all parts of the world, in spite of some scepticism on this point expressed in the Economic and Social Council at its eleventh session.

The Secretary-General prepared for the consideration of the Commission a draft pamphlet or study-guide for the use of non-governmental organizations working in the field of political education for women. While generally in favour of the pamphlet, the Commission suggested certain alterations and additions. It requested that the document should be re-drafted in the light of these suggestions, and circulated to members of the Commission. After receiving their comments the Secretary-General was to prepare a final text for distribution and dissemination on a wide basis.

In regard to the status of women in Trust Territories, the Commission suggested that the appointment of women to visiting missions might serve as a means of improving the conditions under which women live in such Territories.

(b) EDUCATION OF WOMEN

Extensive consultation has taken place between the Secretary-General and the Director-General of UNESCO during the year under review. The main responsibility for work on the education of women had been accepted by UNESCO, which had prepared a report for the fifth session of the Commission outlining the current activities and the future plans of UNESCO, with statistical data bringing up to date

the report submitted to the Commission at its fourth session.

The Commission noted with interest UNESCO's plans for joining in the sponsorship of a conference on public education to be held in 1952 to deal primarily with educational opportunities for women. It also noted UNESCO's plans for a sociological study of obstacles to the full enjoyment of educational as well as political rights of women, to be carried out in close co-operation with the Commission. The Commission, therefore, requested the Secretary-General to continue his collaboration with the Director-General of UNESCO on these matters, and to report at its sixth session on the progress made.

(c) STATUS OF WOMEN IN PUBLIC AND PRIVATE LAW

(i) *Public law*

The Commission, at its fourth session, expressed a desire to consider the information submitted by governments in reply to the sections of the Questionnaire on the Legal Status and Treatment of Women dealing with civil services and functions, civil liberties and fiscal laws. The Secretary-General therefore prepared reports on the following subjects for the fifth session of the Commission: (1) status of women in public services and functions, including civil service, jury, military and labour service; (2) civil liberties for women; and (3) fiscal laws as they affect women. These studies dealt with the situation in some thirty countries.

While recognizing that no comparable surveys had been carried out previously, the Commission nevertheless felt that the studies showed that the status of women in these fields had improved during the last decade. However, it was found that many countries still discriminated against married women in various branches of their civil service.

The Commission also took note of the fact that the reports submitted to the Secretary-General by governments contained information in some instances covering the years up to 1947 only, and might therefore be out of date. It therefore suggested that governments of countries in which changes had taken place since 1947 should transmit to the Secretary-General additional information to be included in supplementary reports.

(ii) *Private law*

In accordance with a request made by the Commission at its fourth session, the Secretary-General prepared preliminary reports on family law and on property rights of women based mainly on replies from non-governmental organizations to lists of simplified questions on family law and property rights.

The Commission found that these reports showed the existence of discrimination against women in the field of private law, but that no substantive discussion or recommendations could take place until the replies to parts II and III of the Questionnaire had been received from governments. It therefore requested the Secretary-General to prepare a further report on family law for its sixth session, based on replies from govern-

ments and on information from other sources, and to prepare a comparative analysis of information received as it related to the personal relations of spouses, and to relations between parents and children.

The Secretary-General was further requested to ask non-governmental organizations what changes in existing legislation were, in their opinion, desirable in order to eliminate discrimination against women in family law and property rights.

(d) EQUAL PAY FOR EQUAL WORK

A comprehensive report was prepared by the Secretary-General, summarizing the proceedings of and the action taken by the International Labour Conference at its 33rd session regarding the question of equal pay for equal work. The question was again placed on the agenda of the fifth session of the Commission for the purpose of informing the Commission of the progress made in this field since its fourth session in May 1950.

The Commission expressed regret that women workers in a majority of countries still suffered discrimination in regard to equal pay for equal work. It noted, however, that ILO planned to take action on proposals aimed at the abolition of discrimination at its 1951 Conference, and urged governments to implement as quickly as possible whatever measures might be decided upon.

(e) OTHER QUESTIONS CONCERNING THE STATUS OF WOMEN

The Economic and Social Council, at its eleventh session, endorsed the recommendation made by the Commission on the Status of Women, at its fourth session, that an international convention on the nationality of married women should be drafted as soon as possible embodying the principles outlined by the Commission. The Council proposed that the drafting of this convention should be undertaken by the International Law Commission, which agreed to perform the task in connexion with its work on nationality and statelessness. It has not yet been possible for the International Law Commission to allot any time to this work during its 1951 session; the Commission on the Status of Women, at its fifth session, recommended, however, that the drafting should be completed in the course of 1952.

The Secretary-General, in accordance with a request made by the Commission on the Status of Women at its fourth session, prepared a revised report on the number of women in the United Nations Secretariat and the positions held by them, together with a survey of changes in staff rules and regulations designed to eliminate discrepancies in their applicability to women as compared with men. This report showed that some progress had been made in respect of the employment of women in higher posts, but the Commission still felt that the numbers were too low and requested the Secretary-General to continue to appoint women to senior positions. The Commission also expressed the desire to be informed at its next session of the number and proportion of women employed

in the secretariats of the various specialized agencies, together with information on qualifications required for professional positions.

12. Narcotic drugs

During the period under review, much work has been done with the object of strengthening the international control of narcotics. The Commission on Narcotic Drugs held its fifth and sixth sessions, which together lasted two months, in December 1950 and April-May 1951 respectively, and the majority of its members participated in a number of other meetings which occupied them in all for another month and a half.

The Commission and its committees spent the greater part of this time in seeking a basis for an agreement to limit opium production to medical and scientific needs. Though most members held the view that the best means of securing such limitation was to establish an international opium monopoly, no agreement could be reached on a number of points, especially on the question of the regulation of the prices at which an international monopoly should buy and sell opium, and the international inspection of the opium trade. The Commission came to the conclusion that, in view of world conditions to-day and the current situation in the opium market, other means of achieving progress would have to be sought, even though such progress might be limited. The Commission, therefore, framed and submitted to the Economic and Social Council principles on which it might be possible to base a protocol designed to limit opium production indirectly, by limiting the stocks which each party would be entitled to maintain.

The Commission undertook a first discussion of the proposed single convention on narcotic drugs prepared by the Secretary-General in 1950 and a preliminary examination of the report of the United Nations Commission of Enquiry on the Coca Leaf.

On the basis of information furnished by governments and of studies prepared by the Secretary-General, the Commission continued to discharge its statutory functions with regard to the international control of narcotic drugs.

The Commission took prompt action—notified at once to governments by the Secretary-General—to bring under provisional international control two dangerous synthetic narcotic drugs, in conformity with article 2 of the 1948 Protocol.

(a) INTERNATIONAL AND NATIONAL CONTROL

The number of countries bound by the international instruments for the control of narcotics has continued to increase. Particularly gratifying results have been obtained in connexion with the 1948 Protocol bringing under international control drugs outside the scope of the 1931 Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs.

By decision of the World Health Organization, the provisions of the Protocol have now been applied to twelve drugs. The Commission on Narcotic Drugs

was gratified to learn, at its sixth session, that the WHO Expert Committee on Drugs liable to produce Addiction would consider, at its next session, whether two other drugs declared by the United States Government to be dangerous should be brought within the scope of the Protocol. In view of the dangerous nature of these drugs, the Commission decided, under article 2 of the Protocol, that pending a final decision by WHO, the measures applicable to drugs specified in article 1, paragraph 2, group I, of the 1931 Convention should provisionally apply to the two drugs (known as NU-1932 and NU-2206).

Governments have continued to communicate to the Secretary-General the various reports and other information required under the international conventions, such as annual reports, seizure reports, legislative texts, data on the manufacture of drugs and information on the operation of the system of control of the international trade in narcotic drugs. As last year, the Secretary-General took action on several occasions under resolution 246 B (IX) of the Economic and Social Council, which authorized him to request governments to furnish additional information concerning their reports.

In connexion with the illicit traffic, the Commission, at its fifth and sixth sessions, gave consideration to the situation in Burma and Thailand, and to the dangers arising from the accumulation of large stocks of heroin in Italy. The Commission's attention was also drawn to the offer for sale at Hongkong of 500 tons of Chinese opium.

The Commission decided, at its sixth session, to recommend to the Economic and Social Council the adoption of a resolution on education and propaganda against the use of narcotic drugs and, in addition, to recommend to the Council, in the event that such a resolution was adopted, to ask the Secretary-General to transmit the text thereof to the United Nations Educational, Scientific and Cultural Organization with a request for observations to be transmitted to the Commission at its seventh session.

At its twelfth session, the Economic and Social Council examined the report of the Permanent Central Opium Board on narcotics statistics for 1949 and the work of the Board in 1950, and adopted resolution 356 B (XII), once again requesting governments—in particular the governments of twenty-six States which had failed to send in many of their statistical reports for 1949—to communicate to the Board the statistics required under the conventions on narcotic drugs to which they were parties. The Supervisory Body also continued to discharge its functions under the 1931 Convention.

The Secretary-General submitted to the General Assembly at its fifth session, the results of the study which the Assembly, by its resolution 353 (IV) of 24 November 1949, had requested him to make on the question of the assessment of States not Members of the United Nations but signatories to the 1925 Convention, for their share of the administrative expenses of the Permanent Central Opium Board. The Assembly, on 16 November 1950, adopted resolution 455 (V), under which non-members will be assessed

by the same method as that followed in determining the assessment of non-members which are parties to the Statute of the International Court of Justice for their share of the expenses of the Court.

The Secretary-General has continued to receive information from Members and non-members of the United Nations on the control of narcotic drugs exercised by governments on the basis of their domestic legislation. The Secretariat has received nearly 2,200 texts of laws and regulations, which will be used in the preparation of the digest of laws to be compiled by the Secretary-General under Economic and Social Council resolution 49 (IV).

The *Annual Summary of Laws and Regulations relating to the Control of Narcotic Drugs—1949* has been published in the period under review.

(b) LIMITATION OF OPIUM PRODUCTION

In his report of last year, the Secretary-General indicated the progress achieved by the *Ad Hoc* Committee of the Principal Opium-Producing Countries, at its meeting at Ankara in 1949, towards the elaboration of an interim agreement to limit opium production to medical and scientific needs. During that meeting, the producing countries agreed on the limitation of the production of opium to medical and scientific needs, on the shares of the world opium output which they would severally produce each year under the proposed interim agreement, and on the reorganization of the existing opium trade as an international monopoly. The *Ad Hoc* Committee further proposed in outline a number of draft provisions for the interim agreement which the Secretary-General took as a basis for his first draft of that instrument.

In accordance with a recommendation by the *Ad Hoc* Committee, approved by the officers of the Commission on Narcotic Drugs and by the Economic and Social Council, the Secretary-General called a meeting of representatives of the principal drug-manufacturing countries at Geneva in August 1950, which was followed by a meeting of a Joint Committee of the Principal Opium-Producing Countries and of the Principal Drug-Manufacturing Countries. The Joint Committee reaffirmed the Ankara agreement and also took a number of provisional decisions on various aspects of the interim agreement. In particular, it stressed the fact that some form of inspection would be essential to ensure the proper functioning and successful operation of the international opium monopoly under the interim agreement. The Joint Committee had insufficient time during that session to give full consideration to all the aspects of the draft instrument which the Secretary-General had drawn up in accordance with the instructions of the Commission on Narcotic Drugs and of the *Ad Hoc* Committee: it therefore met again in New York in November 1950 in an attempt to resolve the remaining problems prior to the Commission's fifth session.

At that session, the Commission noted with satisfaction that substantial progress had been made since the first consideration of the proposal for an interim agreement. The principle of limitation of opium pro-

duction had been accepted; the shares of production to be assigned to each producing country had been determined; agreement had been reached on the means for securing the limitation of production, namely, the creation of an international opium monopoly; and the paramount importance of inspection for the proper functioning and successful operation of the scheme had also been affirmed. However, the Joint Committee had been unable to find solutions to four questions; the price of opium, the precise form of international inspection of the opium trade, the problem of the competition experienced by drug-manufacturing countries from the export of opium alkaloids manufactured by producing countries, and measures to meet competition in the export trade in opium alkaloids from alkaloids made from poppy straw.

The Commission learned with interest of a suggestion made by France in the Joint Committee for the establishment of an international monopoly of alkaloids, and requested the Secretary-General to obtain from the governments represented on the Commission their views on that suggestion.

The Commission then decided to continue at its sixth session the consideration of the points of the interim agreement which had been left in abeyance, and asked the Secretary-General to incorporate in a new draft the changes and amendments proposed by the Joint Committee and the Commission.

In the meantime, the Economic and Social Council, on 27 February 1951, had adopted resolution 355 C (XII) in which, after noting the progress so far achieved towards the effective limitation of opium production, it urged the Commission to make every possible effort to find a basis acceptable to the governments principally concerned on which an international agreement to that end could be based.

The Commission on Narcotic Drugs devoted the greater part of its sixth session to the consideration of ways and means of limiting opium production. It first re-examined each of the various problems which had not been solved during the previous consideration of the draft interim agreement by the Joint Committee and the Commission, but came to the conclusion that a satisfactory solution of those problems could not be found in view of conditions in the world and in the opium trade at the present time. The Commission therefore felt that any progress, though limited, which could be made by other methods would be preferable to inaction while awaiting a change in conditions which would permit further consideration of the proposal for an international monopoly, which most members still considered to be the best solution. It felt that the French proposal for the establishment of some control of opium production, on the analogy of the control of the manufacture and distribution of narcotic drugs established in the 1925 and 1931 Conventions, would constitute a step towards the ultimate aim of limiting the production of opium to the world's medical and scientific needs. After examining that proposal and modifying it in some respects, the Commission decided to submit to the Council, for its approval, the principles on which might be based a draft protocol, which would provide for a system of esti-

mates; statistical data; the limitation of opium production by the indirect method of limiting the stocks of opium each party would be entitled to maintain; the creation of international opium monopolies; and, lastly, an international control system including the power of embargo and investigation on the spot.

(c) SINGLE CONVENTION ON NARCOTIC DRUGS

In accordance with decisions taken by the Commission and by the Economic and Social Council, the Secretary-General drew up and published at the beginning of 1950 a draft single convention, accompanied by a commentary.

In its resolution 315 (XI) of 4 July 1950, the Economic and Social Council had authorized the Commission on Narcotic Drugs, if it should so desire, to request the Secretary-General to transmit the draft instrument to governments for their comments after the Commission had examined it and had made such amendments thereto as were deemed necessary.

The Commission proceeded to a first examination of the Secretary-General's draft at its fifth session. As a result of that consideration, it decided that it would not, for the time being, avail itself of the Council's authorization to transmit the draft of the single convention to governments for their comments; the members of the Commission, however, undertook to request their governments to transmit their observations on the first draft in writing to the Secretary-General before the sixth session of the Commission. In view of the fact that the Commission had decided to devote most of its time, at the sixth session, to the question of limiting the production of opium to medical and scientific needs, and since only three governments (Canada, France and the United Kingdom) had submitted their observations, it spent only a little time during that session on the draft single convention. With reference to the procedure to be followed in the further elaboration of the draft instrument, the Commission came to the conclusion that it would be desirable for an international diplomatic conference to be called in due course to adopt the new convention. At the same time, the individual members of the Commission undertook to arrange for the observations on the draft convention of the governments they respectively represented to be sent to the Secretary-General, if such observations had not already been transmitted.

Lastly, the Commission decided to request the Secretary-General, in the first place, to arrange with the joint Secretariat of the Permanent Central Opium Board and of the Supervisory Body to send the observations of those two organs on the draft single convention direct to the governments represented on the Commission at the earliest possible date, so as to give those governments the benefit of the observations when preparing their own; and secondly, to prepare an annotated compilation of all observations received.

(d) COMMISSION OF ENQUIRY ON THE COCA LEAF

During the first discussion of the report of the United Nations Commission of Enquiry on the Coca

Leaf, the Commission on Narcotic Drugs heard, at its fifth session, the representatives of Bolivia and Peru express their disagreement with the considerations and conclusions contained in the medical part of the report. Following this preliminary examination, the Commission on Narcotic Drugs declared itself satisfied with the report and with the contribution made by the Governments of Bolivia and Peru to the work of the Commission of Enquiry, and took note of the conclusions and recommendations put forward by the latter. The Commission on Narcotic Drugs also requested the Commission of Enquiry to communicate to the Secretary-General its observations on the opinions expressed by the representatives of Bolivia and Peru during the discussion of the report, and invited the Secretary-General to transmit those observations to the Economic and Social Council for its information when considering the report of the Commission of Enquiry.

During a mission to Peru in March 1951, the Director of the Division of Narcotic Drugs had an opportunity to discuss with the competent Peruvian authorities certain problems raised by the report of the Commission of Enquiry.

The Peruvian authorities showed themselves willing to collaborate with the United Nations in solving the problems raised by the chewing of the coca leaf, but suggested that steps should be taken to do away gradually with that habit only after scientific proof of the effect of coca leaf chewing on those who practise it had been obtained. However, they received favourably the suggestion that there was no need to await the final pronouncements of scientists on all the effects of the habit before starting a more detailed inquiry, in some villages or specially selected settlements, into the many factors which led to chewing. During that inquiry, in which Peruvian and international experts will collaborate, an attempt will be made to improve the inhabitants' living conditions in the hope of encouraging them to give up the habit voluntarily.

(e) SUPPRESSION OF OPIUM SMOKING IN THE FAR EAST

The Economic and Social Council, on 3 August 1948, adopted resolution 159 II B (VII) requesting those governments which had declared their intention to suppress opium smoking to forward to the Secretary-General, each year, a report on the progress made. Although the Commission on Narcotic Drugs had before it some information, furnished either in writing in the form of the reports provided for in the said resolution, or orally by members of the Commission, some disappointment was felt at the limited amount of information sent and, in several cases, at its incompleteness.

(f) METHODS OF DETERMINING THE ORIGIN OF OPIUM

It will be recalled that the Secretary-General, in his report of last year, announced that, with the co-operation of the competent United States authorities, a centre had been opened in New York for the distribution and exchange of samples of opium among those scientists and scientific institutions that might be designated by governments to participate in the international

programme of research on the methods of determining the origin of opium by chemical and physical means.

The centre began to distribute opium to scientists in March 1951, and deliveries were made to Canada, Denmark, India, Israel, the Netherlands, Norway and Turkey. A series of technical reports have been published as the result of the research work done.

During its fifth session, the Commission on Narcotic Drugs decided, in addition, to undertake a study of methods of assaying, packing, sampling and weighing opium. As a first step towards the implementation of this decision, it was decided to introduce a new document series in which the results of both the research work on the assay of opium and that on the determination of the origin of opium seized in the illicit traffic, would be published.

13. Population

(a) POPULATION PROBLEMS OF UNDER-DEVELOPED COUNTRIES

The work done in the field of population during the current year, as last year, has been oriented mainly towards the problems of the economic development of under-developed countries, in accordance with the major action programmes of the United Nations, the purpose of which is to foster such development and to raise the living standards of the peoples of the world.

Demographic considerations have an important bearing on the problems of economic development for two reasons. First, these considerations are involved in the working out of the objectives of the programmes, which must take into account the size, composition and geographical distribution of the population, as well as its probable changes in the future. In particular, it is important to evaluate the changes in population which may result from economic development itself. In the second place, demographic considerations are involved because one of the major resources available for economic development—the labour force—constitutes a large part of the population. The size of the labour force and certain of its characteristics are determined mainly by the size and composition of the population. The size and characteristics of the labour force in relation to the availability and utilization of land resources, the accumulation of capital and the volume of production must also be considered.

In most countries less developed economically, the demographic situation is characterized by high fertility and mortality, and in many cases also by serious relative agrarian over-population. The high level of mortality, and particularly the high rate of infant mortality, reflect the low living standards and adverse health conditions of the population. Where relative agrarian over-population exists, it is usually due to the lack of economic development and employment opportunities in industry and trade.

Economic development in most under-developed countries is likely to be accompanied, at least for a time, by an increase in the rate of population growth. Im-

proved living standards and health conditions are likely to make possible a reduction in mortality, which seems unlikely in most cases to be balanced simultaneously by a corresponding reduction in fertility. A fuller knowledge and understanding of the social and economic factors affecting mortality and fertility are thus of great importance, and estimates of future population growth on the basis of the probable trends of fertility and mortality must constitute an essential element in the planning of development programmes. The success of such programmes will depend in part on increasing production more rapidly than the population will grow.

Substantial progress has been made during the period under review in the programme of studies dealing with the interrelationships between population changes and social and economic factors.

In accordance with the recommendation of the Population Commission at its fifth session, the preliminary survey of "Findings of studies on the relationships between population trends and economic and social factors" has been revised and greatly expanded. It now comprises twelve parts, all but three of which have been completed. This work has been carried out by the Population Division of the Secretariat, with the assistance of consultants. The bulk of the empirical research that has been done regarding these relationships concerns areas which are relatively highly developed from an economic point of view. In consequence, the majority of findings based on empirical data deal with more or less industrialized countries. The lack of adequate data and research relating to less developed countries, on the basis of which estimates of future population trends in those countries and evaluations of their economic and social consequences can be made with confidence, presents a serious difficulty.

To overcome that difficulty is one of the primary objectives of technical assistance in the demographic field and the main reason for undertaking a study of the relationships between population changes and social and economic conditions in India. This project includes a field survey designed to obtain, by interviews among a scientifically selected sample of the population in areas which differ widely as to economic development, primary data regarding (1) the completeness of the registration of births and deaths and the actual fertility and mortality rates; and (2) how fertility and mortality in these areas have been affected by differences in economic changes during recent decades. Particular attention will be paid to the economic and social characteristics of the population and to the mortality and fertility rates (including the number of children born and the number now living) for families at various economic and social levels. The schedules for use in the field survey are being tested carefully, since the obtaining of accurate data under the conditions prevailing in the sample areas selected requires patience and a great deal of advance preparation.

The data obtained in this field survey will be studied in the light of all existing information bearing on the social and economic causes and consequences of recent population changes in India as a whole. The Gov-

ernment of India is co-operating fully in the project, which will serve as a model for similar studies in other areas where demographic problems are of urgent importance in connexion with economic and social development.

Studies on the population of Trust Territories form a related part of the programme. These studies aim to provide, on the basis of the statistical and other information available, an analysis of the population of each Territory—its size, density, characteristics, and past and probable future growth—in relation to the economic and social situation and the prospects of development of the Territory. Progress is being made in the preparation of a revised report on the population of Tanganyika, which will incorporate the results of the 1948 census. A report on the population of Ruanda-Urundi will be published shortly.

(b) MORTALITY STUDIES

As indicated earlier, high mortality is characteristic of the population of the majority of under-developed areas. The sharp contrasts in mortality rates between different areas of the world, together with the large reduction in mortality which has accompanied the economic development of countries now relatively advanced in an economic sense, provide much material for the study of mortality in relation to economic and social factors. Considerable attention has been devoted to these problems during the year under review, particularly as regards infant mortality. The Secretary-General has prepared, in co-operation with the World Health Organization the first part of a monograph entitled *Prenatal and Childhood Mortality*, which will be published shortly. This part deals with the statistical aspects of the problem under the following headings: (1) estimates of pregnancy wastage and childhood mortality; its international importance; the availability and limitations of statistics; (2) shortcomings in the definitions of terms and in registration practices; methods of computing statistical rates; (3) statistics of abortions and stillbirth (middle and late foetal deaths); (4) trends and geographic variations in infant and child mortality rates; (5) age and sex differentials; (6) causes of death. The study is based on the statistics of stillbirths and infant and childhood deaths in 1912 and later years in all countries of the world for which official data are available.

It is planned that the second part of the monograph, under the tentative heading "Economic and Social Variables" will deal with (1) differentials in infant and childhood mortality associated with economic and social conditions; (2) implications of these differentials for population trends and economic problems; (3) national and international services rendered for the purpose of reducing the excessive loss of human lives during the last few months of gestation and the first five years of age.

In order to widen the field of work in mortality, the Population Commission, at its sixth session, requested the Secretary-General to explore the possibility of studying, in a limited number of countries, in collaboration with WHO and the governments of Member States, the relationships between mortality and

economic and social factors, with particular reference to the factors associated with high mortality in economically under-developed areas.

(c) POPULATION ESTIMATES AND FORECASTS

The objective analysis of most demographic problems depends on the availability of adequate statistical data. As has been indicated, the inadequacy of such data for many countries of the world, among them some of the heavily populated, under-developed countries where demographic problems are most pressing, presents a serious obstacle to research. Thus, the development of more adequate statistics relating to population, as well as to other matters, forms a useful part of economic and social development programmes as a whole. The resulting statistics are important not only as material for analytical studies, but also as a basis for administrative action of various kinds by local and national governments, the United Nations and the specialized agencies.

As mentioned in a previous section, national official statistics on population size, characteristics and growth for current and past years, are compiled and published by the Statistical Office of the United Nations. For the numerous countries which do not collect such statistics, estimates are made by the Population Division, based on the best information which can be found. Totals for the major regions of the world and for the world as a whole are obtained by combining these estimates and the official statistics. In view of the importance of 1950 as a mid-century reference point, special efforts are being made to obtain the most reliable population estimates for that year. Forecasts or projections of future population size and trends have been made for several countries with good mortality, fertility and census statistics for past years; this work will be revised and continued as results from the censuses of 1950 and 1951 become available. Both the estimates and projections have been prepared not only for the total population but also for such special groups as persons in the labour force, children of school age, and aged or retired persons.

In order that the official population statistics published by the United Nations may be used most effectively, studies of the reliability of these data are in progress. Special attention is given to the development of objective methods of measuring the completeness of the enumeration and registration of vital statistics, and the accuracy of the reporting on age, occupation and other characteristics. Similarly, the population estimates prepared by the Secretariat are being classified by type, with notes regarding their probable reliability. Progress on the foregoing lines should not only increase the international comparability of official statistics, but should help to bring about their further improvement.

14. Migration

International migration has continued to be a problem of world-wide concern during the year under review.

Recent developments in connexion with the social and economic improvement of under-developed areas where immigration possibilities seem to exist, together with the live interest in emigration from other parts of the world, have resulted in an increase in international activities in the field of migration. The United Nations is preoccupied with the social, economic and demographic aspects of migration; the International Labour Organisation with migratory movements in connexion with its manpower programme; the Food and Agriculture Organization with land settlement as an important aspect of the problem of migration; the World Health Organization, the International Bank for Reconstruction and Development and the United Nations Educational, Scientific and Cultural Organization with those aspects falling within their respective competences. The International Refugee Organization and the United Nations High Commissioner for Refugees also have a certain interest in the question.

As a result of the changed emphasis on different phases of international activities as regards migration and the important responsibilities which have been entrusted to ILO, the Administrative Committee on Co-ordination, at its eleventh session (May 1951), felt that the division of responsibilities in the field of migration, outlined in the working arrangement between the United Nations and ILO approved by the Economic and Social Council in 1948, might now be reviewed with a view to broadening the area of consultation on migration problems and bringing more closely to bear, on the practical problems of migration, the expert advice and experience of each agency. The Secretary-General, together with the heads of the specialized agencies, believed that it would be appropriate for ILO to assume, under the ACC, responsibility at the inter-secretariat level for promoting co-operation and good co-ordination in the field, and that it should convene and service the Technical Working Group on Migration which is to continue to meet as required for consultations on proposed programmes and current problems.

(a) DEMOGRAPHIC ASPECTS OF MIGRATION

One of the difficulties encountered in analysing past migration movements in order to plan for future ones results from the complexity and lack of comparability of migration statistics, and from the difficulty of access to existing data. In 1949, the Population Commission made some preliminary recommendations for the improvement of migration statistics; substantive comments and suggestions have been received from forty-four governments, from specialized agencies and non-governmental organizations, and will be taken into account in the preparation of definitive recommendations. A survey of existing data was published in 1950 under the title *Problems of Migration Statistics*. Since it is so important to collect migration data without further complicating travel formalities, and to tabulate them as economically as possible, great interest attaches to the use of sampling methods in the collection and tabulation of these data. At the request of the Population Commission, suggestions were formulated in 1950 by the Sub-Commission on Statistical Sampling for the benefit of the countries inter-

ested in exploring the use of sampling for this purpose. These efforts provide the necessary basis for giving adequate technical assistance to the countries requesting it for the improvement of their migration statistics; the needs of various countries are being explored.

In order that the basic data concerning migration in recent years may be more readily available for analysing the significance of present migratory movements and of those which are likely to take place in the near future, the Secretary-General, acting in close consultation with ILO and with the benefit of the assistance of a number of countries, is preparing the following publications which will be issued in 1952: "Sex and Age Distribution of International Migrants for 1918-47"; "Economic Characteristics of International Migrants for Selected Countries, 1918-50"; and "International Bibliography on Migration Statistics for Selected Countries, 1925-50".

It is important to determine whether there is a possibility of migration on a large scale taking place in the future and whether such a movement is likely to be successful. A report on "Prerequisites to immigration," prepared with the collaboration of ILO, the International Bank for Reconstruction and Development and other interested specialized agencies, presents the demographic, economic, social, health, legal and other factors which require consideration in the planning of assistance in migration and in the determination of migration policies.

The influence of migration on the size of the total population and of the economically active population are problems receiving the continued attention of international organizations. At the suggestion of the Population Commission, a report entitled "Postwar European Migration" has been prepared by ILO, in consultation with the Secretariat, and presents the available information relevant to these important problems.

(b) SOCIAL ASPECTS OF MIGRATION

One of the urgent problems of migration lies in assuring the successful settlement of migrants and their adjustment to their new environment.

With this objective in view, special attention has been given during the year to two questions of international importance in improving the situation of migrants in their capacity as aliens. The Secretary-General has completed the preparation of a study on "Assistance to indigent aliens," which includes a review of the most recent information regarding laws and administrative practices in the field of social protection of migrants. Several principles for the solution of the problem are suggested, for example: the same treatment should be accorded to indigent aliens as to nationals; aliens should not be expelled, deported or otherwise removed for the sole reason that they have become public charges; and, whenever aliens have to be repatriated, their interests should be taken into consideration, for instance, as regards the maintenance of family groups. The Social Commission considered the report at its seventh session in the spring of 1951 and accepted these principles.

Another study which the Secretary-General presented to the Social Commission concerned the "Recognition and enforcement abroad of maintenance obligations." This problem arises in connexion with family desertion, and relates to the families of migrants living in poverty as a result of the emigration of the head of the family, who no longer provides for their care. A draft convention on the subject prepared by the International Institute for the Unification of Private Law, at the request of the Secretary-General, together with the comments of governments, specialized agencies and non-governmental organizations, was also considered by the Commission. While endorsing the principles contained in the draft convention, the Commission recommended the convening of a meeting of experts with a view to formulating, on the basis of the working draft or drafts prepared by the Secretary-General, the text of a model convention, or model reciprocal law, or both, to be submitted eventually to the Economic and Social Council for its consideration and for recommendations to governments.

In carrying on its responsibilities in co-operation with non-governmental organizations, the United Nations, jointly with ILO, sponsored a second conference of non-governmental organizations interested in migration (Geneva, March 1951), which presented a report to the seventh session of the Social Commission. The conference agenda included the following: establishment of a set of principles for the protection of migrants; problems raised by the establishment of the Office of the High Commissioner for Refugees; assistance to indigent aliens; and the kind of information to be furnished to migrants before their departure from the country of emigration.

The Secretary-General, in collaboration with UNESCO and ILO, has prepared a questionnaire in order to gather information on measures taken to aid the integration of immigrants into the national life—a subject which the Social Commission considered of the highest importance.

At a meeting of the Technical Working Group on Migration in March 1951, it was recommended that, in view of UNESCO's major interest in the above aspect of migration, that organization should be given the major responsibility for carrying out the study, in collaboration with the United Nations and other interested bodies. The Social Commission, at its seventh session, approved this recommendation.

Preliminary work on a study on simplification of administrative procedures for migrants has been undertaken and will continue in 1952.

(c) ECONOMIC AND FINANCIAL ASPECTS OF MIGRATION

At its thirteenth session to be held in the summer of 1951, the Economic and Social Council will consider a report on "Methods of international financing of European emigration," prepared by the Secretary-General in accordance with Council resolution 308 C (XI). In this report, prepared in consultation with ILO and other interested specialized agencies, examples are given of recent experience in meeting the costs involved in European emigration. The report analyses various

arrangements, bilateral or international, already used to finance migration and possibilities of their present application, as well as other practical methods of financing migration. A series of recommendations are made as to national, bilateral and international action needed to supplement existing practice in financing migration; the conclusion is drawn that new international resources are required to finance certain migration expenditures, and that an international revolving fund might be established to meet some of the costs.

The interest focused at present on European migration is active in those countries which are likely to receive European migrants as well as in the emigration countries themselves. In addition, at the request of the Economic Commission for Latin America, a report on the relation between economic development and immigration in Latin America is being prepared with the collaboration of ILO and other specialized agencies.

15. Social welfare

The Secretary-General has recognized that studies and research carried out in the broad field of social welfare are most effective if integrated with programmes of direct assistance to governments carried out through technical assistance activities and through the United Nations International Children's Emergency Fund. To achieve this end, close and active liaison has been set up between the Department of Social Affairs and the supply and technical assistance operations of the United Nations International Children's Emergency Fund and the Technical Assistance Administration.

Studies and projects undertaken in social welfare are directly related, on a short or long term basis, to some phase or aspect of the problem of raising standards of living. Through such studies and projects, the problem has been approached in many ways. Surveys have been made of social conditions prevailing in different regions of the world; specific background studies of countries requesting technical assistance have been prepared. In order to help the people themselves to take an active part in their social and economic progress, methods and techniques which have been successful at a community level in raising standards of living are being appraised, and guiding principles are being established as well as more elaborate techniques and standards on which countries may wish to model their own social development.

In order to build a firm foundation for this work, the Secretary-General has endeavoured to explore all important aspects of the problem. Data on social planning, social services, social defence, migration, and housing and town and country planning, have been collated and co-ordinated. The information thus obtained has been widely disseminated by means of an expanding programme of publications—studies, reports and bulletins—and by building up technical reference centres. Missions in the field have been planned and programmes drawn up for seminars; candidates for fellowships have been selected and experts briefed on the various policies accepted. This phase of the Secretary-General's task is being carried out in close co-

operation with the other interested departments in the Secretariat and with the specialized agencies. It is felt that in this way available resources can be used to the best effect in helping to raise standards of living in all countries, regardless of their stage of development. In the following sections a more detailed account of the progress accomplished in the past year will be found.

(a) SOCIAL CONDITIONS AND DEVELOPMENT

Social reforms are often prerequisites to economic development, and dislocations of the social structure may follow closely on economic changes in countries undergoing a rapid process of economic development. Concerted policies and programmes are needed to plan these reforms and to forestall these dislocations. To provide a basis for the formulation of such programmes, the Economic and Social Council has requested the Secretary-General to prepare appropriate studies.

A major study to which emphasis has been given during the past year is the survey on the world social situation. The Secretary-General has consulted with the specialized agencies regarding the contributions they may be able to make to the report, and a considerable amount of information has already been compiled and collated.

A first preliminary report will be issued early in 1952 and will deal with standards of living in various areas of the world as determined by available objective data. It will present statistical data, with commentaries, on basic elements such as mortality and life expectancy rates; disease and sickness rates and food consumption rates. It will also cover social factors recognized as important elements of human welfare, such as education; communications; housing; health facilities and sanitation; employment conditions; real income and consumption; destitute groups and social maladjustment. In addition, there will be a section on social conditions in specific areas, as well as a summary of the major findings and conclusions.

A compilation of field inquiries into household standards of living has been completed and will soon be in print. These field inquiries comprised a series of quantitative investigations conducted since 1939 into the income or expenditure, or food consumption of selected households in various regions of the world. This compilation should furnish a useful guide to the geographic and demographic range of information on consumer income and expenditure, and food consumption in less developed areas.

(b) ADMINISTRATION AND ORGANIZATION OF SOCIAL SERVICES AND TRAINING FOR SOCIAL WORK

In order to encourage improvements in social welfare services, the Social Commission invited the Secretary-General to prepare, on as wide a basis as possible, a series of studies on social administration and organization.

The Secretary-General, in preparing these studies for the Commission and for the Economic and Social Council, has formulated guiding principles and sug-

gestions for action which, in his opinion, might assist countries in choosing the most effective ways of improving or modifying national schemes where desirable.

The studies, it is hoped, will be widely disseminated, not only to governments, but to all interested organizations, educational institutions and professional bodies, so that an international perspective in social administration can be developed on the basis of the widest possible knowledge of existing methods and concepts.

The Secretary-General presented two studies in this series to the Social Commission at its seventh session, held in March and April 1951.

The first study, entitled *Methods of Social Welfare Administration*, described methods employed in thirty countries in the administration of their social welfare services. The Commission recommended that the Secretary-General should submit a periodic report on the general subject every four years, and should, when conducting studies or briefing experts regarding assistance to be rendered to any country, pay particular attention to questions of organization, administration, financing and staffing.

The second study, entitled *Training for Social Work, an International Survey*, provided a detailed description and analysis of the methods of training in educational institutions evolved by various countries for the professional preparation of social workers. The study recognized certain problems relating to the training of efficient social welfare personnel and pointed out several courses of action, national and international, that might contribute to the satisfactory solution of those problems.

After considering the report, the Commission recommended, *inter alia*, the following principles: that social work should, in principle, be a professional function performed by men and women who have received professional training; that the training, whether provided at universities or special schools of social work, should be of the highest possible quality to do justice to both the variety and the homogeneity of social work.

A further study on methods of administering public assistance to the needy will be completed in 1951, and will summarize legislation on the methods in force in various countries in the six continents.

The Commission had before it reports on several projects which it felt should be regrouped under the over-all heading of community welfare centres. In its view, international effort to provide technical assistance would stand or fall according to the extent that the recipients themselves participated in furthering their own development, and it was important from the beginning to create and encourage conditions favourable to community effort. The Commission therefore adopted a resolution recommending that the Economic and Social Council should request the Secretary-General to prepare, *inter alia*, a study on community welfare centres, in co-operation with the appropriate specialized agencies and non-governmental organizations, and with the assistance of Member States on the territory of which such experience had

been gained; in addition, he would be requested to gather full documentation on the varying objectives and scope of such centres; the varying methods used in establishing and operating the centres; the success achieved and the difficulties encountered. Work on certain phases of this study has already been started and will be continued during 1951 and 1952 in the light of the new proposals.

(c) SOCIAL SERVICES FOR THE FAMILY, THE CHILD, THE AGED, AND THE PHYSICALLY HANDICAPPED

In carrying out long-range activities in the fields indicated above, as outlined in the work programme established by the Social Commission, the Secretary-General has completed plans to enable these activities to be fully under way by the end of 1951.

At its fifth session, the General Assembly adopted resolution 417 (V) setting forth the new terms of reference of the United Nations International Children's Emergency Fund for a further three-year period. At the same time, it requested the Economic and Social Council, in consultation with the appropriate specialized agencies, to give greater emphasis to support of national programmes designed to aid children within the framework of existing United Nations activities for promoting the economic and social development of under-developed areas.

In conformity with the policy of making available the maximum possible direct assistance to governments requesting it, every effort has been made to assist and advise both the Technical Assistance Administration and UNICEF on all aspects of problems concerning child welfare as they arose. Programmes for handicapped children in Europe have been carried out under the joint auspices of WHO, UNICEF and the United Nations. The Administrative Committee on Co-ordination has arranged for a working group to study and consult on the programmes of the various organizations concerned in long-range activities for children, and make suggestions to the Committee concerning the manner in which these various activities can best be integrated into a comprehensive and coherent programme of international action. This working group will bring together the technical competence in this field of the United Nations, the United Nations High Commissioner for Refugees, UNICEF, ILO, FAO, UNESCO, WHO and IRO.

The Secretary-General has continued to pay special attention to problems of maternal and child welfare, as recommended by the Social Commission which gave highest priority to work in that field. In addition to the advisory services rendered to the operational units of the Secretariat, work has continued on studies recommended by the Commission; the Secretary-General presented, at the seventh session, a preliminary report entitled "Children deprived of a normal Home Life." Although the Commission decided to consider this study at the following session, it recommended the continuation of the research work; the Secretary-General is at present undertaking a study on standards of institutional care, to be completed in 1951. Studies on the adoption and guardianship of children will follow.

The *Annual Report on Child and Youth Welfare* was published in January 1951. The report summarized annual reports from governments and included activities and developments in child welfare during 1948. References to legislation passed in 1948 appeared in the body of the text, and a list of relevant legislation, promulgated in 1948 and available at Headquarters, was appended to it. This series of reports will in future be expanded to cover community, family and child welfare, and will be published biennially instead of annually, beginning with the report covering the years 1949-1950.

In another related field, the Secretary-General has prepared a survey of laws and administrative regulations providing for economic measures for the benefit of the family in selected countries. In accordance with a plan approved by the Social Commission, this survey will indicate the principal forms of economic advantages which may be available to the family and will give a summary of the relevant legislative and administrative texts. In order that this publication may appear early in 1952, the initial survey will relate only to the sixteen countries which have already provided the material requested. Additional material which may be received subsequently, as well as material relating to the Non-Self-Governing Territories, will be included in an addendum to the survey to be issued at a later date.

In considering the problem of the welfare of the aged, the Secretary-General has continued to consult with the specialized agencies concerned on the contributions which they might be able to make and the most appropriate way to approach the problem, and will formulate a balanced programme in the light of the replies received.

Rehabilitation of the physically handicapped was given high priority by the Social Commission at its sixth session, and the General Assembly has approved the allotment of additional funds to allow this programme to be implemented as soon as possible.

The Administrative Committee on Co-ordination recommended in November 1950 that a technical working group should meet to consider the co-ordination of existing rehabilitation services and programmes for implementation. The group held two sessions in December 1950 and April 1951 and presented a report to the Social Commission at its seventh session. The Secretary-General prepared a series of working papers for the consideration of the group and, on the basis of these and other papers presented by the interested specialized agencies, plans for an international programme have been crystallized. The Social Commission, at its seventh session, approved the initial steps taken by the Secretary-General to promote the programme and stressed the following principles: "the desirability of improving and expediting preventive action; the desirability of dealing with the problem of adaptation or rehabilitation as a whole, taking due account of all its aspects, medical, psychological, pedagogical, social and economic; the desirability of seeking the adaptation of such persons to normal life, with a view to making them useful members of society; the need for training of staff for rehabilitation work".

(d) SOCIAL DEFENCE

In fulfilment of the responsibility of the United Nations for leadership in the field of social defence, the Secretary-General has continued his efforts to promote the programme established by the Economic and Social Council and the General Assembly for the prevention of crime and the treatment of offenders, for the suppression of the traffic in persons and of the exploitation of the prostitution of others, and related matters.

A plan for the integration of the International Penal and Penitentiary Commission within the United Nations was prepared by the Secretary-General, in consultation with that organization, and was subsequently approved by General Assembly resolution 415 (V) of 1 December 1950. The transfer is gradually being carried out and will, it is expected, be completed before the end of 1951. Under the terms of the plan, the Economic and Social Council invited all Members of the United Nations and all present members of IPPC who are not Members of the United Nations, together with any other States designated by the Council, to appoint experts to act as correspondents with the United Nations and to meet periodically to constitute regional consultative groups.

In accordance with Council resolution 243 F (IX) of 23 July 1949, the Secretary-General convened an international group of experts to advise him and the Social Commission on the study, on an international basis, of the problem of the prevention of crime and the treatment of offenders, and of international action in this field. The group of experts considered, in particular, probation and related measures; criminal statistics and the detention of adults prior to sentence; also the part which technical assistance might play in furthering the programme. It made recommendations to the Secretary-General and to the Commission on these matters.

As one of a series of studies on the prevention of crime and the treatment of offenders, the Secretary-General published a report entitled *Probation and Related Measures*. The Social Commission considered this report at its seventh session, together with recommendations submitted by the international group of experts, and requested the Secretary-General to continue to carry out further studies of the problem and to give attention to the wide dissemination of authoritative information with respect to probation and related measures. The Commission also requested the Council to urge governments to give favourable consideration to the adoption and development of probation as a major instrument of policy in the field of the prevention of crime and the treatment of offenders.

The Secretary-General also submitted to the Social Commission, at its seventh session, a statistical report on the state of crime (1937-1946). The Commission emphasized the importance of reliable statistics in order to define policy in the light of the scope, nature and trends of crime. The Secretary-General was requested to undertake further studies in the field of criminal statistics with the assistance of the Statistical Commission and to keep that Commission, as well as the Social Commission, informed of the progress

achieved in arriving at an adequate system of comparable statistics.

Collaboration has been continued with international organizations. At a meeting held in 1950, a permanent committee of these organizations was established for the purpose of assuring close co-ordination with the United Nations Secretariat and in order to avoid overlapping and duplication of effort.

The remaining instrument of ratification necessary to bring into force the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others was deposited with the Secretary-General on 26 April 1951. The Convention will therefore enter into force on 25 July 1951.

The Secretary-General prepared a draft questionnaire concerning the suppression of the traffic in persons and related problems. This draft was a revised version of the questionnaire adopted by the League of Nations in 1938. Its revision was considered desirable in the light of developments since that date, in particular the evolution of the status of women, and also in order that it should conform more closely with the provisions of the above-mentioned Convention. The draft questionnaire, which was revised and approved by the Social Commission at its seventh session, is designed to assist governments in reporting to the Secretary-General on the problems referred to above.

(e) HOUSING AND TOWN AND COUNTRY PLANNING

The integrated programme mentioned in last year's report, which was approved by the Economic and Social Council at its eleventh session, outlined studies and activities concerning social, economic and technological aspects of housing and town and country planning to be undertaken by the United Nations in co-operation with the regional economic commissions, specialized agencies, inter-governmental and non-governmental organizations. In the past year great emphasis has been placed on a more effective co-ordination of these activities, especially in regard to meeting the specific needs of underdeveloped areas. Accordingly, the Social Commission at its seventh session requested the Secretary-General "with regard to work in building, housing and town and country planning undertaken by the United Nations, the regional economic commissions, the Technical Assistance Board and the specialized agencies:

(a) To assist in co-ordinating such work on the basis of specific projects;

(b) To initiate and develop regional activities where appropriate;

(c) To facilitate active participation of non-governmental organizations in such work; . . ."

The Social Commission also decided "to place permanently on its programme the co-ordination of research on housing and town and country planning in general and of building research in particular".

Following the Council's instructions, the Secretary-General organized a mission of experts on tropical housing to enquire into conditions of low-cost housing in a tropical region. The mission visited India, Malaya, Pakistan, Thailand, Indonesia and Singapore during the

period November 1950 to January 1951. On the basis of the mission's report, the Secretary-General presented to the Social Commission at its seventh session a number of suggestions regarding, *inter alia*, regional co-ordination of research in housing and town and country planning and the establishment of technical group training centres in South and South-East Asia under the technical assistance programme. The Commission approved these suggestions.

During the past year basic studies requested by the Secretary-General and the Economic and Social Council were pursued. The collection of appropriate documentation was intensified, and the Secretariat prepared a report entitled "Survey of problems of low-cost rural housing in tropical areas" as a first step towards a comprehensive handbook on this subject.

A study on minimum housing standards enforceable under penalty was prepared following a request by the Social Commission at its third session. The Commission at its seventh session approved publication of the report "in the form of a synthesis bringing out the essential principles governing legislation, and stressing the provisions relating to standards corresponding to actual conditions in the countries concerned".

Publication of the *Housing and Town and Country Planning Bulletin* has been continued as a means of making current information and techniques in the fields of building and housing and town and country planning available to the governments of Member States and to interested organizations. In the past year, the Secretary-General has published special issues dealing with rammed earth construction techniques and with community facilities and services in connexion with housing developments. Future issues, covering such subjects as tropical housing and urban land policies, are in preparation.

The work of the reference centre dealing with housing and town and country planning has been actively continued during the year under review. Some 1,500 abstracts and 2,000 bibliographical references have been prepared for publication, as well as analytical subject and name indexes. A systematic exchange of information has been initiated between the United Nations centre and the International Council of Building Documentation.

Housing and Town and Country Planning Organizations, Miscellany No. 2, the second directory in a series which will in its final stage constitute an international handbook of such organizations, and a *Directory of Building Research Organizations in Europe* have been published. An *Alphabetical Index* covering the first two directories in the above-mentioned series was issued in 1951 as a separate document.

(f) SOCIAL REFERENCE CENTRE

The Secretary-General has continued to build up the social reference centre mentioned in last year's report into a real clearing house for the exchange of information on an international scale. In doing so, he has carried out a mandate of the Social Commission which has placed a tool at the disposal of the Secretariat and of the Members of the United Nations. A thorough

knowledge of the problem as well as of the achievements of countries in their national social schemes, must be a prerequisite to the successful accomplishment of international effort to improve social conditions throughout the world.

In its initial stages, the social reference centre (which deals with aspects of social welfare other than housing and town and country planning) was than developed primarily on the basis of the accumulation of material received from governments for particular studies or reports required by the Social Commission. This collection is now being supplemented by regular and special publications received from nation-wide governmental and voluntary welfare organizations. A beginning has also been made with the extensive collection of reference material in the field of the prevention of crime and the treatment of offenders. The material received is classified and recorded in accordance with a comprehensive classification system specially devised to meet the particular needs of an international technical reference centre in this field.

In addition to serving the internal needs of the Organization and fulfilling external requests for reference services, the social reference centre has initiated several regular means of disseminating technical information. The first issue of a *Legislative and Administrative Series* (which is an extension and continuation of the Legislative and Administrative Series on child welfare published by the League of Nations) has been published and distributed. A compilation has been made in the first issue of the texts of laws, important decrees and regulations, dealing with family, youth and child welfare, enacted in 1949 in thirty-five countries. A comprehensive chronological and subject index is also being prepared.

Work is at present in progress on the publication of the texts of legislation enacted during the year 1950 relating to family, youth and child welfare, and to the prevention of crime and the treatment of offenders. The *Series* is to be expanded still further to include the texts of legislation relating to the welfare of the aged and the rehabilitation of the handicapped. It will also include an inventory of laws relating to the legal position of immigrants in various countries; and of legislative and administrative measures used successfully by governments since 1945, in fields of activity of direct concern to the Social Commission, for raising the standards of living of low-income groups.

Issues of the *Social Welfare Information Series on Current Literature and National Conferences*, published semi-annually, are compiled on the basis of information transmitted by governments, and include bibliographies of current literature (books, periodicals, etc.), and information concerning national conferences, dealing with social welfare matters. This publication will be expanded to cover bibliographies of basic literature in the social welfare field; related publications of the United Nations, the specialized agencies and international non-governmental organizations; bibliographies of films dealing with social welfare matters, as well as directories of nation-wide organizations concerned with the various branches of social welfare. Directories of organizations of twenty countries concerned with family, youth and child welfare have been prepared and trans-

mitted to governments for verification; countries for which no data were available have been approached for the necessary information. Work is already in progress on the preparation of lists of organizations concerned

with the welfare of the aged and the rehabilitation of the handicapped, and lists will gradually be prepared for the various other branches in the field of social welfare.

B. OPERATIONS IN SPECIAL FIELDS

I. Technical assistance activities

(A) *Expanded programme of technical assistance for the economic development of under-developed countries*

An increasingly large share of the time and effort of the United Nations is being devoted to direct technical assistance to governments. The technical assistance rendered in the economic and social fields is financed from two main sources. The first of these is the Special Account, established for the purpose of financing the expanded programme of technical assistance of the United Nations and the specialized agencies to promote the economic development of under-developed countries; the second is the regular budget of the United Nations, which contains provision for technical assistance activities with a variety of objectives. The present section consists of a summary in general terms of the development of the operations of the United Nations and specialized agencies under the expanded co-operative programme over the past twelve months and of the policies affecting it, with particular reference to the co-ordination of operations and policies through the Technical Assistance Board and the Technical Assistance Committee of the Economic and Social Council. Section (B) below gives further details of the technical assistance activities of the United Nations itself under the expanded programme, as well as under other resolutions of the General Assembly and of the Economic and Social Council, which are aimed at promoting both the economic and social development of under-developed and other countries.

The expanded programme of technical assistance of the United Nations and the specialized agencies was established on 1 July 1950 and has, therefore, been in operation for one year. This period has been devoted, in the first place, to organizational and planning activity and, in the second, to the inception of technical assistance projects in most of the under-developed countries expected to benefit from the programme.

Activities under the programme are based on requests from governments. During the first twelve months, more than 500 requests of varying importance have been received. The flow of requests has been steady ever since the establishment of the programme was approved by the General Assembly in resolution 304 (IV) of 16 November 1949, but the participating organizations (United Nations, ILO, FAO, UNESCO, ICAO and WHO) were not in a position to begin implementation until the early months of 1951, since they had first to await the availability of funds and to prepare carefully the activities to be undertaken.

The multiplicity and variety of the requests received and the diversity of the fields in which assistance is being rendered made the co-ordination of the various activi-

ties of the utmost importance; in accordance with the provisions of resolution 222 A (IX) of the Economic and Social Council, it has been the function of the Technical Assistance Board (TAB), working under the guidance of the Technical Assistance Committee (TAC) of the Council, to maintain the unity of purpose and the harmony of activities essential to the success of the new endeavour.

TAB is not an executive or operating body; each participating organization operates its own part of the programme under common practices evolved by the Board. The Board attempts, however, to ensure that technical assistance rendered by the several participating organizations meets the requirements of the programme as a whole. It reviews the implementation of requests and, by the appointment of resident technical assistance representatives and other means, endeavours to achieve a better planning and co-ordination of activities in individual countries. It examines the proposed programmes of the participating organizations in relation to each other and takes stock of the results achieved for guidance in further planning. A small executive secretariat services TAB and assists the participating organizations in the general conduct of their activities under the programme. Normally, the officials directly concerned with the operation of the programme have represented the executive heads of the participating organizations at meetings of the Board. The desirability of enabling such officials to attend has led to spacing the meetings at intervals of from four to six weeks; twelve meetings have been held since the establishment of TAB in February 1950. Between meetings it is the practice for the participating organizations to seek agreement on urgent matters by direct consultations. In order to take stock of developments within the expanded programme as a whole, the executive heads of the participating organizations have also decided to meet from time to time as the Technical Assistance Board, in conjunction with meetings of the Administrative Committee on Co-ordination. One such meeting took place in Paris in May 1951, where important policy decisions were reached.

A number of difficulties had to be surmounted before the maximum advantage could be derived from the technical competence available within the existing international organizations. The fact that the organizations were located in five different places spread over two continents was not the least of these difficulties. The existence, for the benefit of many of the same under-developed countries, of parallel programmes carried out by regional organizations or by governments on a bilateral basis also had a direct bearing on the scope and management of the programme. Arrangements have been made by TAB for securing information on bilateral programmes of technical assistance and on the technical assistance programmes of regional organizations, in par-

particular, those of the Organization of American States and of the Council for Technical Co-operation in South and South-East Asia. The participating organizations are thus able to take action in respect of a given country with a knowledge of the technical assistance which it is receiving or will receive from every source.

On the administrative side, the Special Account was set up, on 1 July 1950, to receive the contributions pledged by 55 governments for the first financial period during or subsequent to the Technical Assistance Conference held in June 1950. At the time of writing, the equivalent of \$11,396,328 had been paid by 31 governments out of total pledges of \$20,069,411. The Secretary-General has given particular attention to securing payment of the remaining pledges. Rules and procedures have been established by TAB for the withdrawal and utilization of the funds received; they remain flexible and are reviewed from time to time by the Board. One problem of importance encountered in this respect is that of utilizing contributions made in a variety of non-convertible currencies, to which the Board is giving most careful consideration.

In so far as co-ordination of activities is concerned, a procedure has been evolved by TAB according to which the requests for technical assistance received by each of the participating organizations are distributed to the others and "important" requests "in the meaning of paragraph 3 (b) of resolution 222 A (IX)" are discussed by the Board. When discussing an "important" request, TAB has usually reviewed the situation in respect of other requests made by the same government. Therefore, the submission by a government of a request which is subsequently declared "important" provides an opportunity for TAB to consider all the technical assistance activities under way or proposed within that country. Furthermore, the agenda of the Board regularly includes an item calling for discussion on specific activities and over-all plans of action in individual countries. Finally, on the occasion of meetings of the Board, but outside its formal proceedings, consultations take place between the representatives of the interested organizations, when views are exchanged and arrangements made in respect of specific technical assistance activities. Inter-agency discussions have also been held by *ad hoc* working groups on substantive matters in such fields as nutrition, fundamental education, migration, malaria control, food production and health demonstration areas.

This exchange of information and the arrangements for consultation among organizations through TAB and its executive secretariat have been extended to cover the technical assistance activities undertaken under the regular or special programmes of the organizations represented on the Board, including those of the International Bank for Reconstruction and Development and the International Monetary Fund, in so far as they are related to expanded programme activities.

In the light of the experience of the past months it has been realized, however, that the required co-ordination of suggestions cannot be ensured without the benefit of suggestions and information from the field. The appointment of resident technical assistance representatives in a number of countries, as an extension of the

co-ordinating machinery of the Board, has helped to meet that need. Furthermore, it has been possible to clarify and improve the position in particular countries through a comprehensive review of technical assistance requests and activities undertaken by the local or regional representatives of the various organizations.

The requests received and the operations begun in response to them cover the whole range of governmental activity. Among them have been a number of requests in fields which various bodies of the participating organizations have considered to be of great urgency and importance, such as public administration, transport and communications, industrial development, development of arid land and water resources, and land tenure. It will be recalled that the General Assembly, at its fifth session, adopted two resolutions drawing particular attention to the two last-named fields: resolution 401 (V) on land reform and resolution 402 (V) on the development of arid land.

Although comparatively few requests have been received as yet for assistance to Trust and Non-Self-Governing Territories, the Board and the participating organizations will continue to give such requests most careful attention, in accordance with the wish expressed by the General Assembly in resolutions 439 (V) and 444 (V). Under the requests received to date assistance is sought for Cyprus, Jamaica, Libya, North Borneo, Singapore, Somaliland and Santa Lucia.

The programme is a varied one, not only as regards the fields covered, but also as regards the forms of technical assistance, all of which contribute to its objectives. Expert advice is the most usual form of assistance rendered to governments under the programme. Such advice may be given by an exploratory mission sent to assess technical assistance requirements, as was the case during the past year in Libya and Indonesia. A comprehensive survey mission may be organized to assist a government in its economic and social planning. Individual experts may be sent to help in solving particular problems, sometimes as a follow-up on the work of such missions. The participating organizations, either jointly or singly, are also engaged in operating training programmes, chiefly through the granting of fellowships and the establishment of group training centres. A substantial number of projects of technical assistance have required, in order to be fully effective, the provision of a certain amount of equipment or supplies not available within the recipient countries. The development of demonstration projects has also been actively pursued in response to requests from governments; they are intended to benefit the people of neighbouring countries as much as those in which the project is located. Seminars have been organized, with the participation of personnel closely associated with the direction of government surveys in the fields concerned. Finally, in addition to the dissemination of technical information through the means mentioned above, the participating organizations have promoted the flow of technical knowledge through their regional and field offices and through special publications on technical subjects of particular interest to under-developed countries.

The operations in which TAB and the participating organizations have engaged have been planned on the assumption, inherent in the programme, that it is a

continuing one, and have been developed on the basis of agreements signed between one or more of these organizations and each recipient government. Two hundred and fifty-two agreements have been signed with 45 governments providing for 741 experts and 551 fellowships. The participating organizations are also in negotiation with governments for the provision by the end of 1951 of an additional 674 experts and 590 fellowships on the basis of requests received but in response to which agreements have not yet been signed. A number of these agreements envisaged operations continuing into 1952 and, in many instances, benefits would be derived from the projects only after a period of several years.

The third report of the Technical Assistance Board to the Technical Assistance Committee describes in detail activities under the expanded co-operative programme. Technical assistance under this programme has been, is being or will, by the end of the current year, be rendered to the following countries or territories:

Afghanistan	Israel
Austria	Italy
Bolivia	Jamaica
Brazil	Jordan
Burma	Lebanon
Cambodia	Liberia
Ceylon	Libya
Chile	Luxembourg
Colombia	Malayan Union
Costa Rica	Mexico
Cuba	Nepal
Cyprus	Pakistan
Dominican Republic	Panama
Ecuador	Paraguay
Egypt	Peru
El Salvador	Philippines
Ethiopia	Portugal
Finland	Santa Lucia
Greece	Saudi Arabia
Guatemala	Somaliland
Haiti	Syria
Honduras	Thailand
Iceland	Turkey
India	Uruguay
Indonesia	Venezuela
Iran	Viet-Nam
Iraq	Yemen
Ireland	Yugoslavia

In addition regional projects have been undertaken or are contemplated in the South-Asian, Latin-American, Middle-Eastern and African regions.

The Technical Assistance Committee, which examines the reports of TAB on activities and proposed programmes and reviews the working relationships between the participating organizations, has held two sessions in conjunction with the eleventh and twelfth sessions of the Economic and Social Council.

At its second session, TAC considered the question, which had been referred to it by TAB, of the local costs to be borne by recipient governments. It decided that recipient governments should be expected to contribute the following, as a minimum, to the operation of technical assistance projects: local personnel services, technical and administrative, as well as labour; office space and buildings; supplies and materials obtainable within the country; local transportation; postal and telecommunications facilities; medical care for technical assistance personnel; and lodging for experts, provided that in exceptional circumstances and subject to the prior

agreement of TAB, the provision of lodging may not be required of recipient governments by participating organizations.

At that session, the Committee also gave the Board specific directives regarding the form and content of future reports. Reports made at the time of the winter session of the Council would have the character of interim reports, while those submitted at mid-year sessions would describe fully operations during the preceding twelve months; the reports would include a reference to related technical assistance activities of the participating organizations under their regular and special programmes, to those of the regional organizations, as well as to the activities in the same countries of bilateral programmes of technical assistance. The third report of the Board to the Committee has been submitted in accordance with these directives.

The Committee deferred consideration of the financial and allocations arrangements affecting the programme until its next meeting, which is to be held during the thirteenth session of the Economic and Social Council. It will then have before it, in addition to the third report of the Board, the proposed programmes of the participating organizations for 1952.

The general policy statements made during the fifth session of the General Assembly by the representatives of Members of the United Nations and the discussion of economic development in the Second Committee have provided useful indications to the Board and the participating organizations regarding the development of the expanded programme. It may now be said that, during the twelve months which have elapsed since the last report was issued, the programme has become a reality and the great promise inherent in it of higher levels of economic and social welfare for the entire population of under-developed countries is being made effective. However, the efforts of the requesting governments remain the most important element in the success of the programme. It is only by creating the conditions in which technical assistance from abroad is properly assimilated, local savings are stimulated and directed to economic development, and foreign investment attracted, that these governments, with the help provided to them under the programme, can ensure substantial improvement in the conditions of the peoples of their countries.

(B) United Nations programmes of technical assistance

(a) ESTABLISHMENT OF THE TECHNICAL ASSISTANCE ADMINISTRATION

On 31 July 1950, the Secretary-General established the Technical Assistance Administration within the Secretariat to provide for the efficient operation of the United Nations technical assistance programmes and to assist in their co-ordination with similar programmes of the governments of Member States and of the specialized agencies. The Technical Assistance Administration was thus made responsible for operational activities under General Assembly resolutions 200 (III) (technical assistance for economic development), 246 (III)

(training in public administration), 418 (V) (advisory social welfare services) and Economic and Social Council resolution 222 A (IX) (expanded programme of technical assistance for economic development). The substantive departments of the Secretariat continue to be responsible for conducting research projects and for preparing studies required by the technical assistance programmes, within their respective fields of competence; an account of their work in this connexion will be found in previous sections of the present chapter. They maintain close liaison with TAA and are working actively with it in the selection and briefing of experts, in the selection and placement of fellowship holders and in conducting and staffing seminars and training centres. They are further consulted on questions of policy relating to economic and social development.

During the past year, the Secretary-General submitted two reports to the Economic and Social Council designed to keep that body informed of the progress of United Nations technical assistance activities. The first report, submitted to the twelfth session, outlined the operations undertaken during the second part of 1950 under resolutions 200 (III), 246 (III) and 418 (V). In his report to the thirteenth session, the Secretary-General described the work accomplished in recent months under these three resolutions and under the expanded programme.

(b) TECHNICAL ASSISTANCE FOR THE ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED AREAS UNDER GENERAL ASSEMBLY RESOLUTION 200 (III) AND ECONOMIC AND SOCIAL COUNCIL RESOLUTION 222 A (IX)

The provision of technical assistance for the economic development of under-developed countries was first authorized by General Assembly resolution 200 (III) of 4 December 1948, which laid down the policies under which technical assistance for economic development should be furnished by the United Nations, and recommended certain functions to be performed by the Secretary-General in response to requests from Member States. In resolution 305 (IV) of 16 November 1949, the General Assembly placed these activities on a continuing basis by making annual provision for them in the regular budget of the United Nations.

The past year has seen a continuation of technical assistance operations under resolution 200 (III) and, simultaneously, the beginning of United Nations activities under the expanded programme of technical assistance for economic development. At its fifth session, the General Assembly, acting upon a recommendation adopted by the Economic and Social Council at its eleventh session, decided, by resolution 399 (V), that requests for technical assistance submitted under resolution 200 (III) which could not be financed with funds provided in the regular budget of the United Nations should be eligible for financing from the Special Account set up in connexion with the expanded programme. The two programmes have been administered as a single operation, irrespective of the funds used to finance them.

During the past year, expert advice was given to 24 countries in connexion with their plans for economic development. The services of 83 experts, representing

21 nationalities, were made available to governments. Of these, 64 were furnished under resolution 200 (III) and 19 under the expanded programme. Under the 1951 fellowship and scholarship programme, 175 economic development fellowships and scholarships have so far been recommended for award.

Action taken during the past year, or currently under consideration, under resolution 200 (III) and the expanded programme, is summarized briefly below.

(i) *Activities by countries*

Afghanistan. Following the recommendations of two earlier missions which visited Afghanistan in 1950, requests for technical assistance covering a wide range are in process of implementation by the United Nations and specialized agencies. The United Nations has made available for periods up to one year a resident technical assistance representative and experts in economic planning, statistics, public administration, telecommunications and industrial engineering. Ten economic development fellowships and scholarships have been recommended for award.

Austria. The services of an expert are being made available for six weeks to assist the Government with an economic and administrative survey of the Austrian casting industry.

Bolivia. A comprehensive team of experts, organized under General Assembly resolutions 58 (I) and 200 (III), and recruited in consultation with the specialized agencies concerned, spent four months in Bolivia in the summer of 1950 and advised the Government on problems of agriculture, irrigation, forestry, mining, electric power, public finance, fiscal questions, transport, labour legislation, standards of living, social welfare and education.

Brazil. Two experts on national income statistics and the financing of economic development projects advised the Government in these fields for several months during the summer of 1950.

Burma. Following the recommendations of a joint United Nations-International Labour Organisation mission on cottage industries, the United Nations has undertaken to provide ten experts and technicians in this field. In the statistical field, as a result of the recommendations of the statistical consultants whose services were previously made available to the Government, two experts on census organization and a statistical adviser have been appointed for three months. Seven economic development fellowships have been awarded or recommended for award.

Ceylon. Under a comprehensive programme to be implemented by the United Nations and specialized agencies, the United Nations is to provide, for a period of one year, the services of a beach mineral expert, a kaolin expert and an expert in salt technology.

Colombia. A comprehensive request is in process of implementation by the United Nations and specialized agencies. The United Nations is making available, for one year, experts in public finance, local finance, tax administration, public utilities, railway transport and statistics.

Cuba. An expert is being sent to survey the country's statistical needs. Three economic development fellowships have been awarded to Cuban nationals.

Ecuador. An expert mission has been advising the Government since 1949 on questions of public finance, civil service organization, customs tariffs and administration and population census. In connexion with their work it is planned to hold a training centre in related fields for local officials during the summer of 1951. A preliminary survey of lignite deposits was made by a specialist early in the same year. Sixteen economic development fellowships have been recommended for award to candidates from Ecuador.

El Salvador. Steps are being taken to implement a request for a comprehensive mission, for a period of about six months, to assist the Government in the preparation of an integrated plan of economic and social development involving fields of competence of the United Nations and specialized agencies.

Greece. A comprehensive request for technical assistance in fields of interest to the United Nations and specialized agencies is under consideration. Advice is requested in agriculture, land improvement, geology, industry, railway finance, public health and the organization of professional training. Seventeen economic development fellowships have been recommended for award to Greek nationals.

Guatemala. Two experts in rural credit, recruited respectively by FAO and the United Nations, spent two months in Guatemala in the spring of 1951 to assist the Government in the organization of a system of supervised rural credit.

Haiti. A resident technical assistance representative is stationed in Haiti, with the primary task of advising the Government on the implementation of the recommendations of the United Nations mission which visited the country in 1948, and of helping to arrange for such continued assistance as the United Nations and the specialized agencies may be prepared to furnish in response to requests from the Government. The services of a statistician, who will prepare price and cost-of-living indices and a preliminary balance-of-payments estimate, and of a banking and fiscal expert, have been made available for one year. An analysis of the soils of the Artibonite Valley was carried out during 1950 by an expert appointed in co-operation with the Food and Agriculture Organization. One economic development fellowship was awarded to a Haitian candidate.

India. A statistical expert was sent for three months to advise on the compilation of national income statistics. As a result of this work, the "First Report of the National Income Committee, April 1951" was published by the Ministry of Finance of the Government of India. A final report is scheduled to appear at the beginning of 1952. Fifty-two economic development fellowships and scholarships have been awarded or recommended for award to Indian candidates.

Indonesia. Following the recommendations of a preliminary mission which visited the country in 1950, technical assistance is being provided in a wide number of fields by the United Nations and specialized agencies. The United Nations has appointed a resident

technical assistance representative and experts in economics, social welfare and small industries. The assignments are for one year.

Iran. An expert mission organized under General Assembly resolutions 58 (I) and 200 (III) visited Iran for four months at the end of 1950 to advise the Government on questions of public finance, public administration and social welfare. Steps are being taken to implement a further request for expert advice in the following fields: road construction, railways, telecommunications, radio and postal services, port administration and development, cotton, silk, knitwear and jute industries, accountancy and warehousing, and electric power development. Eight economic development fellowships have been recommended for award to Iranian candidates.

Israel. The United Nations is considering a request for expert advice in production statistics, industrial planning, soil mechanics and fiscal administration. Economic development fellowships have been awarded to two candidates.

Jordan. Two specialists in textile weaving and marketing and the planning and installation of an automotive and heavy machinery repair centre are being sent. In addition, a mining engineer is to be appointed to survey the country's mineral resources. An industrial economist began a year's assignment in May 1951; he is to advise the Government on the establishment and development of small scale industries.

Lebanon. The United Nations made available the services of a statistical expert for three months in the latter part of 1950. Three economic development fellowships have been recommended for award to Lebanese nationals.

Libya. In response to a request from the United Nations Commissioner, a small exploratory mission visited Libya in July 1950 to examine the technical assistance needs of Cyrenaica, Tripolitania and the Fezzan. In accordance with the mission's recommendations and in response to requests from the Administering Powers, the United Nations and FAO are making available, for periods up to one year, the following experts: an economist, two public finance specialists, a statistician, an electric power expert, an agronomist, an expert on irrigated soils, a viticulturist, a specialist in wool production, a water utilization expert and a social welfare expert. Five economic development fellowships have been awarded to candidates from Libya.

Pakistan. A resident technical assistance representative took up his duties in the country in January 1951. He has been advising the Government on its economic development programme and assisting several specialized agencies in negotiating agreements regarding experts to be made available. An expert in cottage industries visited Pakistan for several months to advise the Government on the development of cottage industries, particularly hand-spinning and weaving. A statistical expert advised the Government on the organization of its statistical services during 1950, and further expert advice in this field has been requested. Thirty-five economic development fellowships and scholarships have been recommended for award to Pakistan nationals. Steps are being taken to implement a recent request for

expert advice in telephone and telegraph communications, on the establishment of an ionospheric study station in economics, banking and foreign exchange, manufacture and sources of supply of pharmaceuticals, commercial film production and inland water transport.

Panama. A request is under consideration for expert advice in customs and tariff administration, trade and fiscal policies, census questions, statistics, public finance and public administration, and a survey of national resources. A preliminary survey mission is to make detailed plans for the assistance requested.

Peru. A team of three experts organized under General Assembly resolutions 200 (III) and 418 (V) visited Peru for two months in the spring of 1951 to study the economic and social problems in the Cuzco area resulting from the recent earthquake. The experts have submitted recommendations for a rehabilitation and development programme for transmission to the Government.

Santa Lucia. In response to a request from the United Kingdom Government, the United Nations is sending an engineer to Santa Lucia in July 1951 to advise on the possibility of harnessing pockets of natural steam to produce electric energy. The assignment is for approximately five weeks.

Somaliland under Italian administration. In November 1950, the Italian Government, as Administering Power requested the dispatch of a small exploratory mission to make a survey of Somaliland's economic, agricultural and social needs, to make recommendations for a programme to improve present conditions and to advise on future technical assistance requests. A mission is being organized jointly with FAO, WHO and UNESCO. The United Nations will supply two experts: an economist and an adviser on social development.

Syria. The United Nations will make available in July 1951 the services of an expert who will help the Government plan the general population census scheduled for the spring of 1952. Four economic development fellowships and one scholarship have been recommended for award to Syrian nationals.

Thailand. Following the recommendations of a statistical expert who visited the country early in 1950, a specialist in economic statistics and sampling methods commenced a year's assignment there in June 1951. Four economic development fellowships have been recommended for award to candidates from Thailand.

Turkey. The United Nations, jointly with the specialized agencies, is taking steps to implement a comprehensive request covering almost all economic, social and administrative aspects of life in Turkey. As a preliminary measure, the United Nations has appointed a special representative, whose task will be to expedite the signing of basic technical assistance agreements between the Government and the United Nations and the specialized agencies. The Government's request also included the award of a number of economic development fellowships, and eleven recommendations for awards have been made.

Yemen. In January 1951, the Government asked in general terms for aid in the fields of agriculture, irri-

gation, geology, public finance, banking and light industry. Clarification of the details of this request has not yet been received.

Yugoslavia. In connexion with its comprehensive plan for economic development, the Government has asked that a large number of specialists should be made available for short periods to advise Yugoslav specialists in a wide range of industrial fields. Thirty economic development fellowships have been awarded or recommended for award in related industrial fields.

(ii) *Additional recommendations for awards of economic development fellowships*

In addition to the recommendations for awards indicated above, economic development fellowships and scholarships have been awarded or recommended for award to candidates from the following countries and territories: Aruba, Cambodia, Chile, Costa Rica, Cyprus, Czechoslovakia, Denmark, Guatemala, Iraq, Laos, Malaya, Mexico, Nicaragua, the Philippines, Southern Rhodesia and Venezuela.

(iii) *Regional activities*

A number of training centres and expert conferences on problems of economic development of special concern to the less-developed countries have been organized during the past year. The Asian Centre on Agricultural and Allied Projects, sponsored jointly by the Government of Pakistan, the United Nations, the Food and Agriculture Organization and the International Bank for Reconstruction and Development was held at Lahore during the last three months of 1950. Its purpose was to train officials in the preparation of development projects and the appraisal of their economic feasibility, with a view to their presentation to national and international financial institutions. The Centre was attended by fifty-five officials from Far-Eastern countries.

An Inter-American Training Seminar for Bio-Statistics took place from September to December 1950. Its aim was to provide a means for training and interchange of technical knowledge in the field of vital and health statistics. The seminar was sponsored by the United Nations, in collaboration with the Chilean Government and with a number of national and international agencies. It was attended by thirty-nine participants from thirteen countries.

A regional conference of statisticians on trade statistics and balance of payments took place in Rangoon, at the invitation of the Burmese Government, at the end of January 1951. It was conducted jointly by the United Nations Statistical Office, the International Monetary Fund and the secretariat of the Economic Commission for Asia and Far East.

The Statistical Office will join with the World Health Organization and other interested organizations in conducting, under the expanded programme, a training centre for officials from Far-Eastern countries on the subject of vital and health statistics. The Government of Ceylon has offered to act as host country for the centre, which will be held from September to December 1951.

A similar training centre for officials from Middle-Eastern countries will be held under the expanded programme from October to December 1951. The Government of Egypt has agreed to act as host for this centre.

A training centre on the formulation and appraisal of agricultural and allied plans and projects for the benefit of Latin-American officials, to be held in Santiago, at the invitation of the Government of Chile, from September to December 1951, will be sponsored jointly by the International Bank for Reconstruction and Development, the Food and Agriculture Organization and the United Nations.

Under an agreement with the Government of Turkey, a training centre on agricultural and allied projects will be held in Ankara at the beginning of October, to last for approximately three months. The centre will be held for the benefit of officials from the countries of Southern Europe, North Africa and the Middle East and will be sponsored jointly by the United Nations, the Food and Agriculture Organization, the International Bank for Reconstruction and Development and the Government of Turkey.

(iv) *Other activities*

In pursuance of paragraph 3 (d) of General Assembly resolution 200 (III), the Secretary-General is preparing a limited number of "technical information portfolios" containing copies of key material on subjects of concern to economic development which are not otherwise readily available to under-developed countries. One such portfolio deals with the utilization of low-grade coal and iron-ore resources. Others are planned on iron and steel topics, rammed earth housing construction and the production of ceramics. Another recently established service is designed to enable under-developed countries to secure answers to specific technical inquiries concerning problems arising in the course of their economic development programmes. The data procured in meeting one country's request for such information are also made available to other countries which may require them.

A conference is to be held in Geneva in July 1951 to evaluate the recommendations on fiscal reform made by United Nations technical assistance missions. Fiscal experts who have given technical assistance, either on behalf of the United Nations or on behalf of the Governments of Member States, will be invited to examine the relative validity of various techniques recommended, in the light of experience gained by their colleagues at home and on missions.

(c) PROGRAMME OF TRAINING IN PUBLIC ADMINISTRATION

In implementation of General Assembly resolution 246 (III) and Economic and Social Council resolutions 132 (VI), 253 (IX) and 292 (XI), a programme of training in public administration is being carried out as an integral part of the technical assistance activities of the United Nations. The programme is not limited to under-developed areas, but the close relationship between improved techniques of government administration and economic development makes technical assistance in public administration an important part of the

general programme of the United Nations for under-developed areas.

The immediate purpose of the programme is to train qualified civil servants, either at home or abroad, in specific techniques of administration. Its long-range objective is to help to improve government machinery throughout the world and to disseminate technical knowledge in this field.

The services provided under the programme include the provision of fellowships and scholarships, the organization of seminars and training centres, and the dissemination of technical information. Pursuant to Economic and Social Council resolution 292 (XI), requests for assistance in public administration which cannot be financed under the regular United Nations budget are considered as falling within the scope of the expanded programme and, thus, as eligible for financing from the Special Account. Further, in view of the fact that the budget for the public administration programme does not include provision for expert advice, specialists in public administration have been made available, in response to requests from governments, under General Assembly resolution 200 (III).

The number of nominations received for public administration fellowships and scholarships indicates the growing interest of governments in the programme. In 1950, 123 nominations were received and recommendations were made for the award of 32 fellowships and 25 scholarships. For the 1951 programme, 161 nominations have been received from the Governments of the following 29 countries and territories: Afghanistan, Belgium, Burma, Cambodia, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Finland, Greece, Guatemala, Haiti, India, Iran, Israel, Jamaica, Libya, Mexico, Norway, Pakistan, the Philippines, El Salvador, Southern Rhodesia, Sweden, Trinidad, Uruguay and Venezuela. The award of 9 fellowships and scholarships has been recommended to date.

The first seminar of the public administration programme, on public personnel management, was held in New York from 30 October 1950 to 30 January 1951. Nineteen countries were represented, and the participants included officials responsible in their respective countries for policy and operations in the field of personnel management.

On 18 June 1951, a small group of distinguished experts met as a Special Committee on Public Administration Problems to study minimum requirements for the growth of effective administration in under-developed countries. The Committee is to report on methods to determine readily the existing level of administration in under-developed areas, and also on basic steps to be taken for the creation of appropriate administrative machinery in the varying situations to be found among many under-developed countries of widely differing cultural and political experiences. It is expected that these two important reports will be ready in the latter part of 1951 and that they will become useful instruments in the work of public administration experts sent out at the request of governments to advise on improvements in local administration, as well as useful teaching handbooks for public administration seminars and training centres.

In addition, an important Central American public administration programme will be under way from July to September 1951 in the Training Centre on Public Administration in El Salvador. To this Centre will come not only El Salvador civil servants, but also selected trainees from several Central American republics. They will attend three months of courses on a variety of subjects in the field of public administration of particular relevance to Latin-American conditions and experience.

At the same time, in Geneva, from 16 to 25 July, there will be held a long-prepared conference known as the Technical Assistance Conference on Comparative Fiscal Administration. This meeting of experts will deal with budget, tax and fiscal administration problems in general, on a comparative basis, with the intention of establishing certain ideal standards and methods for general use.

An extensive series of courses and seminars, as well as the setting up of a school of public administration, is now being prepared for Brazil; this series will commence early in November 1951 and continue into 1952. Requests have also been received from other governments for public administration seminars and training centres; these are now being considered and doubtless will lead to a further expansion of the programme.

Under the terms of an agreement entered into by the Secretary-General and the International Institute of Administrative Sciences in Brussels, the Institute makes available to the United Nations, for the benefit of Member States, documentary material on specific aspects of public administration. Four such manuals have already been prepared by the Institute for this purpose.

(d) ADVISORY SOCIAL WELFARE SERVICES

The earliest United Nations programme of direct assistance to governments is the advisory social welfare services programme first authorized in 1946 by General Assembly resolution 58 (I), placed on a continuing basis by the Assembly in 1949 by resolution 316 (IV), and enlarged by the addition of new types of services by resolution 418 (V) of 1 December 1950.

With the entry into force of the expanded programme for economic development, the scope of United Nations assistance to governments in the social field has been enlarged. The long-term continuing services furnished alike to the governments of developed and less-developed countries under the advisory social welfare services programme have been reinforced by services designed to assist the governments of the less-developed countries in dealing with those social problems which directly condition economic development. On the administrative plane, the past year has seen the integration, under the Technical Assistance Administration, of operational responsibility for the advisory social welfare services programme with that of the programmes of technical assistance for economic development and technical assistance in public administration. While the advisory social welfare services programme thus forms one element of the United Nations technical assistance activities as a whole, it is not intended that the programme should lose its identity or its special characteristics.

During the past year, expert advice was furnished to 19 countries under the advisory social welfare services programme. The services of 42 experts, representing 20 nationalities, were made available to governments. Under the 1951 social welfare fellowship programme, 206 fellowships have to date been recommended for award.

The following is a brief summary of action which has been taken during the past year, or is at present under consideration in respect of requests for advisory social welfare services.

(i) Activities by countries

Austria. An expert in occupational therapy spent several months in Austria in the latter part of 1950 to establish a demonstration project. Twelve social welfare fellowships have been granted to Austrian candidates.

Brazil. An adviser on rural housing is assisting the recently established Joaquim Nabuco Institute in Recife by suggesting improvements in housing design in north-eastern Brazil and by studying the suitability of local materials for rural housing in the area. Social welfare fellowships have been awarded or recommended for award to ten candidates from Brazil.

Denmark. An expert in social case work will visit Denmark for six months commencing in the autumn of 1951 to assist, among other matters, in the over-all planning of the curriculum of the school of social work attached to the Danish Ministry of Social Affairs. Three social welfare fellowships have been awarded or recommended for award to Danish candidates.

Ecuador. In consultation with WHO, the United Nations made available the services of a child welfare expert for three months at the end of 1950. The expert submitted recommendations for the setting up of a comprehensive child welfare programme. An expert in rural community development visited Ecuador in May 1951 to explore the possibilities of developing a programme by means of which unemployment in rural communities is to be alleviated by co-operative works of public interest. Five social welfare fellowships have been granted to candidates from Ecuador.

Egypt. A specialist has been sent to assist the Government in drafting comprehensive social assistance legislation. He visited Egypt on two occasions for several months during 1950 and was asked by the Government to return in 1951. Negotiations are being carried on regarding requests for a demonstration project for the prevention of blindness and the care of the blind and for a number of experts on child and youth welfare and rehabilitation of the handicapped. Six social welfare fellowships have been recommended for award to Egyptian nationals.

Greece. A social welfare expert completed several years' service in Greece in November 1950. He advised the Government on the development of a programme for providing necessary community facilities in rural areas. Twelve social welfare fellowships have been granted to candidates from Greece.

Guatemala. Two social welfare specialists are at present helping the Government in the establishment

and development of a school of social work attached to the Social Security Institute of Guatemala. Steps are being taken to meet a request for an expert in physical rehabilitation and a specialist in social welfare administration. A fellowship in the latter subject has been granted to a candidate from Guatemala.

Haiti. Steps are being taken to implement a recent request for a social welfare expert who will concentrate his efforts in rural areas. One fellowship has been awarded to a Haitian candidate to study industrial welfare.

India. The services of an expert on criminology are being made available for a period of ten months to conduct training courses and advise provincial governments on the rehabilitation of offenders. Twenty-nine fellowships have been awarded or recommended for award in a wide range of social fields.

Iran. A social welfare expert formed part of a small expert team organized under General Assembly resolutions 58 (I) and 200 (III), which visited Iran for four months in the autumn of 1950 and advised the Government on questions of public administration, public finance and social welfare. Five social welfare fellowships were recommended for award to Iranian candidates.

Iraq. A specialist in social welfare training completed a four month assignment in February 1951. He advised the Government on training plans for teaching the basic elements of social welfare adaptable to local conditions and problems.

Israel. The Government has asked the United Nations to make available the services of three experts to conduct post-graduate courses at the School of Social Work and to advise on special fields of social welfare. The United Nations has also been asked to provide a specialist to train workers in the social care and rehabilitation of offenders. Five social welfare fellowships have been awarded to candidates from Israel.

Italy. A national conference on juvenile delinquency was organized by the Italian Government, with the aid of the United Nations, in December 1950. The conference discussed the observation, diagnosis and social and legal aspects of the problem. The Government further plans to organize, with the co-operation of the United Nations, a conference on the rehabilitation of handicapped children to be held in the autumn of 1951. An expert on home teaching of the blind will be made available for a period of four months, starting in the autumn of 1951, to collaborate with the American Foundation for Overseas Blind in the organization of a training course and a series of demonstrations on this subject. During the forthcoming academic year, a social welfare adviser will be assigned to the School of Social Service of the Italian Government. His functions will include advising the Government on the establishment of an experimental centre to provide training for social workers throughout Italy. Twelve fellowships in a variety of social welfare fields have been awarded to Italian nationals.

Lebanon. Implementation of a request for a social survey of Lebanon has been deferred, pending budgetary provision by the Government. The Government

has recently submitted a further request for a survey of the social and housing conditions of the inhabitants of Beirut and the surrounding districts. The United Nations has also been asked to indicate how it could assist with the proposed establishment of a school of social studies. One fellowship in social welfare administration has been awarded to a candidate from Lebanon.

Philippines. An expert in craft industries spent two months in the Philippines in the beginning of 1951, and continued work begun by another specialist in 1947-48 and 1949-50. As a result of their advice, several craft industries, including weaving, rug-making and jute-bag-making, have been placed on a sound economic basis. Two social welfare fellowships have been granted to candidates from the Philippines.

Syria. Assistance will be given by means of a survey of existing social services in the Arab States by a United Nations expert in response to a request which was made following the second United Nations Social Welfare Seminar for Arab States of the Middle East.

Sweden. The Government proposes to organize, with the co-operation of the United Nations, a national conference on juvenile delinquency, to take place during the latter part of 1951. The United Nations experts attending the conference will also be available to discuss with the Swedish authorities concerned questions relating to schools for difficult children. Nine social welfare fellowships have been awarded to Swedish candidates.

Thailand. A request for an expert on community organization, to advise on the social welfare aspects of a maternal and child health programme, is in process of implementation. The experts selected will work closely with the WHO-UNICEF team attached to the Ministry of Health.

Yugoslavia. An expert in the rehabilitation of the physically handicapped spent a month in Yugoslavia at the end of 1950 and made recommendations to the Government on the training of technicians, the improvement of facilities for the disabled, and the education of the public concerning the needs and potentialities of the physically handicapped. In the light of the expert's recommendations, the Government has requested the services of two further specialists during 1951. Seven social welfare fellowships have been awarded or recommended for award to Yugoslav nationals.

(ii) *Child welfare experts for the United Nations International Children's Emergency Fund*

At the request of UNICEF, the Secretary-General provided three child welfare experts to render technical assistance and advice in connexion with UNICEF's programmes in various countries. The experts are stationed in France, Thailand and Guatemala. The assignment of the expert stationed in Guatemala covers Central America, Panama and the major part of the Caribbean area.

(iii) *Additional recommendations of awards of social welfare fellowships*

In addition to the recommendations for awards indicated above, social welfare fellowships and scholarships have been awarded or recommended for award

to candidates from the following countries and territories: Australia, Belgium, Bolivia, Ceylon, Chile, Colombia, Finland, France, Indonesia, Japan, Luxembourg, Mexico, the Netherlands, Norway, Surinam, Switzerland, Syria, the Free Territory of Trieste, the United Kingdom, Uruguay, Venezuela and Western Germany.

(iv) *Regional activities*

The Second Social Welfare Seminar for the Arab States of the Middle East organized by the United Nations, with the help of certain specialized agencies, was held in Cairo in November-December 1950, at the invitation of the Egyptian Government. It was chiefly devoted to community organization, with special reference to rural welfare services. A three-day conference on handicapped children was organized by the United Nations, at the request of the Government of India, in December 1950. The Governments of Ceylon, India, Indonesia, the Philippines and Thailand took part in the conference, which was held at Jamsheedpur. The Government of India has also offered to act as host for a regional seminar on youth welfare, to take place in November 1951. The Netherlands Government has invited a number of Governments to attend a seminar on the teaching of social case work, to be organized in August 1951 with the co-operation of the United Nations.

The United Nations Office at Geneva is carrying out a project designed to encourage the exchange of social workers between European countries with a view to broadening their outlook and improving their professional knowledge. Under the plan, seventy-seven exchanges were made during 1950, and a further twenty-six were arranged during the period 1 January-31 May 1951.

(v) *Other activities*

Progress is also being made in furnishing books and films on social welfare topics. In addition to screening and fulfilling specific requests received from governments for selected social welfare books, lists of key books on selected social welfare subjects of high priority are being prepared. These can be made available as sets to countries showing a need for such books in connexion with their social or economic development plans.

With respect to the furnishing of films, a "lending library" or "travelling library" of outstanding social welfare films is being established in the Geneva Office of the United Nations. A number of such films have been made available by European countries and others are to be purchased. These films are available on loan to European countries. A similar social welfare "film-lending library" is being planned to serve the Latin-American countries and the countries of Asia and the Far East.

2. United Nations International Children's Emergency Fund

(i) *Revised terms of reference*

Consideration of the future of the United Nations International Children's Emergency Fund, began in

the summer of 1949 at the initiative of the Executive Board of the Fund, was carried on in the Social Commission and in the Economic and Social Council through 1950 and culminated in action by the General Assembly on 1 December 1950. Resolution 417 (V) adopted on that date changed the terms of reference of the Fund and provided that the Assembly "will again consider the future of the Fund at the expiration of three years with the object of continuing the Fund on a permanent basis".

The resolution recognized the necessity "for continued action to relieve the sufferings of children, particularly in under-developed countries and countries that have been subjected to the devastation of war and to other calamities"; reaffirmed Assembly approval of the policy of the Board "to devote a greater share of the Fund's resources to the development of programmes outside Europe"; and directed the Board to allocate the resources of the Fund for the purpose of meeting "emergency and long-range needs of children and their continuing needs particularly in under-developed countries".

The effect of this action was to eliminate the priority given to children of countries victims of aggression which had been established in December 1946 by resolution 57 (I) creating the Fund. In other respects resolution 417 (V) constituted a restatement of existing practices.

(ii) *Continued change in geographic emphasis*

The continuing shift in emphasis to under-developed areas has constituted the outstanding characteristic of the Fund's activity during the past year.

From its inception until the middle of 1951, UNICEF had made assistance available to over sixty countries and territories throughout the world. During the year June 1950 through May 1951, plans were approved to provide assistance for programmes benefiting children in forty-five countries and territories.

The value of the assistance afforded during the year for each geographic region reflects the established policy of approving government requests for aid to national child-welfare programmes in under-developed areas and, at the same time, of helping to meet the emergency needs of children as they arise. The Executive Board approved assistance totalling \$11.5 million to country programmes as follows: \$6.9 million to countries in Asia, including more than one million for aid to children in Korea and emergency flood and famine relief in India and Pakistan; \$1.7 million to countries in Latin America; \$0.9 million to countries in the Eastern Mediterranean region; \$1.8 million for aid to Palestine refugee mothers and children, and a net allocation of \$0.2 million to country programmes in Europe. Allocations totalling \$3.4 million, previously approved for assistance to programmes in Europe, were rescinded by the Board during the course of the year, and a sum of \$3.6 million was allocated to European countries mainly for emergency feeding.

The Board increased the area allocation for Latin America by \$1.34 million during the year; of this amount, during the same period, \$0.7 million was ap-

proved for assistance to country programmes. The area allocation to Asia was not increased. Approximately the same amount (somewhat more than \$0.6 million each) remained in the Asian and Latin-American area allocations at the end of May 1951.

While the provision of assistance to countries in Asia and Latin America has constituted the continuation of a trend begun previously, UNICEF approved requests during the year for new assistance to countries in the Eastern Mediterranean for maternal and child welfare and the control of children's diseases.

During the year, the Fund granted assistance to 8 Eastern Mediterranean countries, as well as to Palestine refugees. A UNICEF area office was established in Beirut early in 1951. In April 1951, a joint UNICEF-FAO survey was made for the purpose of developing the best methods of rendering assistance to the governments in the region in establishing satisfactory local milk supplies for the children of their countries.

In Asia, new assistance was voted to 13 countries and territories during 1951, making a total of 18. In addition to an augmented regional and country mission staff, UNICEF, by April 1951, had financed in total or in part 79 technical posts approved by WHO to assist countries in the implementation of projects to which UNICEF supplies and equipment were being distributed in 1951, and WHO had budgeted 125 technical posts for the same purpose. Several visits were made to countries in the region by senior Headquarters officials to assist in the implementation of UNICEF aid to national programmes.

In Latin America, funds were voted for assistance to 16 countries and territories during the year, bringing the total number to 20. The UNICEF area office in Guatemala City was enlarged in February 1951 to cover, in addition to Central American countries, the countries and territories in the Caribbean area. A regional office for Latin America was opened in Lima, Peru, in May 1951. As of April 1951, WHO had budgeted 17 technical posts to help in implementing projects receiving UNICEF supplies, and the Fund was to provide 12 international technical persons for a mass BCG campaign in one country (Ecuador).

In Europe, funds were voted to nine countries during the year. The bulk of these allocations, in monetary terms, was for emergency feeding to meet special conditions in two countries, Greece and Yugoslavia. Other smaller allocations were made to round out previously assisted child health and milk conservation projects, and for handicapped children's programmes. Reflecting the termination of UNICEF assistance to child-feeding in a number of countries, UNICEF resident missions were closed during the year in Austria, Bulgaria, Czechoslovakia, Finland and Poland.

Assistance given by UNICEF to child-feeding programmes was afforded substantial support in the form of large quantities of dried skim milk and cheddar cheese, made available at nominal prices by the United States Government. In the first six months of 1950, about 100 million pounds of dried skim milk had been shipped to receiving countries. In addition, about 83 million pounds of dried skim milk and 14 million pounds

of cheese were shipped between 1 July 1950 and 30 June 1951. The value of these commodities, at normal prices, represents assistance which UNICEF, with its current resources, could otherwise not have rendered to governments.

Direct contributions of other foods, mainly fish and rice, assisted in providing supplies to support child-feeding programmes in areas in which shortages of food, especially of protective foods for children, continued to exist.

These supplies of milk, fish and rice aided materially the child-feeding programmes in Greece and in Yugoslavia, and for the Palestine refugees. Emergency aid was provided to India and Pakistan, and other Asian countries were assisted, mainly Indonesia, Japan, the Philippines and Thailand. Milk from these supplies was provided for child-feeding in Central American countries in connexion with nutrition demonstration and training programmes, and to other countries in Latin America, mainly Brazil, Ecuador and Peru.

UNICEF has continued to implement approved assistance to milk conservation programmes; a large part of the equipment for milk-processing plants, approved at an earlier date, has now been shipped to the countries concerned and installed. In addition, the Board has approved the first UNICEF assistance in this field to Latin America; conferences have also been held in the Middle East to survey the needs and plans of the countries in that region with respect to milk conservation.

The majority of the country plans for which aid was approved during 1950-51 involved assistance to permanent national maternal and child health services. In many countries in Asia and Latin America, these services were either in a formative stage or had been badly disrupted by the war. BCG vaccination campaigns, for which UNICEF assistance was coming to an end in Europe, were being organized and extended in Asia during 1950 and 1951. The first UNICEF assistance to BCG campaigns in Latin America was begun in Ecuador and Mexico during the last six months of 1950 and was extended to other countries during 1951. Allocations were also approved to assist Eastern Mediterranean countries in undertaking mass BCG vaccination.

UNICEF has continued to aid malaria control programmes in Asia and Latin America by furnishing DDT and equipment, and to provide penicillin and other supplies for yaws control in these areas.

The Executive Board, in June 1950, had approved a substantial allocation to aid a training scheme in India for child health workers. This programme, carried out by the Government of India, is designed to provide specialized training in maternal and child health for doctors and nurses. Training will be available not only for qualified persons from India but for trainees from other countries of Asia.

The Board also undertook at that time to assist countries with equipment for the production of certain materials required for maternal and child health programmes, namely, BCG and other vaccines, DDT, penicillin and anti-biotics. The Board's approval was based on the need to increase production of these materials, especially in under-developed regions, and to

make them available to national programmes designed to benefit children. Although only a small proportion of the total resources of UNICEF has been allocated to these projects, it is expected that the results in terms of improved child health and lower morbidity will be manifold.

At its session in May 1951, the Board adopted a preliminary statement of requirements for allocation for the coming year amounting to \$30 million. The statement is based on an estimate of the costs of meeting foreseen requests for assistance, which can be fulfilled only if a corresponding amount of new resources is made available. Of the total, \$11.5 million would be set aside for emergencies, freight and administration, and the remaining \$18.5 million would be allocated to areas as follows: Africa, \$2 million; Asia, \$7.5 million; Eastern Mediterranean, \$3 million; Europe, \$2 million; Latin America, \$4 million. This statement of requirements is expected to be the basis of a fuller target programme and budget to be adopted by the Executive Board at its session in the autumn of 1951.

(iii) Resources of the Fund

During the period 1 July 1950 through 30 June 1951, UNICEF resources increased by the equivalent of about \$6 million, as compared with an increase of approximately \$23 million in the previous twelve months. Twenty-seven governments contributed to UNICEF during the period, a number pledging contributions on an annual basis for two or three years.

Since the inception of the Fund in December 1946, contributions to UNICEF and other income have totalled about \$155 million (US dollar equivalent). These resources have derived from the following sources:

	\$US (in millions)
(a) Contributions from governments.....	108
(b) Contributions from UNAC, and other private contributions	12.6
(c) Residual assets of UNRRA	32.4
(d) Other income	2.0

During this period, 53 governments have contributed to UNICEF; private contributions, resulting from UNAC campaigns, or from other fund-raising drives, have been received from 42 countries and 21 Non-Self-Governing Territories. The geographic distribution of government and private contributions has been approximately as follows: 70.3 per cent from North America; 13.5 per cent from Oceania; 11.4 per cent from Europe; 1.8 per cent from Africa; 1.6 per cent from Latin America; 1.3 per cent from Asia; and about .1 per cent from Eastern Mediterranean countries. About 9 per cent of all government and private contributions to UNICEF have been from countries receiving assistance from the Fund.

The Secretary-General's last annual report noted that contributions received from governments up to that time had been sufficient to enable UNICEF to draw upon the full \$75 million matching contribution of the United States Government, the final amount of which was allocated by the Executive Board in June 1950. In May 1951, the United States Congress passed a

supplemental appropriation for 1951, including an amount of \$5,750,000 which the President of the United States has withdrawn from the Treasury for contribution to UNICEF. It is expected that the funds will be transferred to UNICEF in the immediate future.

In the light of the General Assembly's renewed appeal in resolution 417 (V) to private persons to continue their contributions to the Fund, the Executive Board approved a proposal for encouraging the collection of private voluntary contributions in connexion with the observance of United Nations Day on 24 October. Following upon the Board's decision, communications were addressed in May and June 1951 to the governments of all Member States, as well as to those of several non-member States which had contributed to the Fund in prior years, inviting them to consider encouraging the holding of special nation-wide collections for the benefit of children in connexion with the observance of United Nations Day in 1951.

(iv) Reconstitution of the Executive Board

The first Executive Board of the Fund, established by General Assembly resolution 57 (I), held its last session on 27-28 November 1950 and presented to the Economic and Social Council a final report on its four-year stewardship, entitled "Final Report of the First Executive Board of the United Nations International Children's Emergency Fund".

General Assembly resolution 417 (V) of 1 December 1950 constituted the new Board, with control of the composition vested in the Economic and Social Council. The new Board consists of the governments of eighteen States represented in the Social Commission, and of the governments of eight other States, not necessarily Members of the United Nations, to be designated by the Council for appropriate terms, with due regard to geographical distribution and to the representation of the major contributing and recipient countries. In accordance with the present composition of the Social Commission and as a result of action by the Council during its eleventh session, the composition of the Executive Board of the Fund for 1951 is as follows:

Australia	Israel
Belgium	Italy
Bolivia	New Zealand
Brazil	Switzerland
Byelorussian Soviet Socialist Republic	Thailand
Canada	Turkey
Ceylon	Union of South Africa
China	Union of Soviet Socialist Republics
Dominican Republic	United Kingdom of Great Britain and Northern Ireland
Ecuador	United States of America
France	Uruguay
India	Yugoslavia
Indonesia	
Iraq	

At its first session on 9-13 February 1951, the reconstituted Board elected its officers and established a Programme Committee of eleven members and a Committee on Administrative Budget of seven members. The Board also agreed to the continuation of the Joint UNICEF—WHO Committee on Health Policy and elected five members to represent it on this Committee. An *Ad Hoc* Committee on Rules of Procedure was elected and, on the basis of its recommendations, re-

vised rules of procedure were adopted by the Board at its session in May 1951.

(v) *Principles and policies*

At its session in May 1951, the new Executive Board examined existing principles and policies in order to make such changes as would bring the operation of the Fund more nearly in line with the new purposes defined in General Assembly resolution 417 (V).

The Board agreed that it would endeavour to limit its activities to a small number of types of projects, concentrating so far as possible on assistance to countries for (1) general maternal and child welfare purposes, including (a) the building and expansion of their basic services for children and mothers; (b) training of child welfare personnel for manning these services; and (c) mass campaigns against diseases particularly affecting large numbers of children (tuberculosis, malaria, venereal disease, trachoma, yaws, whooping cough, diphtheria, etc.); and (2) assistance to countries for child-feeding programmes and related undertakings, for example, the conservation of local milk supplies for the benefit of children.

The Board did not list the forms of assistance which the Fund might render in times of emergency, since these would necessarily be determined by the nature of the emergency.

The Board was in general agreement that in many cases it would be desirable to meet children's needs by helping to increase the local production of antibiotics, insecticides, vaccines, etc. in order to ensure continued supplies in the future.

Assistance for training will include emphasis on the training of auxiliary personnel responsible for maternal and child health care, in order to overcome one of the greatest obstacles in the development of services, particularly in under-developed areas, for the benefit of mothers and children. Included would be assistance, mainly through equipment and supplies, for the development in those countries of training facilities, such as schools, hospitals, clinics, and maternal and child health centres, for midwives, public health nurses, nurses' aides, auxiliary public health workers, community workers and others. In addition, the Fund would be willing to help to establish or support regional training centres on the pattern already set by its support of the International Children's Centre in Paris and the Maternal and Child Health Department of the All-India Institute of Hygiene and Public Health at Calcutta.

The Board decided that, in dealing with applications for assistance, it would bear in mind the following: (1) the extent to which there exist in a country serious problems of child or maternal health, malnutrition or welfare; (2) the capacity of a country to meet its needs out of currently available resources; (3) the extent to which international assistance is required by a country to carry out its plans for development; (4) the extent to which a country can effectively make use of the assistance being sought and the extent to which such assistance complements plans within that country;

(5) the extent to which international assistance from other sources is available for the same or similar purposes; (6) the extent to which children have suffered through war or other calamity.

The Board also agreed on a number of other criteria to be taken into account in assessing relative needs as between areas and countries and in determining priority among projects.

(vi) *Co-operation with other United Nations agencies and non-governmental organizations*

In resolution 417 (V), the General Assembly requested the Executive Board to take "all necessary steps to ensure close collaboration between the Administration of the Fund and the specialized agencies, pursuant to the agreements between the United Nations and the specialized agencies".

The Assembly also requested the Administration of the Fund, as appropriate, to "obtain from inter-governmental and non-governmental organizations having a special interest in child and family welfare the advice and technical assistance which it may require for the implementation of its programmes".

The relationship which has developed between UNICEF, departments of the United Nations Secretariat and the specialized agencies has been based upon the recognition that the predominant function of the Fund is to provide essential supplies and equipment to governments to assist child care projects, with the specialized agencies and the technical departments of the United Nations (1) providing the governments with technical advice and services in connexion with projects for which they receive supplies from UNICEF; and (2) providing UNICEF with assurance that country plans for the use of its aid are technically sound.

In the past, the limited budgets of the specialized agencies have generally precluded their assuming the financial responsibility for technical advice required by governments in connexion with the UNICEF-assisted projects. As a consequence, the Executive Board has approved financing for the required technical assistance, while taking the general position, however, that whenever possible this type of expenditure should preferably be assumed by the appropriate agency. During the year under review, it has appeared that, as a result of the expanded technical assistance programme, this aim could be achieved. As an example, WHO has assumed substantial financial responsibility for a number of international personnel who are helping governments to implement UNICEF-assisted projects in 1951; the 1952 budget of that organization makes a similar provision.

Since the summer of 1949, the UNICEF Advisory Committee of Non-Governmental Organizations (composed of interested organizations having consultative status with the Economic and Social Council) has rendered valuable assistance to the Administration of the Fund in advising on fund-raising and other matters. This relationship was strengthened in May 1950, when the Executive Board offered consultative status to the Committee.

3. Co-ordination of cartographic services

Encouragement of modern cartographic methods and uniform international standards, as well as the development of international co-operation in the field of cartography, are among the main objectives to which the Economic and Social Council attaches importance. It is recognized that the application of the science of cartography to many problems that confront governments, the United Nations and the specialized agencies can accelerate economic and social development, reduce its cost and increase its effectiveness. In many instances, information necessary to the planning and prosecution of development programmes can be supplied most accurately in the form of reliable maps. Adequate information is lacking for approximately three-quarters of the world's land area and the potential value of cartography is far from being fully recognized.

The Secretary-General has set up a cartographic office which will serve as a centre for the United Nations and the specialized agencies, and will carry out the specific tasks entrusted to him by the Council on

the basis of a report prepared by a group of international experts in the field. Consultations with governments on the possibility of convening regional meetings on cartography are under way. From the replies received to date, it appears that most Member States are in favour of calling such meetings. A provisional list of experts for the panel of consultants recommended by the Council has been established on the basis of specific recommendations from the governments of Member and non-member States. The first issue of a periodical bulletin on cartography has been prepared and will be ready for distribution during 1951. A study on the possibility of the absorption or integration of the Central Bureau, 1:1,000,000 Map of the World, into the United Nations has been made, and the report will be considered by the Economic and Social Council at its thirteenth session.

Working relationships with several international governmental and non-governmental organizations in the field have been established. This co-operation has proved to be fruitful.

C. RELATIONS WITH AND CO-ORDINATION OF SPECIALIZED AGENCIES

The activities described in the previous two sections of the present chapter have been carried out, in the large majority of cases, after consultation with one or more of the specialized agencies. In many of these activities, the United Nations and the specialized agencies have, in fact, in the very nature of the case, been called upon to co-operate closely.

Co-operation between the United Nations and the specialized agencies takes place partly through the more formal activities of the Administrative Committee on Co-ordination, the Technical Assistance Board and various inter-secretariat working groups, and partly through the day-to-day consultations which now take place as a matter of routine on a large range of activities of common interest. Co-ordinated international action on economic and social problems has been intensified in line with the directives of the General Assembly, the Economic and Social Council and the directing organs of the specialized agencies. Measures for achieving a greater concentration of effort and resources have been put into effect and the staffs of the United Nations and the specialized agencies have made collective efforts to meet, so far as lay within their competence, the requirements of General Assembly resolution 413 (V) of 1 December 1950 and the recommendations in the same sense made by the Economic and Social Council at its eleventh session held in the summer of 1950.

After five years of experience, the programmes of the United Nations and of most of the specialized agencies are becoming stabilized and are tending to crystallize around certain main themes. For example, within the general field of economic development and related social problems, the United Nations has been especially concerned with concerted measures for financing economic development and certain technical assistance programmes, while among long-term activities the formulation of human rights and the preparation of measures to secure their observance, and studies on full employ-

ment and under-employment have received strong emphasis. The same tendency is to be observed in the programmes of the main specialized agencies as, for example, in the International Labour Organisation, which is concentrating especially on questions of manpower and migration, industrial relations, social security and wages policy, which are closely related to the immediate needs of the present economic and social situation. To take another case, efforts of the United Nations Educational, Scientific and Cultural Organization are being more and more concentrated on the realization of certain articles in the Universal Declaration of Human Rights, such as the promotion of free compulsory primary education, universal access to scientific knowledge and participation in the common cultural heritage of mankind; the organization is also launching a world-wide campaign of fundamental education. This gradual development of certain main themes in international economic and social activity is making possible the closer co-ordination of the work of all the agencies towards common and agreed objectives. Certain major aspects of this development are dealt with below.

Another example of the tendency towards closer integration of the work of international agencies is the action taken or contemplated by a number of specialized agencies to adapt their relations with the United Nations in conformity with the new arrangements for the maintenance of peace and security adopted by the General Assembly in resolution 377 (V) on "Uniting for peace" (see sub-section (a) below).

The Administrative Committee on Co-ordination, under the chairmanship of the Secretary-General, with its Preparatory Committee of deputies and its various subsidiary bodies, has dealt with a number of general and specific problems which have a bearing on the problem of concentration of effort and resources and which have particular reference to General Assembly resolution 413 (V) and the recommendations of the

Economic and Social Council at its eleventh and twelfth sessions. Resolution 413 (V) requested that the Economic and Social Council should "review, during 1951, the 1952 programmes of the United Nations and the specialized agencies, using the criteria set forth in the report of the Co-ordination Committee as approved by the Economic and Social Council"; and "seek, in reviewing the programmes, the assistance of the Advisory Committee on Administrative and Budgetary Questions on the administrative and financial aspects of this matter". The Council, at its twelfth session, requested the specialized agencies to submit to its thirteenth session their 1952 programmes as reviewed by them in accordance with General Assembly resolution 413 (V), paragraph 1, and invited the Advisory Committee to submit to its thirteenth session such observations on administrative and financial aspects of the 1952 programmes of the United Nations and the specialized agencies as would assist the Council in reviewing the programmes.

The Administrative Committee on Co-ordination, in considering the method to be followed in providing for a review by the Council of the 1952 programmes, suggested in particular that the annual reports of the specialized agencies and their future programmes should be dealt with together by the Council, so that the programmes of priorities for any given year could be fully understood in the light of the work and the plans of the preceding years. In another context, ACC also expressed the hope that a meeting between it and the Advisory Committee on Administrative and Budgetary Questions might be arranged in the near future to discuss questions of mutual concern. At the Council's request, ACC also made suggestions concerning fields of activity which might receive major emphasis.

The Economic and Social Council's recommendation concerning prior consultation contained in its resolution 324 B (XI) of 9 August 1950 was brought to the attention of the specialized agencies and of the commissions of the Council. At the Council's request, ACC drafted a set of model rules designed to ensure that activities which may affect other organizations are not decided upon until such consultation takes place and that this procedure is made possible by the timely submission of items for consideration by the various organs.

In the past year a new specialized agency, the World Meteorological Organization, has come into existence and has been brought into relationship with the United Nations. This organization has adopted the United Nations administrative and financial standards and regulations and has decided to set up its headquarters in Geneva. The International Telecommunication Union has also decided to locate its headquarters premises in close proximity to the United Nations Office in Geneva, and during the last year FAO has moved its permanent headquarters to Rome. The Secretary-General has expressed his readiness to extend the United Nations services and facilities in Geneva to these agencies with a view to achieving the maximum of efficiency and economy. Indeed, this new grouping of agencies in Europe, and especially in Geneva, constitutes a challenge to work out the maximum pooling of administrative resources for United Nations organizations in Western Europe.

(a) ASSISTANCE BY THE SPECIALIZED AGENCIES IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

General Assembly resolution 377 (V) of 3 November 1950 on "Uniting for peace" (see chapter I, 18 above) provides that the Assembly may make recommendations to Members of the United Nations for collective measures for the maintenance of international peace and security if the Security Council fails to act. In order to facilitate co-ordinated action under this resolution, the Economic and Social Council, at its twelfth session (resolution 363 (XII)), requested the Secretary-General, in the light of the Council's discussion on this subject, "to consult with the specialized agencies as to the specific arrangements they might most appropriately make in order to provide for the furnishing by them of such information and for the rendering of such assistance in the maintenance or restoration of international peace and security as may be requested by the Security Council or the General Assembly, such arrangements to cover action on an emergency basis and within the constitutional and budgetary limitations of the agencies to meet urgent requests".

The consultations requested above were undertaken with the heads of the specialized agencies, individually and collectively, during the eleventh session of the Administrative Committee on Co-ordination, which met in Paris on 14 and 15 May 1951. As a result of these consultations, two alternative procedures were suggested, one being the amendment of or addition to the agencies' agreements with the United Nations, the other the adoption of a resolution by the appropriate organs of the agencies concerned pledging the agencies' co-operation with the General Assembly as well as with the Security Council.

The International Labour Conference has already adopted a resolution which, in considering that the existing arrangements within ILO are adequate to enable it to take any appropriate action on an emergency basis to meet urgent requests for assistance to the Security Council or the General Assembly, declares that ILO will co-operate with the General Assembly and the Security Council in the maintenance or restoration of international peace and security and, for this purpose, will furnish all appropriate information and will render all appropriate assistance to those organs of the United Nations.

The World Health Assembly has also adopted a resolution declaring that WHO will co-operate with the United Nations in the maintenance of international peace and security and, upon the request of the Security Council or the General Assembly, will furnish information and emergency assistance for this purpose in accordance with constitutional and budgetary provisions.

UNESCO has adopted a similar resolution.

The Assembly of the International Civil Aviation Organization has adopted a resolution declaring that ICAO agrees to co-operate with and render all possible assistance to the principal organs of the United Nations with respect to matters within the competence of the organization directly affecting international peace and security, due account being taken of the special posi-

tion of the members of ICAO which are not Members of the United Nations.

The matter is currently under consideration in the governing bodies of a number of other agencies.

(b) CO-ORDINATION OF PROGRAMMES AND SUBSTANTIVE ACTIVITIES

Certain matters regarding which co-ordination of programme and substantive activities have taken place are referred to elsewhere in the present report. The following paragraphs summarize certain specific fields in which collective efforts have been made by the United Nations and the specialized agencies.

(i) *Korea*

The Administrative Committee on Co-ordination has given urgent attention to the question of relief and rehabilitation in Korea. The assistance of the specialized agencies was requested under resolutions of the Security Council and the Economic and Social Council in the summer of 1950. After the adoption of Economic and Social Council resolution 323 (XI), agreement was reached on a procedure for the immediate handling through the Secretary-General of requests from the Unified Command and of offers from the specialized agencies. Details of the actual assistance so far afforded to the relief and rehabilitation of Korea by ILO, FAO, UNESCO, WHO and IRO are given in chapter I, section 9 (d) of the present report.

The Agent General of the United Nations Korean Reconstruction Agency was appointed on 7 February 1951, and the functions of co-ordination and liaison with the specialized agencies in the matter of assistance to Korea are being gradually transferred to his office. At its eleventh session, ACC received from the Deputy Agent General of UNKRA a verbal report on the plans of that Agency for its future work.

The Directors-General of the specialized agencies agreed that they would continue to do everything in their power to assist the work of UNKRA without prejudice to the existing arrangements with the United Nations concerning the loan of staff. They recognized that, in the particular conditions prevailing in Korea, it was essential that a single agency should speak on behalf of the United Nations and that, particularly in the early stages, any experts provided by the specialized agencies would have to serve in Korea under the control of UNKRA, although the experts should retain contact with their parent agencies in order to make full use of the agencies' knowledge and experience. Long-term relationships between the agencies and UNKRA will be kept under review by the meetings of the ACC and by direct contact.

(ii) *Development of a twenty-year programme for achieving peace through the United Nations*⁵

In response to resolutions adopted by the General Assembly at its fifth session and by the Economic and Social Council at its twelfth session, the Secretary-

General, through ACC, has consulted the specialized agencies on the relevant points of the twenty-year programme, namely points 6, 7 and 8.

As regards point 6, ACC has endorsed the recent emphasis which the Council has placed on the question of capital investment for economic development as complementary to the programme of technical assistance. As regards point 7, which advocates a "more vigorous use by all Member Governments of the specialized agencies", one aspect of this problem was raised by ACC's reference to universality of membership as the desirable objective for those agencies based upon this principle. As regards point 8 concerning human rights and fundamental freedoms, ACC has drawn the attention of the Council to the close co-operation of ILO, UNESCO and WHO in the preparation of the Declaration of Human Rights and of the draft Covenant and, indeed, in the furtherance of the whole programme throughout the world.

(iii) *Regional co-ordination*

A paper giving extensive information on various aspects of regional co-ordination, including the development of techniques for regional co-ordination and the avoidance of duplication, is being presented to the Council at its thirteenth session. In considering this subject, ACC raised the question of the relations between organizations within the United Nations and non-United Nations regional bodies—relations of an increasing importance, in regard to which no regular machinery for co-ordination as yet existed. Increasing attention was being paid by certain non-United Nations inter-governmental organizations to some problems with which the United Nations and the specialized agencies were closely concerned (as for example migration and refugees). In this situation, ACC emphasized the importance of appropriate steps being taken to ensure good co-ordination and to avoid duplication of work and competences.

(iv) *Migration*

Developments in the co-ordination of migration activities and action taken by the Administrative Committee on Co-ordination in this matter are described fully in section A 14 above. In addition to the developments described in that section, the International Labour Organisation and the International Bank for Reconstruction and Development have co-operated with the United Nations in the production of a report to the Economic and Social Council concerning the financing of migration. The Economic Commission for Latin America, by a resolution adopted during its session held in Montevideo in June 1950, set up a working committee at the secretariat level to assist and advise the Latin-American governments on migration problems. This working committee, composed of representatives of the ECLA secretariat, ILO, FAO and IRO, has maintained liaison with UNESCO, WHO and the Bank. In view of changing conditions and the development of services under broad technical assistance programmes, it is foreseen that this committee will be replaced by an inter-agency regional co-ordination committee on migration to review progress and co-ordinate action in the field of migration in Latin America.

⁵ See chapter I, section 22 above.

(v) Fundamental education

A new development of some importance in the field of inter-agency relationships is the special project of UNESCO on fundamental education. This subject, by its very nature, is a subject of interest to most, if not all, the international organizations concerned with economic and social development. Representatives of the United Nations, FAO, WHO and ILO have co-operated with UNESCO in working out the draft special project, which envisages a twelve-year programme on fundamental education to be financed partly by the regular budget of UNESCO and partly by voluntary contributions, and to be carried out with the co-operation of the United Nations and of other specialized agencies. The Administrative Committee on Co-ordination agreed that this programme should receive wide and varied support in all its aspects from the family of United Nations organizations and should be developed in close relationship to other fundamental problems such as social welfare, agricultural extension and nutrition, standards of health, and the development of technical skills and skilled manpower. ACC further agreed that UNESCO should assume, under it, the responsibility, at the inter-secretariat level, for promoting co-operation and good co-ordination in this field.

(vi) Long-range activities for children

Since the question of long-range activities for children is one to which high priority has been given in a number of United Nations organizations, ACC has made arrangements for the technical competences in this field of the United Nations itself, the United Nations High Commissioner for Refugees, UNICEF, ILO, FAO, UNESCO, WHO and IRO to be utilized collectively in dealing with the various problems of assisting governments in meeting the long-term needs of children. These organizations will study and consult upon their various programmes and make suggestions to ACC concerning the manner in which these activities can best be made into a comprehensive and coherent programme of international action.

(vii) Forced labour

The device of joint projects between the United Nations and the specialized agencies to accomplish common objectives with maximum programme co-ordination and minimum expense has been increasingly utilized in the last twelve months. In the notable case of the *Ad Hoc* Committee on Forced Labour, the establishment of which was requested by the Economic and Social Council at its twelfth session (see section A 10 (g) above), arrangements have been completed under which the selection of the Committee and of its substantive staff is being made jointly by the Secretary-General and the Director-General of the International Labour Office; the total costs will be shared equally by the two organizations.

(viii) Other programme matters

A number of other programme matters of common interest which have been dealt with by ACC from the point of view of co-ordination are not included in this section since they are reported on elsewhere in the present report. These include rehabilitation of the phy-

sically handicapped, full employment, land reform, the problem of arid zones and water utilization, and a number of matters in the field of transport and communications. The work of co-ordination in the statistical field and in the field of public information has been vigorously maintained and has yielded valuable results.

(c) ADMINISTRATIVE AND FINANCIAL MATTERS

Following the directive contained in General Assembly resolution 411 (V) of 1 December 1950, the Secretary-General has continued to consult with the specialized agencies with a view to achieving a greater measure of common administrative and financial practices, as well as greater economy and efficiency.

Progress has been made in the scheduling of annual conferences of specialized agencies. It is to be noted that, for 1951, meetings have been scheduled with the minimum of overlapping between those which deal with closely related fields. At the same time, the recommendation of the Economic and Social Council that these annual meetings should be held in the first six months of the year has been complied with. In this connexion, it may be noted with satisfaction that the Administrative Council of the International Telecommunication Union moved the date of its sixth session from the usual date of the later half of the year to April 1951, and that this date does not conflict with the meeting in May of the Executive and Liaison Committee of the Universal Postal Union.

Substantial progress has also been made in implementing the recommendations of the International Civil Service Advisory Board concerning recruitment methods and standards. The United Nations and the specialized agencies at Geneva (WHO, ILO, ITU and IRO), and in some respects also FAO and UNESCO, have already taken joint steps to implement these recommendations, in some cases on an experimental basis.

The question of relations between the specialized agencies and the Advisory Committee on Administrative and Budgetary Questions was brought before ACC, and a meeting between the two bodies has been arranged to discuss questions of common concern, including that of developing closer and more continuous working relationships between the Advisory Committee and the executive heads of the agencies:

The following summarizes the progress made in items mentioned in General Assembly resolution 411 (V) referred to above:

(i) Common services and co-operative administrative arrangements

The General Assembly, in the light of recommendations by the Economic and Social Council, the Advisory Committee and the Auditors, requested the Secretary-General to study the further developments of satisfactory arrangements for the provision of common services, particularly in respect of regional and branch offices of the United Nations and the specialized agencies.

As a first step, a factual survey in regard to conference, travel and procurement services and facilities in

the western European area has been made in consultation with the specialized agencies concerned. On the basis of this survey, consultations are in progress with a view to determining how far the organization of common services, facilities and staff in that area can be further developed in the interests of increased efficiency and economy, and what other possibilities may exist for improving services and achieving further economy, more particularly by means of closer co-operation, co-ordination of dates, location of meetings, loan of staff, etc.

A separate report on the subject will be submitted later for consideration by the General Assembly.

(ii) *Common pattern of staff regulations*

In July 1950, agreement was reached among the United Nations and specialized agencies, through the machinery of ACC, on a common pattern of staff regulations, subject to the understanding that, for certain agencies, the draft common pattern would constitute a set of guiding principles rather than a text to be adopted *in toto*. The Administrative Committee on Co-ordination, at its eleventh session, noted that the Advisory Committee on Administrative and Budgetary Questions, at a meeting held in April 1951, had incorporated a number of amendments with a view to meeting the specific requirements of the United Nations. ACC, after careful and detailed consideration of these amendments, felt that, in the interest of wide acceptance of common provisions, certain changes would be desirable in the draft prepared by the Advisory Committee. A separate report is being submitted by the Secretary-General to the Advisory Committee which no doubt will in turn report to the General Assembly.

(iii) *Common salary system*

The salary, allowance and leave system adopted by the General Assembly in December 1950 has already been put into operation by ILO, WHO and ICITO, and to some extent by ICAO, and is being considered by the FAO Council and the UNESCO General Conference, which are in session at the time of writing of the present report. Minor adjustments have been necessary to take into account specific differences in the size and complexity of the staffs concerned. The fact that the salary and allowance plans of all the larger organizations are now, or probably will become within a year, substantially the same may be considered as a major achievement in administrative co-ordination.

(iv) *Common budgetary practices*

Regarding budgetary presentation, a summary schedule of the estimated cost of "main activities" is being prepared by the Secretary-General in co-operation with the specialized agencies. The Secretary-General has also agreed with the specialized agencies upon a revision of the common panel of objects of expenditure for the purpose of bringing about uniformity in the reporting of items of expenditure in summary form to the General Assembly. It was also agreed to work towards a common panel of objects of expenditure of the individual budgets of the agencies. Arrangements have been made for the Technical Assistance Board to use the same common

panel which, it was felt, should in principle also be utilized for technical assistance budgeting purposes.

(v) *Utilization of soft currencies*

The Secretary-General, in consultation with the specialized agencies, has been studying the possibility of the collection of contributions in a minimum number of currencies, which would be convertible into other soft currencies. As sterling appears to be the only soft currency which offers a wide possibility of conversion, negotiations on behalf of the United Nations and the specialized agencies are being undertaken by the Secretary-General with the United Kingdom Government.

(vi) *Arrears in contributions*

Various aspects of the problem of arrears in contributions, including (1) administrative steps for obtaining payment, and (2) possible uniformity in applying measures against defaulting members, have been studied by the Secretary-General in consultation with ACC. The exchange of information between the different agencies on their respective experience and practices has been of considerable value. Considering the differences in the structure and functions of the various agencies, the Secretary-General and the heads of the agencies felt that they could not propose any single approach at this time, but felt that certain steps could be taken with a view to uniformity.

Regarding budgetary problems arising from arrears in contributions, the Secretary-General and the heads of the specialized agencies feel that the development of a common approach is a desirable goal. Two principal budgetary problems are (1) the establishment of an effective budget level in the light of arrears, and (2) methods of dealing with arrears as such and with actual cash deficits.

(d) RELATIONS WITH INTER-GOVERNMENTAL ORGANIZATIONS

At the request of the Economic and Social Council, the Secretary-General submits periodically a list containing information on inter-governmental organizations having responsibility in the economic and social fields similar to those of the United Nations and the specialized agencies. The list submitted to the eleventh session of the Council contained the names of fifty-five organizations, and a revised list containing up to date information on forty-eight organizations is being submitted to the thirteenth session of the Council. In addition, the Secretary-General and the specialized agencies, at the request of the Council, have prepared for both sessions special reports dealing with certain specific organizations concerning their status and, in particular, their relations with the United Nations and the specialized agencies.

The Council, at its eleventh session, having reviewed the list and the special reports submitted by the Secretary-General and the specialized agencies, made recommendations concerning the termination, absorption or integration in the United Nations or one of the specialized agencies of six organizations. Of these, the case of the International Penal and Penitentiary

Commission was a subject that received the special attention of the General Assembly, which, on 1 December 1950, adopted resolution 415 (V) approving a plan prepared by the Secretary-General, in consultation with IPPC, concerning the transfer of functions of the Commission to the United Nations. The resolution also authorized the Secretary-General, in consultation with the Secretary-General of IPPC, to make arrangements for the transfer on a mutually satisfactory date prior to 31 December 1951.

The Council, at its twelfth session, invited representatives of the Organization of American States and the League of Arab States to attend as observers, and requested the Secretary-General to report on the question of possible permanent invitations to these organizations to the thirteenth session of the Council, at which the matter will again be considered. The Secre-

tary-General has duly reported to the Council in conformity with this request.

The Economic Commission for Latin America, at its session in Mexico City in May 1951, adopted a resolution concerning the co-operation and co-ordination in the work and programmes of the Commission and the Inter-American Economic and Social Council and providing that the Executive Secretaries of the two bodies should work together closely to this end. It also urged that the governments of Member States should, for their part, make appropriate administrative arrangements with a view to achieving a better understanding of the studies and resolutions of international agencies, and also the highest possible degree of co-ordination of policy in the meetings of those international bodies and agencies.

D. RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

The non-governmental organizations in consultative relationship with the Economic and Social Council now number 207. Of these 9 are in category A, 89 in category B, and 109 are on the register of the Secretary-General. The register includes organizations not in full continuous consultative relationship (i.e., in category A or B) but which might be consulted from time to time as appropriate by the subsidiary bodies of the Council or by the Secretary-General.

At the eleventh session of the Council the question arose as to whether article IV, section 11, paragraph 4, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations (Headquarters Agreement) should be interpreted as applying to the representatives of non-governmental organizations in consultative relationship who wish to attend public meetings of the General Assembly. This problem arose in connexion with a representative of the World Federation of Trade Unions, resident in France, who wished to attend the General Assembly and meetings of the eleventh session of the Council, and who had encountered certain difficulties.

The Secretary-General, in response to Economic and Social Council resolution 340 A (XI), published the text of the cables received from WFTU, together with the replies and a legal opinion on the problem mentioned in the preceding paragraph. The Council, in resolution 340 B (XI), requested the Secretary-General to submit a further report at its twelfth session on the conclusion of his negotiations with the Government of the United States of America regarding the application of the Headquarters Agreement. Consideration of this report was deferred by the Council until its thirteenth session.

At its twelfth session, the Council reconsidered its resolution 214 C (VIII) on international non-governmental organizations having members in Spain, and decided, by resolution 366 (XII), that it should be re-

pealed. In accordance with this decision, international non-governmental organizations having legally constituted branches in Spain will no longer, for that reason, be ineligible for consultative relationship.

During the year under review, the non-governmental organizations have submitted ninety-four written statements, which have been circulated as documents of the Economic and Social Council or of its commissions.

The following item proposed by the International Chamber of Commerce, an organization in category A, was accepted by the Council for inclusion in the agenda of its twelfth session: "Conclusion of an international convention on customs treatment of samples and advertising material".

The Economic and Social Council, in addition to hearing the views of ICC on the items proposed by it, also heard organizations in category A on other items on the agenda of the eleventh and twelfth sessions.

The question of a handbook on non-governmental organizations was considered by the Council at its eleventh session. It was decided that, since the Union of International Associations had published a "Yearbook of International Organizations" which includes information regarding a comprehensive number of international non-governmental organizations, and since the Union was willing to take into account, in future editions, suggestions offered and information made available by the United Nations, the Secretary-General should be requested to offer the Union as much information and co-operation as was possible. In these circumstances, the Council decided not to give further consideration, at present, to the publication of a handbook by the United Nations.

The Council, at the same session, approved draft rules for the calling of conferences of non-governmental organizations and submitted them to the General Assembly. The General Assembly approved these rules, on 12 December 1950, by resolution 479 (V).

Chapter III

QUESTIONS CONCERNING TRUSTEESHIP AND NON-SELF-GOVERNING TERRITORIES

I. Development of the Trusteeship System

The year covered by the present report has witnessed a further consolidation of the Trusteeship System. The machinery of international supervision of the administration of the eleven Trust Territories is working smoothly. The Trusteeship Council, acting under the authority of the General Assembly, and the General Assembly itself, have steadily improved the procedures for dealing with this difficult international operation, and there is increasing confidence in the efficacy of the system as a means of assuring the peoples of the Trust Territories that their aspirations can be realized gradually under the aegis of the United Nations and the Administering Authorities, and without resort to violence.

The debates on trusteeship matters, especially in the Trusteeship Council, are necessarily more technical than political, and therefore generally less intensively controversial than the debates in some other major United Nations organs. The emphasis, however, is consistently on the political, economic, social and educational well-being and advancement of the inhabitants of the Trust Territories. Even so the East-West conflict finds reflection in the deliberations of the Council, to the occasional disadvantage of both the Council's work and the inhabitants of the Trust Territories.

Since the main concern of the Council is the operation of its supervisory function, there is an inevitable tendency for its work to become routine. The Council may, from time to time, find it useful to undertake an appraisal of its work and results, with a view to ensuring that the inspiring and vital objectives of the Trusteeship System are not submerged in the routine nature of its business.

The visiting missions, which have now visited in turn all the Trust Territories except Somaliland (which is to be visited during the current year), have become firmly established as an indispensable means of enabling the Trusteeship Council to carry out its supervisory function, for not only do they bring to the Council first-hand impressions of the Territories and provide direct contact for the United Nations with the inhabitants, but they enable individual members of the Council and of the Secretariat to gain direct experience of the conditions in and problems of the Trust Territories, which, clearly, is of great value to them in their collective work in the Council. This objective, however, would be better

served should more of the senior representatives in the Council find it possible to accompany the visiting missions.

Another vital source of information to the Council is the examination of petitions, which frequently relate to matters of general interest to the Territory from which they emanate, and thus portray not only the conditions in the Territory but also the fears, hopes and ambitions of the indigenous inhabitants. During the three sessions of the Council dealt with in the present chapter (seventh, eighth and ninth), 346 petitions have been or are in process of being examined by the Council. One hundred and forty of these related to the Ewe problem.

The United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration, consisting of representatives of Colombia, Egypt and the Philippines, took up their duties at Mogadiscio, as provided by General Assembly resolution 289 (IV), on 1 April 1950. The Advisory Council submitted a progress report to the General Assembly at its fifth session; this report was considered by the Fourth Committee at the same time as it considered the Trusteeship Council's report covering its first special session, its second special session and its sixth and seventh sessions. At the ninth session of the Trusteeship Council in June 1951, all three members of the Advisory Council attended the meetings at which the annual report on Somaliland under Italian administration was discussed. The Advisory Council also submitted a report to the Trusteeship Council on its activities from 1 April 1950 to 31 March 1951. This report sets out, *inter alia*, the relations between the Advisory Council and the Administering Authority, the subjects upon which the Council's advice was sought by the Administering Authority, and gives details of the 127 petitions or communications received by the Advisory Council from the indigenous inhabitants or passed to the Council by the Administering Authority for information.

2. Operation of the Trusteeship System

At the beginning of the period covered by the present report, the Trusteeship Council was meeting in its seventh session, during the course of which it concerned itself primarily with the examination of conditions in the Trust Territories of Togoland under British ad-

ministration, Togoland under French administration and the four Territories located in the Pacific, namely, Western Samoa under the administration of New Zealand, Nauru under the administration of Australia, New Guinea under the administration of Australia and the Pacific Islands under the administration of the United States of America. Two hundred and seventeen petitions were examined at this session, many of which had been received by the Visiting Mission which visited the Trust Territories in West Africa during November and December 1949. In addition, the Council considered the Ewe problem, the question of administrative unions affecting Trust Territories and General Assembly resolution 325 (IV) of 15 November 1949 on the use of the flag of the United Nations in Trust Territories. Regarding the last-named, it adopted a resolution which recommended to the Administering Authorities concerned that the flag of the United Nations should be flown over all Trust Territories side by side with the flag of the Administering Authority concerned and with the territorial flag, if there were one, it being understood that in carrying out the terms of the resolution the Administering Authorities had latitude to handle any practical difficulties of administration which might be created thereby.

The report of the Trusteeship Council covering its first special session, its second special session and its sixth and seventh sessions was examined by the General Assembly during its fifth session. As a result of this examination, the General Assembly, on 2 December 1950, adopted ten resolutions, falling into two main categories.

The first category consisted of a number of resolutions addressed to the Trusteeship Council and recommending that the Council should, in view of the increase in its volume of work and the length of its sessions, review its methods of work, in particular the form of its annual reports to the General Assembly, the method of examining petitions, and the organization and method of functioning of visiting missions. The second category consisted of a number of resolutions concerned with the improvement of economic and social conditions in all or several of the Trust Territories. These included resolutions on educational advancement and on rural economic development, addressed to the Trusteeship Council, and resolutions on technical assistance and on the abolition of corporal punishment, addressed to the Administering Authorities concerned. In addition, the General Assembly adopted resolutions on the Ewe problem and on administrative unions, both of which are treated in the appropriate sub-section below. By another resolution, the Assembly approved the Trusteeship Agreement for the Territory of Somaliland under Italian administration.

Certain information on the implementation of the resolutions addressed to the Administering Authorities is contained in their annual reports for the year 1950, which have recently been transmitted to the Trusteeship Council. The United Kingdom Government has stated in its reports on the three Trust Territories which it administers, in reply to the recommendation for the complete abolition of corporal punishment, that it is undertaking progressive steps towards this end, but has reluctantly come to the conclusion that it must be retained for the present for a few serious offences. The Belgian

Government has made a similar statement in its report on Ruanda-Urundi.

In June 1951, the Government of the United Kingdom responded to the invitations contained in General Assembly resolutions 439 (V) and 444 (V) by signing, on behalf of all the Territories under its administration, a basic agreement with the Technical Assistance Board for technical assistance under the United Nations expanded programme. This basic agreement, in effect, authorizes the governments of each of the dependent Territories concerned, among which are the three Trust Territories under the administration of the United Kingdom, to negotiate directly with the United Nations and the specialized agencies supplementary agreements for such specific technical assistance projects as may be required. Another basic agreement for technical assistance, together with a supplementary agreement covering details of the assistance to be provided, is in process of negotiation between the Technical Assistance Board and the Government of Italy in respect of the Trust Territory of Somaliland under Italian administration. It is expected that the two agreements will be signed during July 1951.

The resolutions addressed to the Trusteeship Council were taken up at its eighth session in January 1951. The Council took note, with the intention of being guided by it in the future, of the resolution recommending that it should devote particular attention to long-range educational programmes. On the question of rural economic development, it established an *ad hoc* committee; details of the work of the committee are given in sub-section 4 (b) below. On procedural matters, the Council did not find time to complete a full review of its methods of work. It established a sub-committee to study the question of the general procedure of the Council and requested it to report to the Council at its tenth session. A number of practical improvements in procedure were nevertheless made, the Council, in particular, deciding to prepare its report to the General Assembly along the lines indicated by that body in resolution 433 (V) of 2 December 1950.

Pending a final decision on the organization of its work, the Council decided that it would examine, at its eighth session, the conditions in the four Pacific Trust Territories, which it had also examined at the seventh session, and, at its ninth session, the conditions in the African Trust Territories. During its eighth session, the Council had the benefit of the reports of its Visiting Mission, which visited Nauru, Western Samoa, New Guinea and the Trust Territory of the Pacific Islands during April and May 1950, as well as the information contained in the eighteen petitions received by the Mission.

The Council also gave attention to the Ewe problem and disposed of fourteen other petitions concerning various African Territories. Further, it considered Economic and Social Council resolutions 314 (XI) and 320 (XI) relating, respectively, to teaching about the United Nations and to higher education in African Trust Territories.

As a result of General Assembly resolution 289 (IV), which invited Italy to assume the administration of Somaliland, Italy's acceptance of that invitation, and General Assembly resolution 442 (V), which approved

the draft Trusteeship Agreement for the Territory of Somaliland under Italian administration prepared by the Trusteeship Council, Italy formally became the Administering Authority for that Territory.

At its eighth session, the Council considered the question of Italy's participation in its deliberations—in view of the fact that Italy is not a Member of the United Nations and consequently, although an Administering Authority, has no automatic right to sit at the Council table. The Council, as a result of this consideration, adopted supplementary rules of procedure which permit a representative of Italy to be present at all sessions of the Council, to participate in the debates without the right to vote, and to propose draft resolutions and other motions and amendments on questions relating specifically to Somaliland and on general questions relating to the operation of the International Trusteeship System.

The question of Italy's full participation in the work of the Council having been raised, the Council adopted at the same session a resolution requesting the General Assembly to include this question in the agenda of the sixth session.

Further supplementary rules of procedure also adopted at the eighth session provide for the receipt, by members of the Advisory Council for Somaliland which are not Members of the United Nations, of Trusteeship Council documents relating to Somaliland and for the transmission to the Council of reports, memoranda and statements submitted by the Advisory Council in accordance with article 11 of the Trusteeship Agreement for Somaliland.

During the eighth session, the special representative of the United States of America for the Trust Territory of the Pacific Islands informed the Council that directions had been given that the United Nations flag should be flown side by side with the United States flag in that Territory. The Italian Government has stated in its report that the United Nations flag has been raised several times beside the Italian flag in Somaliland and that a list of suitable occasions for its use is being prepared. The Government of the United Kingdom has indicated, in the most recent reports on its three Territories, that arrangements are being made to fly the United Nations flag alongside the British flag, on appropriate occasions, on certain official buildings. The Government of France, in its report on Togoland under its administration for 1950, has stated that it has taken note of the resolution.

The ninth session of the Trusteeship Council, which is in progress at the time of writing of the present report, is mainly concerned with the African Trust Territories. For six of the Territories the annual reports for both 1949 and 1950 are being examined, and for Somaliland the report for the first nine months of provisional Italian administration is under examination. There are ninety-seven petitions relating to the Territories on the provisional agenda, the greatest number relating to Somaliland.

The Council has begun its review of procedural matters and decided on a number of steps designed to improve its methods of work, notably the organization and methods of functioning of visiting missions and the form of future reports to the General Assembly.

The period under review has seen an increasing collaboration between the Council and the specialized agencies, notably the United Nations Educational, Scientific and Cultural Organization and the International Labour Organisation. With regard to educational conditions in the Trust Territories, helpful co-operation has been extended to the Council by UNESCO, which submitted, at the former's ninth session, observations in some detail on conditions in the African Trust Territories as reported by the Administering Authorities concerned; a representative of that agency also participated in the Council's consideration of educational advancement in those Territories. Members of the Council noted with interest the observations of the specialized agency. In addition, UNESCO provided the Council with a memorandum on a Mexican experiment in mass education in which interest had previously been expressed in view of the prevalence of illiteracy in the Trust Territories. Similarly, at the request of the Council, ILO has undertaken studies of the questions of migrant labour and penal sanctions.

3. Conditions in Trust Territories

(a) WESTERN SAMOA

The annual report of the Government of New Zealand on the administration of the Trust Territory of Western Samoa for the period ended 31 March 1949 was examined by the Trusteeship Council at its seventh session, and for the period ended 31 March 1950 at its eighth session. At the latter session, the Council also had before it the report of the Visiting Mission which was in the Territory from 5 to 15 July 1950.

The Council congratulated the Administering Authority for the progress it had achieved in the administration of the Territory and expressed the opinion that it had been successful in continuing to retain the beneficial elements of the social structure of the inhabitants, while extending to them the benefits of modern civilization.

In the political field, the Council considered that the reforms introduced in 1948 were developing satisfactorily, and drew the attention of the Administering Authority to the observations of the Visiting Mission on the general political development of the Territory and its inhabitants. The Visiting Mission had reported that the leaders and representatives of the Samoan people were still expressing, as they had in 1946-47, a genuine desire for self-government. Among the observations made by the Visiting Mission was one to the effect that though the reforms were far-reaching and in many ways novel to the Samoans, nevertheless there was dissatisfaction among the leaders of the people in respect of practical limitations; but it shared the view of the special Mission of 1947 that the Samoans were not ready for self-government and that, while they doubtless possessed the ability to manage their affairs in their own traditional ways, the problems of adapting those ways to conform with modern political ideas, with modern economic facts, and with the need for elaborate and expensive social services were very complex and difficult.

The Council agreed with an opinion expressed by the Visiting Mission regarding the desirability of es-

tablishing an executive council and recommended that the Administering Authority should consider this suggestion, as such an organ, with Samoans participating as members, would foster the political development of the inhabitants. In the case of the legislature, the Council noted with satisfaction, at its seventh session, the election by secret ballot of an additional Samoan member of the Legislative Assembly, and, at its eighth session, noted that that Assembly was functioning successfully and requested the Administering Authority to keep under constant review the possibility of introducing further reforms of benefit to the inhabitants.

At its eighth session, the Council urged the Administering Authority to press forward with its training programmes in order to ensure that an increasing number of Samoans might become qualified to undertake higher responsibility in the Administration. In connexion with local government, it noted that the Administering Authority was studying the report of a commission of inquiry which had recommended far-reaching changes, including the setting-up of a District and Village Government Board comprising members of the Council of State and six Samoans nominated by the Fono of Faipule. At its seventh session, the Trusteeship Council had recommended that further reforms should be introduced with a view to bringing about a system of universal suffrage in the election of the Fono, but the Visiting Mission reported that this measure was opposed by the Samoans themselves and that there was little prospect of its implementation in the near future.

At both sessions, the Council reaffirmed its view as to the importance of resolving the difficult problem of the differentiation in status between Samoans and Europeans, and requested the Administering Authority to give all possible assistance and encouragement to the inhabitants, both within and outside the Legislative Assembly, in order that an early solution might be agreed upon.

The Visiting Mission appraised the general economic situation of the Territory as very satisfactory, and the Trusteeship Council congratulated the Administering Authority on the steps taken during 1949 and 1950 to improve various aspects of the economic situation. It requested the Administering Authority to inform it of such steps as might be taken in the light of the recommendations of the Select Committee appointed by the Legislative Assembly to investigate the question of preferential customs treatment granted to British imports; noted the importance of ensuring adequate revenues for the future needs of the rapidly increasing population of the Territory; and stated that it would await with interest the results of the study which the Administering Authority is making in respect of the question of taxation.

In the social field, the Council, at its fourth session, had requested the Administering Authority to consider the possibility of making sample studies of the standard of living of the inhabitants; at its seventh session, it requested the Administering Authority to prepare as soon as possible a study concerning the standard of living. At its eighth session, the Council requested the Administering Authority to include in its next annual report such information on the standard of living as might have been provided by the agricultural survey which had been carried out in connexion with the food

and agriculture world census, and to undertake such other studies as might be necessary to enable the Council to appraise the living standards of the inhabitants.

A petition from the Chinese Association in Samoa, in which it sought assistance on a number of points relating to the rights of Chinese immigrants, was considered by the Council at its eighth session. In its resolution on the petition, the Council, *inter alia*, drew the attention of the petitioners to the statement of the Administering Authority that the Chinese still in Samoa had acquired full European status when they had not acquired Samoan status and that, consequently, the restrictions mentioned by them no longer applied. This was the only petition from the Territory examined by the Council at either its seventh or eighth session.

The Council commended the Administering Authority on the progress made, during each of the years reviewed, in the preventive and curative medical and health services. In particular, it noted that the pilot research investigation into tuberculosis indicated a determined effort to tackle health problems on a scientific basis. It further noted the increase in the number of Samoan medical students in Fiji, and urged the Administering Authority to extend its efforts to improve the medical and health services by such means as continuing to make full use of the training facilities in Fiji and to collaborate with the South Pacific Medical Service in its efforts to meet the need for fully qualified practitioners.

In the field of education, the Visiting Mission concluded that, though there was a great deal of commendable activity, much still remained to be done. At its eighth session, the Council commended the Administering Authority on the progress made and noted, in particular, the development of the projected Samoan College and the opening of a new "accelerate" school. It drew attention to the fact that the increasing population of the Territory would require further extended efforts in the educational field; recalled the recommendation made at its seventh session in favour of closer co-ordination between government and mission education; and requested the Administering Authority to inform it on the further steps taken in this direction and on the progress made in the field of professional and technical education designed to enable Samoans to participate to a greater degree in the administrative, judicial and technical services of the Territory.

At its fourth session, the General Assembly declared, in its resolution dealing with education in Trust Territories, that discrimination on racial grounds regarding educational facilities available to the different communities in the Trust Territories was not in accordance with the principles of the Charter, the Trusteeship Agreements and the Universal Declaration of Human Rights. The Visiting Mission noted that separate facilities of different standards had, in the past, been provided for persons of European and Samoan status, but was pleased to note that a large intermediate school, which had recently been established, was to cater for all qualified pupils regardless of status.

(b) NEW GUINEA

The annual report of the Government of Australia on the administration of the Trust Territory of New

Guinea for the period ended 30 June 1949 was examined by the Council at its seventh session, and for the period ended 30 June 1950 at its eighth session. At the latter session, the Council also had before it the report of the Visiting Mission which was in the Territory from 10 May to 10 June 1950 and which visited Port Moresby, Papua, between 11 and 14 June 1950.

At both sessions, the Council took fully into account the difficulties which confronted the Administering Authority owing to the backwardness of the Territory in general and the devastation caused by the war and, at its eighth session, commended it for such progress as had been achieved. The Council noted with satisfaction that approximately two-thirds of the Territory's 93,000 square miles had been brought under firm administrative control, and hoped that the Administering Authority would make all possible efforts to bring the remaining one-third under control by the end of 1954, as contemplated.

Under the Papua and New Guinea Act, which came into operation on 1 July 1949, provision is made for the establishment of a Legislative Council for the two Territories consisting of twenty-nine members, three of whom are to be non-official Native members. This Legislative Council had not been established during the period reviewed and the Trusteeship Council urged the Administering Authority to bring it into being without further delay and also to take early steps to give greater participation in it to the indigenous inhabitants. It recommended that the Administering Authority should take all necessary measures for the training of indigenous inhabitants in order to enable them to fill, as soon as possible, more responsible posts in the administration of the Territory.

The Trusteeship Council recognized that one of the surest ways of promoting the political advancement of the indigenous inhabitants and of fostering democratic institutions is the development of organs of local government. It accordingly noted with satisfaction that three Native village councils had already been established, and recommended to the Administering Authority the establishment of additional village councils and, as soon as practicable, of area councils in the more advanced sections of the Territory.

Under the Papua and New Guinea Act referred to above, the establishment of Native courts is authorized. These courts, composed exclusively of indigenous inhabitants, are intended to supplement the courts of Native affairs already in existence in the Territory. No Native courts have yet been established under the Act, however, and, at its eighth session, the Trusteeship Council urged the Administering Authority to implement the provisions of the Act in this respect.

The Visiting Mission drew attention in its report to a state of unrest in the Manus district known as the Paliu movement, and to another movement in the Madang district known as the "cargo cult". The special representative of the Administering Authority informed the Council that the circumstances surrounding these two movements had been exaggerated and that a number of the allegations made to the Mission could not be substantiated. The Council accordingly

requested the Administering Authority to include in its next annual report full information on both movements and the relation, if any, between them and others of a similar character.

In the economic field, the Council, noting the view of the Visiting Mission that it was the firm intention of the Australian Government and the local administration to spare no efforts to advance fully the economic progress of the Territory; noting also that the Administering Authority acknowledged that the developmental task must be a joint one between outside capital and enterprise and the indigenous inhabitants, and that it was a task in which the indigenous inhabitants would have a progressively increasing share; expressed the hope that the Administering Authority would push forward with its developmental plans and that these would lead to increasing indigenous participation in the productive economy.

At its third and fifth sessions, the Council had recommended that the whole fiscal system of the Territory should be examined with a view to alleviating the burden of indirect taxation, to introducing direct taxation based on the individual's capacity to pay and to abolishing the Native head tax. At its eighth session, the Council learned that all questions of fiscal policy, including its recommendation on the question of the head tax, were under consideration, and requested the Administering Authority to inform it on the subject.

Regarding land, the Council noted, from the Visiting Mission's report, that it was the policy of the Administering Authority to recognize the paramountcy of indigenous ownership, that no land in the Territory could be alienated in freehold and that all future requirements were to be met by leasehold only. Noting also that a land commission was to be established to investigate the situation, the Council expressed the hope that it would be kept informed regarding the work of the commission.

At both sessions, the Council urged the Administering Authority to give consideration to increasing the Territory's revenue from gold production, either in the form of an increase in the 5 per cent royalty or in the form of new income or business enterprise or other taxes on the gold industry. At its seventh session, it commended the Administering Authority for providing two-thirds of the Territory's budget by means of grants, and, at its eighth session, noted with satisfaction the great development of air transport. It was, however, of the opinion that a fully developed road system was necessary for the economic development of the Territory and essential for the maintenance of adequate social and educational services; it consequently urged the Administering Authority to press forward with the development of communications and, in particular, to improve and develop the Territory's road system.

In the social field, the Council urged the Administering Authority to complete the review of the Criminal Code and the Police Offences Ordinance, keeping in mind the recommendations of the General Assembly at its fourth session regarding discriminatory laws and practices, as well as the Council's own recommendations made at its fifth session regarding revision of the laws.

At its eighth session, it requested the Administering Authority to make available to it detailed data on the relationship between real wages and the cost of living, and to give serious consideration to the possibility of further increasing the minimum cash wage. At the same session, it expressed satisfaction at the abolition of penal sanctions and the indentured labour system; commended the Administering Authority for the progress made in the field of public health; and recommended that it should formally abolish all corporal punishment, for which provision still existed in the penal code, but which was stated by the Administering Authority not to be practised in the Territory.

The Visiting Mission received a petition from the Chinese residents of Rabaul regarding immigration restrictions. In its written observations on the petition, the Administering Authority stated that the subject of immigration was under examination by the Territorial Administration and by the Australian Government, but that no decision had as yet been taken. In view of this, the Council decided, at its eighth session, to postpone consideration of the petition until a subsequent session.

In the educational field, the Council recommended that the Administering Authority should take the necessary steps to expand elementary education and to afford the indigenous population further opportunities for receiving secondary and higher education; give special attention to the training of indigenous teachers, to the opening of more governmental schools and to the granting of a reasonable number of scholarships for attendance at schools inside and outside New Guinea; and intensify its efforts to expand the mass literacy campaign. It noted with satisfaction the present teacher-training programme, but expressed the hope that the Administering Authority would increase its efforts in this respect. It also hoped that a proposed new education ordinance would make provision for supervisory control by the Administering Authority of education and all educational institutions. It noted with approval the steps taken by the Administering Authority to encourage the development of indigenous art and culture and hoped that the Administering Authority would continue its efforts in this direction.

In a petition presented to the Visiting Mission by a paramount chief in New Guinea, the complaint was made that, although certain parents wished to send their children to schools in Australia and were willing to pay all expenses, permission to do so had been refused. In its reply to the petition, the Council drew the attention of the petitioner to the statement of the Administering Authority that there was no bar whatever to prevent indigenous children attending schools in Australia, providing the parents had sufficient funds and the child could meet the educational standard required.

In another petition, assistance in securing a teacher was requested. In its resolution on this petition adopted at the eighth session, the Council drew the attention of the petitioner to the statement of the Administering Authority to the effect that, as teachers completed their training in the near future, a teacher would be sent to the petitioner's area; it noted the lack of fully

qualified school teachers and felt that more intensified efforts should be made to develop education throughout the Territory, special attention being given, among other things, to the training of indigenous teachers.

(c) NAURU

At its seventh session, the Trusteeship Council examined the annual report of the Government of Australia on the administration of the Trust Territory of Nauru for the period ended 30 June 1949, and at its eighth session the report for the period ended 30 June 1950. At the latter session, it also had before it the report of the Visiting Mission which was in the Territory from 5 to 10 May 1950.

In general, the Council noted that the conscientious efforts of the Administering Authority had resulted each year in continued progress. In the political field, it welcomed a proposed reconstitution of the Nauruan Council of Chiefs as a first step toward the acquisition of actual legislative power, and recommended that the Administration, in consultation with the Nauruan people, should consider granting it progressively increasing powers and responsibilities. The Council requested the Administering Authority to ensure that the dominant economic position of the phosphate industry should not adversely influence the Administration nor the interests of the people in general and, while noting that the Administering Authority had appointed Nauruans to certain administrative posts, recommended the establishment of a more fully organized programme of training Nauruans for such posts in order further to fulfil the previous recommendations of the Council on the subject. This question of Nauruans filling administrative posts was the subject of one of several requests made to the Council in a petition from the Nauruan Council of Chiefs.

In the economic field, the prospective exhaustion of the phosphate deposits at the end of seventy years has been a cause of concern to the Council. The Visiting Mission formed the impression that the settlement of the Nauruans on some other island might offer the only satisfactory long-term solution to this problem, unless research revealed some other alternative source of livelihood for the inhabitants. On this point, the special representative of the Administering Authority informed the Council, at its eighth session, that research was being carried out as to the possibility of the island being suitable for other forms of produce such as kapok, coir fibre, pineapples and a new type of coconut. The Council, after noting the steps being taken by the Administering Authority, recommended that it should continue to survey the economic possibilities of the Territory with a view to putting the future of the inhabitants on a more secure basis.

The Council noted with approval a recent increase in the royalties on phosphates, requested the Administering Authority to consider a further increase, and placed on record its view that the considerable augmentation in the savings bank deposits of the Nauruans reflected the improvement in the economic condition of the inhabitants resulting from the royalty payments already made.

One of the petitions received by the Visiting Mission concerned the Nauruan Co-operative Society whose store, it was stated, was in an unfavourable competitive position compared with the Phosphate Commissioners' trading store. The Mission suggested that the Commissioners should place their more extensive trading facilities in Australia at the disposal of the Society and give every possible help in the matter of shipping. This suggestion, together with the assurance given by the Administering Authority that the Commissioners' facilities are available to the Society, was noted by the Council when it examined the petition at its eighth session.

In the social field, the Council had, at its fifth session, expressed the opinion that the Chinese and Native Labour Ordinance and the Movement of Natives Ordinance contained discriminatory provisions. This issue was later raised in a petition from the Chinese community. The Visiting Mission, on inquiring into the matter, considered that the present restrictions were too stringent and that the provisions of the Movement of Natives Ordinance should be liberalized, while the Council recalled its previous recommendation and urged the Administering Authority to press on with its review of the legislation with a view to modifying its provisions.

In the same petition, the Chinese community requested that wives and children should be permitted to join its members in the Territory and that pay, rations, accommodation and working conditions should be improved. As regards the first of these requests, the Visiting Mission held strongly the opinion that it should be granted at the end of the first or second year of employment, and that the expenses of transportation should be borne by the British Phosphate Commissioners. The Council noted the Mission's opinion and recommended that the Administering Authority should endeavour to find a solution along the lines suggested. In regard to the second request, the Council noted that the Chinese workers had recently received an increase in wages and, in addition, were housed and fed at the expense of the British Phosphate Commissioners; nevertheless, it urged the Administering Authority and the British Phosphate Commissioners to keep the matter of wages under constant review, with a view to adjusting them in relation to the cost of living in the Territory and fixing them at as high a level as the capacity of the industry permitted.

In acting upon a petition on the wage scales of Nauruan workers, the Council, at its eighth session, adopted a resolution in which it expressed the hope that the Administering Authority and the British Phosphate Commissioners would continue to give attention to this matter in a sympathetic spirit; it recommended that working conditions in the Territory should be re-examined with a view to establishing a uniform working week for all employees, additional work being paid for at the same overtime rate.

In the field of public health, the Council at both sessions commended the Administering Authority on the expansion of the health services, and requested it to expand the training of Nauruans in all branches of the medical profession.

In the educational field, the Council, while noting the increase in the number of students studying overseas, recommended that the Administering Authority should complete, as a matter of urgency, the projected educational facilities for Nauruans, which should include secondary education. It also recommended that the Administering Authority should increase specialized training for teachers.

(d) PACIFIC ISLANDS

At its seventh session, the Trusteeship Council examined the annual report of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands for the period ended 30 June 1949, and at its eighth session the report for the period ended 30 June 1950. At the latter session, it also had before it the report of the Visiting Mission which was in the Territory from 15 April to 2 May 1950.

In the political field, the Council congratulated the Administering Authority on the political progress made, especially in local administration. It noted with approval that, in the establishment of the municipalities, the hereditary indigenous institutions were being modified to meet the requirements of a more democratic form of organization, and that, according to the Administering Authority, these reforms were being carried out as rapidly as the people of the Territory were willing to accept them. It expressed the hope that the powers of the municipalities would be progressively increased, that the younger generation would be encouraged to participate in them and that the process of electing magistrates would be continued. It commended the Administering Authority on the establishment of the Palau, Marshallese and other Congresses and the manner in which they were operating.

As regards the seat of government, at present outside the Territory, the Council, at its seventh session, requested the Administering Authority to give consideration to the possibility of choosing a site within the Territory. The 1950 Visiting Mission thought that the most suitable site would be Truk.

The Council, at its eighth session, noted with satisfaction that a civilian High Commissioner for the Territory had been appointed with effect from January 1951, and that it was the intention of the Administering Authority to transfer formally the responsibility for the administration of the Territory from the Department of the Navy to the Department of the Interior in July 1951. It expressed satisfaction that the services of a certain portion of the naval personnel who had acquired experience in the Territory would be retained by the Administration, and hoped that special attention would be given to the training of the new civilian personnel.

At its seventh session, the Council recommended that the Administering Authority should continue its efforts to diversify the economy of the Territory and, at its eighth session, noted with satisfaction the general economic progress made during the year under review. It welcomed the measures being taken by the Administering Authority to foster economic development, and noted that this included an increase in copra pro-

duction, research into and development of other agricultural products for export, the encouragement and guidance of the inhabitants in order to establish wholesale and retail companies and light industries, the provision of small boats and transportation facilities, and the appointment of an economic specialist. It regarded all this as an indication that the long-range economic independence of the Territory was being taken into account, and suggested that the Administering Authority might engage experts to teach and aid the people of the Territory in the establishment of an indigenous commercial fishing enterprise. This, the Visiting Mission thought, was the only important new field for investment within the Territory. It was a matter on which it had received numerous requests for assistance.

The settlement of land problems was another subject which had frequently been laid before the Visiting Mission by the people of the Territory. They asked for payment of war damage to their land, re-establishment of boundaries, compensation for military occupation and for land forcibly taken from them by the German and Japanese Governments. The Council urged the Administering Authority to settle these claims as quickly as possible; it noted that land title officers had been appointed to expedite the settlement of claims to land alleged to have been acquired by the various administrations of the Territory without just compensation, and urged the Administering Authority to settle these land claims as quickly as possible.

In the social field, the Council did not feel called upon to make any observations and recommendations beyond commending, at its seventh session, the Administering Authority on the great progress achieved in public health. The attention devoted to this subject impressed the Visiting Mission, which reported that, owing to the fact that the Administering Authority had spent large sums in order to provide the necessary medical facilities, excellent progress had been made in solving one of the Territory's most urgent problems.

The Visiting Mission called attention to various obstacles in the way of the present educational programme. The need for teaching a universal language, as well as the numerous Micronesian languages, required linguistic research and translation of text-books and the continuous development of teaching material. Although teaching methods were being improved and extended, the present language barrier would continue for some time. The Mission also noted the insufficient number of adequately trained teachers and the generally sparse and scattered population which made difficult the maintenance of even an elementary school system with various grades. The Trusteeship Council commended the Administering Authority on the progress achieved during both years under review in the field of education, and on the expansion of the Pacific Island Teacher-Training School at Truk, which it hoped would soon provide sufficient qualified teachers to overcome the existing deficiency. It noted that the libraries in the Territory were being augmented and expanded and that a Supervisor of Libraries had been appointed. The special representative of the Administering Authority informed the Council, at its eighth session, that thirty-eight students from the Territory

were attending high schools in Guam and one was in the United States of America. Eleven students were attending colleges or universities, some of them in the Philippines, some in Hawaii and some in the United States.

In a petition from the Palau Congress and the Palau Council presented to the Mission, a request was made for facilities to be provided for training in such subjects as government, economics and law, in addition to the present training in medicine, nursing, communications and the teaching profession. Many requests for particular types of occupational training were also received by the Mission. On these petitions, and on others examined, the Council adopted a number of resolutions designed to improve or alleviate the conditions regarding which complaints had been made.

* * *

On 18 January 1951, the Secretary-General transmitted to the members of the Security Council the report on the Trust Territory of the Pacific Islands for the period 1 July 1949 to 30 June 1950 received from the representative of the United States of America to the United Nations. On 25 July 1950 and 4 April 1951, the Trusteeship Council presented to the Security Council two reports on this Trust Territory, covering respectively the year ending 30 June 1949 and the period ending 16 March 1951.

(e) TOGOLAND UNDER BRITISH ADMINISTRATION

The annual report on Togoland under British administration for the year ended 31 December 1948 was examined by the Council at its seventh session, together with the report of the Visiting Mission which was in the Territory from 9 to 16 December 1949.

After noting with appreciation the evidence of progress in the administration of the Territory during the year under review, the Council reiterated the recommendations made at its fourth session regarding measures to enable it to appraise the exact status of the Trust Territory in relation to the Gold Coast and so perform better the duties and functions vested in it by the Charter. In this connexion, the Visiting Mission pointed out in its report that the political development of the Territory was at present completely linked with that of the Gold Coast, and that it was difficult to contemplate its future development except in association with the Gold Coast or with its other neighbour, Togoland under French administration, or possibly with both.

Progress made by Native Authorities in the Northern Section was noted with satisfaction by the Trusteeship Council, as was the selection of a representative of Southern Togoland to the Gold Coast Legislative Council and the selection of Togoland to represent Southern Togoland on other bodies. The Trusteeship Council, however, urged the Administering Authority to take such steps as might be necessary to ensure that the representation of Togoland on legislative and consultative bodies in the Gold Coast was proportionate to the Trust Territory's population or interests, and to

continue to develop as rapidly as possible local and sectional representative organs in the Trust Territory. The establishment of a separate Territorial Council for Southern Togoland was also noted with approval by the Trusteeship Council, which hoped that this measure would provide increasing opportunities to develop the capacities of the inhabitants for self-government, and recommended that all necessary educative measures should be taken to prepare the population for the adoption of universal suffrage with the least possible delay.

The economic basis of the Territory is almost wholly agricultural and pastoral and, in the view of the 1949 Visiting Mission, the fundamental problem is the improvement of agriculture. The Mission noted that efforts were being made to introduce modern techniques of cultivation, and that the Gold Coast Government had tried to increase food production by guaranteeing the purchase at fixed minimum prices of any surpluses of a number of principal food crops.

With a view to stabilizing the price of cocoa, of which over 19,000 tons were produced in the Territory in 1948, the Gold Coast Cocoa Marketing Board continued to pay producers a price lower than the market price in order to build up its reserves against the day when prices might drop. The Visiting Mission considered that this policy of the Board was sound in principle and basically in the interests of the producers. The Trusteeship Council welcomed the appointment of a representative of the Togoland farmers to the Gold Coast Cocoa Marketing Board, and expressed the hope that this appointment would prove to be a successful means whereby the farmers and people of the cocoa areas of Togoland would be brought into consultation with regard to the allocation, for developments in the Trust Territory, of funds from reserves of the Cocoa Marketing Board.

Among the economic measures recommended by the Council were the accelerated development of the backward Northern Section of the Territory; the extension to that Section of a soil-fertility survey; the provision of technical assistance and advice, including the possibility of securing such assistance under the United Nations programme for technical assistance; the provision of separate statistical accounts relating to the Territory; and the intensification of a road building programme.

In the social field, the Council expressed the hope that the system of social development teams in the Southern Section would be extended to the Northern Section; recommended that the Administering Authority should devote the closest attention to the problem of securing an adequate water supply for the inhabitants, and commended the Administering Authority on the work being done against leprosy, a matter which had particularly impressed the Visiting Mission. The Council, however, emphasized the pressing need for an increase in medical officers and health services. On the question of corporal punishment, while noting a decrease in the imposition of the penalty, the Council regretted that its complete elimination had not been brought about and reiterated its previous recommendation that the practice should be abolished immediately.

In the educational field, the Council noted the increased school enrolment, the increase of teachers, the moderate expansion of teacher-training facilities and the opening of the University College of the Gold Coast. It expressed the hope that the Administering Authority would give every possible encouragement to the continued expansion of teacher-training facilities and increased opportunities of secondary and higher education. It noted that the management of schools was largely left to religious missions and Native Authorities, and urged the Administering Authority to take more vigorous initiative for the expansion of education, since it considered that the Administering Authority itself had the primary responsibility for ensuring that adequate educational opportunities were available for all. The Visiting Mission warmly commended the experiment in mass education embarked upon by the Administering Authority and hoped it would be extended on the widest possible scale, as it had aroused extraordinary enthusiasm among the people.

The Council examined seventy-one petitions concerning the Territory. Of these, twenty were individual requests, while the remainder related to general conditions in the Territory. They included questions regarding the operation of the Trusteeship System; the status of the Territory; administrative integration with the Gold Coast; economic and social advancement; aid from the United Nations specialized agencies; the establishment of co-operative societies; representation on the Cocoa Marketing Board; and numerous other subjects. The inadequacy of educational facilities was, however, the most common cause of complaint and was mentioned in no less than thirty-two petitions.

In eight of the seventy-one petitions, the Council decided that no action by it was called for; in all the other cases it either adopted resolutions designed to meet or alleviate the conditions complained of, or drew the attention of the petitioners to the recommendations made by it to the Administering Authority at the current or earlier sessions, informing them that the question involved had been and would be examined in connexion with the examination of the annual reports on the Territory.

At its ninth session, the Trusteeship Council examined the annual reports of the Administering Authority for the years 1949 and 1950 but its conclusions and recommendations thereon were not available at the time of writing the present report.

One hundred and forty-four petitions which jointly concerned Togoland under British administration and Togoland under French administration were examined by the Council at its seventh session. Four of these contained individual or specific requests, while the remainder related to the question of the unification of the Ewe people of the two Togolands (see sub-section (g) below).

(f) TOGOLAND UNDER FRENCH ADMINISTRATION

The annual report on Togoland under French administration for the year ended 31 December 1948 was examined by the Council at its seventh session, to-

gether with the report of the Visiting Mission which was in the Territory from 30 November to 8 December 1949.

In the political field, the status of Chiefs and the status and powers of the Representative Assembly were brought to the attention of the Visiting Mission. On the first point, the Mission made no recommendation, but in regard to the second it recommended that the Administering Authority, irrespective of the present or future relationship of the Territory to the French Union, should progressively extend the Assembly's powers. The Council noted that this was the avowed policy of the French Government and endorsed it, expressing the hope that that policy contemplated the widening of the scope of debate and the granting to the Representative Assembly of those legislative powers now exercised by French executive agencies. It expressed the hope that the status of the indigenous *chefferies*, which had been recently re-defined, would permit a greater degree of initiative and responsibility on the part of the indigenous inhabitants in the conduct of local affairs; recommended that the Administering Authority should implement its plan for the early establishment of district councils and that these councils should be granted progressively increasing and widening powers; recommended that the Administering Authority should continue its efforts to bring about universal suffrage, as well as conditions in which a single electoral college could be established; and hoped the Administering Authority would appoint more career magistrates in order that the administrative and judicial functions might be completely separate.

In the economic field, the Visiting Mission drew attention to the limitation placed on the quantity and quality of agricultural production by the primitive techniques used, the lack of adequate transport facilities and the distribution of rainfall. Among measures recommended by the Trusteeship Council were the following: that the Administering Authority should institute, as soon as possible, intensive programmes of land reclamation and conservation so as to prevent further exhaustion of soil fertility; that it should keep under review the danger of population pressure and famine; that it should carry forward as rapidly as possible its programme of increasing water supplies; and that it should encourage the development of fisheries and the formation of agricultural co-operative societies.

In the field of social advancement, the Council expressed the hope that a continuous campaign for education would enable the status of women to be raised, that legislation regarding a labour code would be enacted soon and that its provisions would fully safeguard the rights and interests of labour; and considered that, in determining a scale of minimum wages, labourers should be ensured a decent standard of living and be protected in respect of illness and accidents arising from employment; and further, that labour unions should participate in the studies of such questions as illness and old age.

The Visiting Mission noted the increases in the public health budget over the three previous years, and the large expenditure achieved and contemplated

under the ten-year plan for economic and social development. It was impressed by the vastness and modernity of the hospital under construction at Lomé. The Trusteeship Council commended the Administering Authority for the steps taken in the field of public health and the opening of additional hospitals and rural dispensaries; considered that the Administering Authority should give particular attention to the training of African personnel in greater numbers; and recommended that it should inaugurate a system of compulsory registration in certain communities or districts where facilities already exist, as a first step toward the eventual extension of the civil registry throughout the Territory.

In the field of educational advancement, the Council, after commenting on the advances made by the Administering Authority in educational development, made a number of recommendations. It recommended, *inter alia*, that the Administering Authority should apply broader, more complete and widespread education to the inhabitants of the Territory, particularly in the northern areas; that it should continue its efforts to enrol more girls in schools; that it should carry out its plan for extending facilities for technical education; that it should expand teacher-training facilities; that it should increase its efforts to reduce illiteracy; and that libraries should be established in as many communities as possible as part of the programme of adult and mass education. It expressed the hope that the Administering Authority would continue to give increasing attention to the possibility and desirability of employing the vernacular languages for the purpose of mass education in indigenous cultures.

The Trusteeship Council examined thirty-six petitions concerning the Territory. Five of these contained individual or specific requests upon which the Council decided that no action by it was called for, while the remainder raised matters of a general nature. They ranged over a variety of subjects, including the powers of the Representative Assembly; the status of chiefs; economic development; taxation; trade and commerce; complaints against racial discrimination; exchange control; and the inadequacy of medical and health services and educational facilities. In each instance, the Council drew the attention of the petitioners to the recommendations made by it to the Administering Authority at the current or earlier sessions and informed them that the question involved had been and would be examined in connexion with its examination of the annual reports on the Territory.

At its ninth session, the Council is examining the annual reports of the Administering Authority for the years 1949 and 1950, but its conclusions and recommendations thereon were not available at the time of writing.

One hundred and forty-four petitions which jointly concerned Togoland under British administration and Togoland under French administration were examined by the Council at its seventh session. Four of these contained individual or specific requests, while the remainder related to the question of the unification of the Ewe people and of the two Togolands (see below).

(g) THE EWE PROBLEM

The Ewe problem concerns both Togoland under British administration and Togoland under French administration since, apart from those Ewes who live in the Gold Coast, a part of the Ewes and Ewe-speaking peoples lives in the Territory under British administration and another part in the Territory under French administration. Since 1947, individual members and groups of Ewe have petitioned the Trusteeship Council for unification, on the grounds that the development of their Territory was impeded by its being placed under two totally different administrations with differing policies and that its division was an injustice from the social, cultural, economic, political and educational points of view.

The action taken by the Trusteeship Council in the matter up to the end of its sixth session was set out in the last annual report.

During the Council's seventh session, the two Administering Authorities concerned submitted a joint memorandum in which they stated that, in view of the differences of opinion among the inhabitants on the question of unification, they had decided to take steps to ascertain the real wishes and interests of all the peoples concerned. With this end in view they proposed to expand both the composition and the functions of the Standing Consultative Commission for Togoland Affairs, a body which had been established in 1948, following the first submission to the United Nations by representatives of the Ewe people of their demand for unification. This Commission was now to be given terms of reference under which it would not only continue to examine economic, social and other measures but would also make a detailed study to ascertain the real wishes of the whole population, and submit to the two Governments its conclusions concerning practical means whereby the various points of view could be satisfied within the framework of British and French administration. At the same session, the Council had before it 140 petitions relating to the problem and granted hearings to petitioners representing various sections and groups of the population. It adopted a resolution in which it took note of the plan put forward by the Administering Authorities to ascertain the real wishes and interests of the inhabitants of all parts of the two Trust Territories; noted in particular that the Consultative Commission was required to make a "detailed study of the representations which have been or may be made", and that the Commission was not precluded from submitting to the Administering Authorities recommendations for the "unification of any parts of the two Trust Territories"; expressed the hope that the Administering Authorities would take all appropriate steps to ensure that the Consultative Commission would equitably represent the different sections and groups of the two Trust Territories; requested the Administering Authorities concerned to inform the Council at its next session of the steps which had been taken to give effect to the plan for the enlarged Consultative Commission, and to submit to the Council a progress report; and recommended that the Administering Authorities concerned should take all the necessary and appropriate measures to ensure that, until a definitive settlement was reached,

the common traits and traditions of the Ewe people in the two Trust Territories should be preserved.

During its fifth session, the General Assembly, in resolution 441 (V) of 2 December 1950, took note of complaints against the method of election prescribed by the Administering Authority of Togoland under French administration, as well as of statements to the contrary made in petitions received subsequent to the Council's session. It recognized the great importance of the Ewe problem and impressed upon the Trusteeship Council and the Administering Authorities concerned the importance of finding an adequate solution as soon as possible and in full accordance with the real wishes and interests of the people. In particular, it impressed upon the Administering Authorities the necessity of conducting elections to the Standing Consultative Commission in a democratic manner, and recommended that the Administering Authority of Togoland under French administration should investigate promptly the practices regarding which complaints had been made.

Acting upon the above recommendation, the French Government appointed M. le Procureur général Baptiste, an independent magistrate, to conduct an examination on the spot into the allegations made. At its eighth session, the Trusteeship Council heard a statement by M. Baptiste on the results of his investigation, granted a hearing to a representative of the Togoland Congress and adopted a resolution in which it noted the statements of the Administering Authorities regarding the electoral methods adopted for elections to the enlarged Consultative Commission for the two Trust Territories; considered that those methods represented an effort to enable the sections of the populations concerned to express their opinions; noted that certain groups in the two Territories had not found it possible to take part either in certain stages of the election or in the proceedings of the enlarged Consultative Commission; noted that the Administering Authorities proposed to take steps in order to encourage those groups to take part hereafter in the work of the Commission and urged them to co-operate with the Administering Authorities in their efforts to seek a solution to the problem; regretted that a satisfactory solution of the problem had not been reached, notwithstanding the delays involved; drew the attention of the Administering Authorities to the necessity of seeking a solution with the utmost expedition; invited them to continue their efforts to solve the problem in the spirit of resolution 250 (VII) of the Trusteeship Council of 14 July 1950; and recommended that they formulate, as soon as possible, substantive proposals for a practicable solution of the question whether the composition of the enlarged Consultative Commission had been completed or not and inform the Council accordingly not later than 1 July 1951.

The problem was before the Council at its ninth session, but the action it took thereon was not available at the time of writing the present report.

(h) SOMALILAND UNDER ITALIAN ADMINISTRATION

At its ninth session, the Trusteeship Council examined the report on the Territory of Somaliland

under Italian administration for the period 1 April to 31 December 1950, the date first named being that on which the Government of Italy assumed responsibility for the administration of the Territory under the draft Trusteeship Agreement adopted by the Trusteeship Council on 27 January 1950, subsequently approved by the General Assembly on 2 December 1950. The three members of the Advisory Council for Somaliland which had been set up by General Assembly resolution 289 (IV) were present during the consideration of the report, made individual statements and submitted their own report on their activities from the time they took up their functions until 31 March 1951.

The Council commended the Administering Authority on its achievement in the short period covered by the report and urged it to continue its efforts for the development of the Territory in every field in order that the Territory might be prepared for independence within the time limit prescribed by the Trusteeship Agreement. It recalled its resolution 310 (VIII) of 23 February 1951 on the question of the full participation of Italy in the work of the Council, noted that the policy followed by the Administering Authority in the Territory was in full agreement with the Charter and the Trusteeship Agreement, and regretted that Italy had not yet been admitted to membership in the United Nations. It further noted that the Italian Parliament had not yet ratified the Trusteeship Agreement, but welcomed the statement of the representative of the Administering Authority that this would probably be done shortly.

In the political field, the Council commended the Administering Authority on the establishment of a Territorial Council and of Residency Councils and on its plans to establish Municipal Councils in the Territory; it recommended that the Administering Authority should take further measures to increase the participation and the representation of the indigenous inhabitants in these organs of government and that the powers and competence of these bodies should be constantly extended as a means of developing the necessary political experience of the inhabitants for the establishment of a future independent State. It noted with satisfaction that the relations between the Administering Authority and the political parties in the Territory had improved; urged them to continue to collaborate within the constitutional framework of the Trusteeship Agreement; and expressed the hope that the Administering Authority would continue to promote the participation in the various councils of all parties which responsibly represented public opinion within the Territory. It expressed its appreciation of the work of the United Nations Advisory Council; noted with satisfaction that all the members of that Council were now permanently represented in the Territory; and noted further the spirit of co-operation which characterized the relations between the Advisory Council and the Administering Authority. The Council noted with approval that a school of political administration had been established, and recommended that the Administering Authority should make every effort to build as rapidly as possible a strong and efficient indigenous administration, utilizing technical and education facilities both within and outside the Territory.

In the economic field, the Council noted that the deficiency in natural resources, the primitive economic organization and the very slow rate of economic development of the Territory might hamper the achievement, within a period of ten years, of the aims set forth in the Trusteeship Agreement. It noted that the aid of the Technical Assistance Administration and of the specialized agencies had been requested by the Administering Authority in the formulation of plans for the economic and social development of the Territory; expressed the opinion that political independence could not be attained unless the Territory achieved a reasonable degree of economic development; and recommended that the Administering Authority, with the help of the pertinent international agencies, should draw up a plan for the economic development of the Territory. It also noted, with approval, that the Administering Authority was desirous of encouraging further private and public investments in the Territory; noted that further capital investment was required for the development of local industries and other purposes and that certain difficulties had been experienced in attracting capital. It urged the Administering Authority to take all appropriate steps to encourage both public and private investments and recommended, in addition, that, in conjunction with the United Nations Mission for Technical Assistance which was about to visit Somaliland, the Administering Authority should study all aspects of this question, in particular, the methods which might be adopted to extend adequate guarantees to external private investors, and that, in consultation with the International Bank for Reconstruction and Development, it should consider the measures which might be taken to augment the available resources for public investment in the Territory.

The Council also recommended that the Administering Authority should take all possible steps to encourage the production of basic food crops in order to achieve a reasonable degree of self-sufficiency and that it should continue the steps already taken to explore the possibility of increasing water supplies and the storage of foodstuffs as a means of minimizing the effects of drought. It suggested that, in preparing future budgets for the Territory, details might be presented separately for (1) those initial and recurrent charges borne directly by the Administering Authority, which would not form a subsequent charge on the resources of the independent Somali State; and (2) those capital and recurrent charges which would ultimately be borne by the revenue of the future State.

In the social field, the Council, noting that one of the fundamental problems hampering the development of the Territory was the nomadism of the indigenous inhabitants, recommended that the Administering Authority should make a full study of this problem and report thereon to the Council in its next annual report. It noted with approval the measures taken by the Administering Authority in the field of health and hygiene, and recommended it to take further steps to extend these services and to give particular attention to the training of medical personnel and to increasing the number of physicians.

In the educational field, the Council, recognizing that the preparation of the inhabitants for indepen-

dence in ten years required a vast educational effort, recommended that the Administering Authority should take all possible steps in the intervening period to expand educational facilities and to raise the standard of education by increasing the budgetary appropriations for education, by expanding the facilities for the training of teachers, by increasing the number of schools and by other appropriate measures.

Thirty petitions on the Territory, seventeen of which were from the Somali Youth League, were examined by the Council at its ninth session. Three of the petitions complained of incidents at Baidoa, as a result of which 500 persons fled therefrom. In its resolutions on these three petitions, the Council expressed the opinion that the present peaceful atmosphere now prevailing in Somaliland indicated in general that the Baidoa incidents had been satisfactorily settled, and noted that subsidies had been granted by the Italian administration to the refugees; it recommended that the Administering Authority should ensure that the victims of the incidents who might still have rightful claims should be given an opportunity of submitting them to the competent authorities and that the necessary steps should be taken to ensure that claimants understood the procedure involved.

In another petition, it was alleged that, in an incident which occurred on 31 March 1950 at Bardera, losses in persons and property were suffered. In its resolution on this petition and on another concerning certain incidents at Kismayu and Margherita, the Council expressed the opinion that the incidents were caused by the generally tense atmosphere prevailing at the time of the transfer of power from the British to the Italian administration.

The remaining petitions covered a wide range of subjects, including the following: revision of the Trusteeship Agreement, use of the flag of the United Nations, status of the inhabitants, general administration and public order, administrative services, Native chiefs, Residency Councils and Territorial Councils, administration of justice, public finance, trade, land, agriculture, human rights and fundamental freedoms, immigration, medical services, education and the use of the Arabic language. In a number of instances, the Council found that the requests of the petitioners had already been met by the Administering Authority and that no action by the former was called for. In all other cases not already mentioned, the Council adopted resolutions designed to meet or alleviate the conditions complained of, or drew the attention of the petitioners to the recommendation made by it to the Administering Authority at the current session and informed them that the question involved had been and would continue to be examined by the Council in connexion with its annual examination of conditions in the Trust Territory.

4. Special problems affecting Trust Territories

(a) ADMINISTRATIVE UNIONS

Following upon the adoption of General Assembly 224 (III) on 18 November 1948, the Trusteeship

Council appointed a Committee to investigate customs, fiscal and administrative unions and common services between Trust Territories and adjacent territories under the sovereignty and control of the Administering Authorities concerned. At its fifth session, the Council adopted a resolution in which it transmitted to the General Assembly the report of the Committee.

At its fourth session, the General Assembly recommended to the Trusteeship Council that it should complete its investigation and present a special report to the next session of the General Assembly on the results of its investigation and the action taken by it, with particular reference to any safeguards which the Council considered necessary, and that the Council should continue to observe the development of such unions and report to the General Assembly at its regular sessions. The resolution also recommended that the Trusteeship Council should pay particular attention to the desirability of (1) obtaining from the Administering Authorities prior information of their intention to create new administrative unions or extend the scope of any existing union or federation; (2) the Administering Authority concerned accepting such supervision by the Trusteeship Council over any unified administration the Council might consider necessary, should it be impossible as a consequence of the establishment of an administrative union to furnish clear and precise separate financial, statistical and other data relating to a Trust Territory; (3) establishing a separate legislative body in each Trust Territory, with headquarters in the Territory; and (4) taking into account, before any administrative, customs or fiscal union was established, the freely expressed wishes of the inhabitants concerned.

At its sixth session, the Council adopted a resolution in which it decided that the Committee on Administrative Unions should continue its study. The Committee submitted a report to the Council on 11 July 1950 and, at its seventh session, the Council considered and adopted a draft resolution recommended by the Committee and decided to transmit the report of the Committee to the General Assembly, together with resolution 293 (VII) of 17 July 1950 which contained the Council's deductions to that date from the facts ascertained by the Committee. In particular, the Council drew the following safeguards to the attention of the Administering Authorities concerned: (1) that the Administering Authorities should furnish clear and precise separate financial, statistical and other data relating to Trust Territories participating in administrative unions; (2) that the Administering Authorities should facilitate the access of visiting missions to such information on an administrative union as may be necessary to enable the mission to report fully on the Trust Territory concerned; (3) that the Administering Authorities should continue to maintain the boundaries, separate status and identity of Trust Territories participating in administrative unions; (4) that the Administering Authorities should ensure, with regard to Trust Territories participating in administrative unions, that expenditures on the administration, welfare and development of any such Trust Territory for a given year should be not less than the total amount of public revenue derived from the Territory in that year.

By the same resolution, the Trusteeship Council decided to establish a Standing Committee on Administrative Unions to examine regularly the operation of administrative unions and report to the Council at each session.

At its fifth session, the General Assembly decided to carry over to the next regular session the item on its agenda relating to administrative unions.

At the date of writing the present report, the Standing Committee on Administrative Unions has adopted and submitted to the Trusteeship Council separate reports on each of the Trust Territories which were affected by administrative unions. The Council, however, has not yet taken any action thereon.

(b) RURAL ECONOMIC DEVELOPMENT

The General Assembly, by resolution 438 (V) of 2 December 1950, recommended that the Trusteeship Council should study the prevailing policies, laws and practices which, in the Trust Territories, relate to land, land utilization and the alienation of land, taking into account the present and future needs of the indigenous inhabitants from the standpoint of the basic objectives of the International Trusteeship System, as well as the social and economic consequences of the transfer of land to non-indigenous inhabitants; and in the light of that study, make such recommendations to the Administering Authorities concerning those policies, laws and practices as might be conducive to the economic and social development of the indigenous inhabitants.

At its eighth session, the Trusteeship Council decided to establish a Committee on the Rural Economic Development of the Trust Territories charged with the task of carrying out the study called for by the General Assembly. The Committee was authorized to obtain any information it might require from the Administering Authorities or other sources, and was requested to submit a progress report to the Council before the end of its ninth session.

The Committee held its first meeting on 13 March 1951, and to date has held five further meetings. In the course of its work the Committee defined the problems before it, discussed its methods of work, gathered and considered certain documentation and requested further information. In order to assemble in comparable form the data obtained from the various Trust Territories and to provide material for the factual sections of its final report, the Committee invited its secretariat to prepare memoranda designed to show the distribution of population and categories of land in the Trust Territories, the amount of land in each category held by indigenous and non-indigenous inhabitants, and the form of tenure under which such land was held (customary, leasehold, freehold etc.), including statements on the land legislation or customary law applicable to each form of land right.

The first phase of the Committee's study has thus been concerned with the establishment of the facts. It intends thereafter to proceed to establish the existing situation, examine its implications against the background of land utilization policies and analyse the

opportunities for and obstacles to progress, so that recommendations may be made with a view to the most beneficial use of the land in the Trust Territories from the standpoint of the basic objectives of the International Trusteeship System, as set forth in Article 76 of the Charter.

5. Question of South West Africa

In response to the request of the General Assembly contained in resolution 338 (IV) of 6 December 1949, the International Court of Justice, in its advisory opinion of 11 July 1950, reached the conclusion that South West Africa was a territory under the international Mandate assumed by the Union of South Africa on 17 December 1920; was of the opinion that the Union of South Africa continued to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa as well as the obligation to transmit petitions from the inhabitants of that Territory, the supervisory functions to be exercised by the United Nations, to which the annual reports and the petitions were to be submitted; that the provisions of Chapter XII of the Charter were applicable to the Territory of South West Africa in the sense that they provided a means by which the Territory might be brought under the Trusteeship System; that the provisions of Chapter XII of the Charter did not impose on the Union of South Africa a legal obligation to place the Territory under the Trusteeship System; that the Union of South Africa acting alone had not the competence to modify the international status of the Territory of South West Africa; and that the competence to determine and modify the international status of the Territory rested with the Union of South Africa acting with the consent of the United Nations.

By its resolution 449 A (V) of 13 December 1950, the General Assembly accepted the advisory opinion of the International Court of Justice and urged the Government of the Union of South Africa to take the necessary steps to give effect to the opinion of the International Court of Justice, including the transmission of reports on the administration of the Territory of South West Africa and of petitions from communities or sections of the population of the Territory.

By the same resolution, the General Assembly established a committee of five members consisting of the representatives of Denmark, Syria, Thailand, the United States of America and Uruguay, to confer with the Union of South Africa concerning the procedural measures necessary for implementing the advisory opinion of the International Court of Justice and to submit a report thereon to the next regular session of the General Assembly; it authorized the Committee, as an interim measure, pending the completion of the task referred to above, and as far as possible in accordance with the procedure of the former Mandates System, to examine the report on the administration of the Territory of South West Africa covering the period since the last report, as well as petitions and any other matters relating to the Territory that might be trans-

mitted to the Secretary-General, and to submit a report thereon to the next regular session of the General Assembly.

By resolution 449 B (V), the General Assembly reiterated its previous resolutions 65 (I), 141 (II), 227 (III) and 337 (IV) to the effect that the Territory of South West Africa should be placed under the International Trusteeship System, and that the normal way of modifying the international status of the Territory would be to place it under that System by means of a Trusteeship Agreement, in accordance with the provisions of Chapter XII of the Charter.

At its first meeting on 6 March 1951, the *Ad Hoc* Committee on South West Africa, after electing its Chairman, decided to notify the Government of the Union of South Africa that the Committee was ready to confer with the Government of the Union of South Africa concerning the procedural measures necessary for implementing the advisory opinion of the International Court of Justice and invited the Union of South Africa to designate a representative to confer with the *Ad Hoc* Committee.

On 22 June 1951, the *Ad Hoc* Committee began negotiations with representatives of the Government of the Union of South Africa.

6. Declaration regarding Non-Self-Governing Territories

(a) TRANSMISSION OF INFORMATION UNDER ARTICLE 73 E OF THE CHARTER

The number of Non-Self-Governing Territories, on which eight Administering Members transmitted information under Article 73e of the Charter in 1950, remained sixty-two, as in the preceding year.

The preparation of information by the Members was, as before, guided by the Standard Form adopted by General Assembly resolution 142 (II) of 3 November 1947. The advisability of a revision of the Standard Form has, since 1948, been under consideration by the Special Committee on Information transmitted under Article 73e of the Charter. In 1950, a revised text was prepared by the Secretary-General in co-operation with specialized agencies. Owing to pressure of work, the Special Committee, at its session that year, agreed to postpone any revision till 1951, considering that, in accordance with General Assembly resolution 218 (III) of 3 November 1948, Members would not transmit full information on Territories under their administration before 1952. For the preparation of the work of revision, the Special Committee appointed a Sub-Committee, consisting of Brazil, France, India, the Philippines, the United Kingdom and the United States of America, to meet a week before the session of the Special Committee in 1951. It also expressed the wish that the revision should avoid undue elaboration and thus be drawn up in a manner which would facilitate the preparation of papers by the Secretary-General, based on the information transmitted by the Administering Members, showing the broad economic, social and educational trends of development in the Territories. Working papers have been prepared for the considera-

tion of the Sub-Committee in 1951, which take into account observations made in the Special Committee and proposals and comments transmitted to the Secretary-General by specialized agencies.

In response to the recommendation contained in General Assembly resolution 218 (III), some Administering Members transmitted their information in 1950 appreciably earlier than in 1949. In other cases, a stabilization of the dates of transmission is noticeable, and these dates vary little from year to year. As a result, the preparation of the Secretary-General's summaries and analyses has been facilitated.

As in 1949, a number of the Administering Members voluntarily included information on the government, geography, history and people of the Non-Self-Governing Territories and on human rights in those Territories. General Assembly resolution 327 (IV), adopted on 2 December 1949, recommends that, when the revision of the Standard Form is undertaken, general information on geography, history, people and human rights should cease to be classified under the optional category of the Forms. In resolution 446 (V) of 12 December 1950, the General Assembly invited the Members responsible for the administration of Non-Self-Governing Territories to include, in the information to be transmitted to the Secretary-General in 1951 under Article 73e of the Charter, a summary of the extent to which the Universal Declaration of Human Rights is implemented in the Non-Self-Governing Territories under their administration. The Special Committee on Information transmitted under Article 73e of the Charter was also requested to include in its report to the General Assembly at its sixth session such recommendations as the Committee might deem desirable relating to the application in Non-Self-Governing Territories of the principles contained in the Universal Declaration.

An innovation in the transmission of information has been introduced by one Administering Member, which appended to its information on one Territory a supplement on topics to be considered by the Special Committee in 1951.

In addition to the information formally transmitted to the Secretary-General under Article 73e, other official information continues to be placed at his disposal for inclusion in the summaries and analyses of information on economic, social and educational conditions. The Secretary-General has also endeavoured to comply with the invitation contained in paragraph 3 of General Assembly resolution 218 (III), and include in his summaries and analyses all relevant and comparable official statistical information, within the categories referred to in Article 73e, which has been communicated to the United Nations or to the specialized agencies. In 1950, however, some difficulties arose in the use of such information reflecting conditions within the metropolitan areas of States Members of the United Nations. By General Assembly resolution 447 (V) of 12 December 1950, the Secretary-General was invited, in making use of such information, to obtain the consent of the Member State concerned and to take into account all elements necessary for scientific and objective comparison.

On the basis of the information transmitted in 1950, the following documentation originally submitted to the 1950 session of the Special Committee and to the fifth session of the General Assembly is in process of publication, in three volumes: volume I, analyses of information transmitted in the year 1950, together with a general survey of constitutional provisions and various procedural and substantive questions connected with United Nations activities relating to Non-Self-Governing Territories; volume II, statistical supplements to summaries of information transmitted during the year 1949, and summaries of information on the progress achieved in accordance with development programmes; volume III, the report of the Sub-Committee on Education in Non-Self-Governing Territories and studies on special educational problems.

In 1949, the General Assembly, by resolution 334 (IV), invited the Special Committee to examine the factors which should be taken into account in deciding whether any territory was or was not a territory whose people have not yet attained a full measure of self-government. At the same time, the General Assembly considered that it was within its responsibility to express an opinion on the principles which had guided or which might in the future guide the Members concerned in enumerating the territories for which the obligation exists to transmit information under Article 73e of the Charter.

A compilation of the background data, based on official records of the United Nations, was submitted to the Special Committee in 1950; owing to the complexity of the question and the need for further study and additional documentation, however, consideration of the problem was deferred. With a view to supplying the required information, the Secretary-General added to the document submitted in 1950 relevant citations from comments made by various authorities on the subject, and a list of references from the advisory opinion of the International Court of Justice on the status of South West Africa. This enlarged working paper has been distributed to the members of the Special Committee for possible consideration of the question at the 1951 session.

In a letter of 29 June 1950, subsequently distributed as a General Assembly document, the Netherlands delegation to the United Nations informed the Secretary-General that the Netherlands Government, from the current year on, would no longer present information on Indonesia under Article 73e, since sovereignty over those territories, with the exception of Netherlands New Guinea, had been transferred to the Republic of the United States of Indonesia on 27 December 1949. The letter also stated that, in all probability, no reports on the Netherlands West Indies and Surinam would be submitted after 1950, since both those Territories would then have acquired an autonomous status and a full measure of self-government, placing them outside the scope of Chapter XI of the Charter. The Netherlands delegation, however, assured the Secretary-General that in that case its Government would present to him a report pursuant to paragraph 2 of General Assembly resolution 222 (III) of 3 November 1948.

General Assembly resolution 448 (V) of 12 December 1950 noted the contents of this letter, as well as the admission of Indonesia to membership in the United Nations following its independence. Taking note of the reference in the communication to the cessation of the transmission of information on Indonesia, the Assembly requested the Special Committee to examine such information as might be transmitted in future to the Secretary-General in pursuance of resolution 222 (III) and to report thereon to the General Assembly.

In this connexion, it will be recalled that in the last report of the Secretary-General it was stated that communications from the Governments of France, the United Kingdom and the United States of America informing the Secretary-General, in response to General Assembly resolution 222 (III), of the cessation of information under Article 73e in regard to some Territories under their respective administration had been considered by the Special Committee in 1949.

(b) EXAMINATION OF INFORMATION

(i) *General*

The present Special Committee on Information transmitted under Article 73e of the Charter was constituted by the General Assembly in 1949 for a three-year period. Of the eight Members elected by the Fourth Committee on behalf of the General Assembly, two, Sweden and Venezuela, were to serve for a term of one year. In 1950, Cuba and Pakistan were elected to fill the resulting vacancies. In 1951, elections will take place in respect of the seats held by Mexico and the Philippines which, in 1949, were elected for a term of two years.

As noted in last year's annual report, the Special Committee in 1949 availed itself for the first time of the opportunity of submitting substantive recommendations relating to functional fields generally, and did not limit its recommendations as in previous years to matters connected with the transmission of information and relations with other international bodies studying conditions in Non-Self-Governing Territories.

This increased attention to substantive recommendations prevailed during the 1950 session of the Special Committee. Having been invited to pay special attention to the subject of education in Non-Self-Governing Territories, the Special Committee drew up a special report on this subject as a brief but considered indication of the importance of educational advancement and of the problems still to be faced. By resolution 445 (V) of 12 December 1950, the General Assembly approved this report and invited the Secretary-General to communicate it to the Members responsible for the administration of Non-Self-Governing Territories and to the United Nations Educational, Scientific and Cultural Organization for their consideration. This action has been taken. The same resolution noted with interest the special studies which are being carried out by UNESCO for the education and training of teachers, and expressed the hope that full account would be taken of such studies in the formulation of policies on this matter in the Non-Self-Governing Territories. The General Assembly also adopted on the same date

resolution 444 (V), inviting Administering Members which need technical assistance for the economic, social and educational advancement of Non-Self-Governing Territories to submit their requests.

The development of the practice of making recommendations of a substantive character inevitably raises two questions: that of the place of the work of a Committee concerned with information relating to a particular group of territories as determined by political status, and that of the means of avoiding duplication with the general economic and social studies carried out by other organs of the United Nations. In respect of education, the Special Committee has defined its role in a manner which, in principle, is applicable to other problems common to Non-Self-Governing Territories as well as to other countries. It has stated that it is aware that its composition and terms of reference make it in no sense a replica of UNESCO; it believes that its task is to examine the information transmitted on Non-Self-Governing Territories with a view to facilitating, within the limits of its own competence, the fulfilment of the objectives of Chapter XI of the Charter. In this light, the Special Committee has declared that its continued and continuing interest in the collaboration which may be established between the Administering Members and UNESCO in the interests of the peoples of Non-Self-Governing Territories is natural and inevitable.

(ii) *Educational conditions*

The report on education, referred to above, was adopted by the Special Committee after consideration of analyses prepared by the Secretariat on various aspects of educational problems as indicated in the information supplied by the Members concerned, and also after consideration of reports prepared by UNESCO. In the discussions, a constructive interchange of ideas and experience was facilitated by the action taken by four of the Administering Members in including in their delegations special experts on educational problems.

After general discussion in the Special Committee, a Sub-Committee was appointed, composed of the representatives of Australia, Brazil, India, the Philippines, the United Kingdom and the United States of America, which, under the chairmanship of the Rapporteur (Netherlands), drafted the report. The latter was subsequently examined and approved by the Special Committee, and later by the General Assembly.

The views expressed in the report fall into two groups. The first are of a general character; the second, while derived from the first, record more specific considerations relating to particular aspects of education.

The general views included a recognition that (a) the need for education is widespread and strong and the peoples of the Non-Self-Governing Territories require assurance that all practical steps are being taken as rapidly as possible to provide them with adequate means of education; (b) education, in its broadest sense, is a necessary basis for progress in all fields; (c) there would be an inadequacy and even a folly in

regarding any fundamental objective of programmes of instruction as an end in itself; (d) nevertheless, the extension of schooling and the raising of rates and standards of literacy are prerequisites for the raising of general conditions in all fields; (e) the solution of problems of education must be solidly based on the economic resources, cultural aspirations and general conditions of the peoples; and (f) while financial limitations are recognized, it is hoped that a still wider recognition of the essential importance of education will result in devoting the maximum available resources to its furtherance.

The more specific points were treated under headings relating to the eradication of illiteracy, the language of instruction, equal treatment of indigenous and non-indigenous inhabitants in matters relating to education, participation of the inhabitants in the formulation of educational policy and in educational administration, higher education and teacher training.

In connexion with the eradication of illiteracy, the view was expressed that facilities for primary education should be developed as rapidly as possible so that all children of all races will receive sufficient schooling to endow them with a desire for further education and to equip them with the means of satisfying that desire; and that the content and methods of education should be designed to this end and be planned in the light of the cultural heritage, the economic and social circumstances and the progressive development of the free political institutions of the peoples concerned. Emphasis was placed on the education of girls and on the importance of special schemes for the teaching of adults. UNESCO was invited to seek to define the term "literacy" and to suggest a uniform method for presenting statistics of illiteracy.

The problem of the language of instruction was considered in respect of cases where the indigenous language was already sufficiently developed to be a vehicle of world culture and of cases where the indigenous language had local currency only. The Special Committee agreed that the first approach to the inculcation of literacy should, wherever possible, be through the mother tongue, but that if it had local currency only, a language of wider currency should be introduced in order to provide an opportunity for students eventually to take their place in any educational course for which their capacities would normally qualify them. The final point made was that the views of the qualified leaders of the peoples concerned should be of predominating importance in deciding particular problems relating to the language of instruction. Once again, the assistance of UNESCO was sought; it was stated that this would, in particular, be of value if, with respect to any developed language spoken widely throughout a region containing Non-Self-Governing Territories, information could be obtained from all education authorities with experience in the matter concerning the existence of sufficient textbooks and the efficiency of the language in the various branches of scientific instruction.

The Committee emphasized the importance of the principle of equality of opportunity for all racial, religious and cultural groups of the population. It

recognized that respect should be paid to the wishes of any group desiring to establish particular educational facilities for its members, but that this should be subject to the overriding consideration of the general welfare of the community. While different types of education might properly be established, no school should exclude pupils on grounds of race, religion or social status. A fair share of the public funds designed for educational purposes should be given to each group in communities where separate systems existed.

In the view of the Special Committee, no educational system could be completely effective unless the people had control over educational policies. While the Administering Member had a responsibility to put its experience at the service of the policy-makers, representative local opinion should determine all decisions taken in respect of educational programmes and policies.

In the field of higher education, the report stressed the significance of the institutions in the Territories themselves as the media for translating the local needs and aspirations into practical and responsible citizenship. Since isolation would be a grievous evil, it would also be necessary for qualified students to continue to go to metropolitan and foreign institutions; and the view was recorded that advantage should be taken of fellowship and scholarship programmes sponsored by the United Nations and the specialized agencies, not only in order to provide practical experience to people of the Non-Self-Governing Territories but also to foster broad contacts with the modern world.

The Special Committee, in recognizing the essential importance of well-trained teachers to the educational advancement of the Territories, in particular emphasized the social role to be played by the teacher, and recorded the view that institutions responsible for his training should endow him with a basic knowledge of indigenous life and of the purpose of teaching. A close contact of teacher-training institutions with the general life of communities was recommended. At the same time, the material needs of the teachers were taken into account, and the view was expressed that more attention should be paid to the needs of the profession in terms of conditions of service and of the place given to its members in public life.

A number of studies were also considered by the Special Committee on the existing facilities for the professional training of medical personnel, agricultural technicians, social workers, labour officers and trade-union leaders. No particular conclusions were sought on these subjects, which will receive further attention as the Committee considers information on economic and social conditions in the Non-Self-Governing Territories.

(iii) *Economic conditions*

The Special Committee and the General Assembly have paid consistent attention to information on economic conditions in the Non-Self-Governing Territories. This attention is reflected in the Standard Form itself and in General Assembly resolutions 146 (II) of 3 November 1947 and 220 (III) of 3 November 1948, establishing the principle and the means of

liaison between the Special Committee and the Economic and Social Council.

General Assembly resolution 331 (IV) of 2 December 1949, *inter alia*, requested the appropriate international bodies to take full account of conditions in the Non-Self-Governing Territories in work undertaken by them in connexion with economic development and the world census of agriculture. The Secretary-General informed the Economic and Social Council of action taken by him in compliance with resolution 331 (IV) and submitted a draft resolution, adopted on 15 August 1950 as Economic and Social Council resolution 321 (XI), in which it was decided that, in all relevant studies undertaken by the Council or under its authority, economic conditions in Non-Self-Governing Territories should be included wherever possible.

At its 1950 session, the Special Committee examined studies based on the information received respecting economic conditions in the Non-Self-Governing Territories and, during its discussions on education, emphasis was laid on the relevance of the economic situation in relation to educational advancement. It was therefore a natural sequence of events that the Committee considered it appropriate to accord its special attention in 1951 to economic conditions and development in the Non-Self-Governing Territories, subject, in accordance with General Assembly resolution 333 (IV) of 2 December 1949, to the proviso that this should be without prejudice to the consideration of the other two functional fields of social and educational conditions.

In taking this decision, which was subsequently approved by the General Assembly in resolution 445 (V) of 12 December 1950, the Special Committee examined the scope of treatment and the selection of subjects for the studies to be prepared for its consideration, and approved a list of topics. It was emphasized that the Secretariat, on the basis of this list, should select information which would assist the Special Committee in directing its first attention to general principles of economic development, having in view the essentially rural character of most of the Non-Self-Governing Territories, but with details sufficient to permit it to examine any other aspect of economic development deemed advisable.

In planning the studies required in preparation for the work of the Special Committee in 1951, the assistance of the specialized agencies has been sought. The Food and Agriculture Organization of the United Nations has agreed to prepare papers on certain aspects of forestry export, fisheries, agricultural credit institutions, export commodities and food consumption. The International Labour Organisation has been invited to prepare brief papers on the progress of its study of migrant labour, on problems of co-operative organizations, and on programmes for the training of workers. The World Health Organization has undertaken to inform the Special Committee of studies relevant to its work and, in particular, to study the economic value of preventive medicine. The documents to be prepared by the Secretary-General for the Special Committee will deal with the major principles governing economic development in the Non-Self-

Governing Territories, general conditions of agriculture, development of fisheries particularly for local consumption, other aspects of the rural economy, aspects of social factors in economic development, problems of industrial development, of mining and of transport.

(iv) *Social conditions*

While devoting special attention in 1950 to information on education and while planning for the 1951 session a particular study on economic information, the Special Committee has continued to examine problems of social conditions in the Non-Self-Governing Territories and has stressed the mutual relationship between all three lines of advancement. In the formulation of its recommendations for advancement in education, emphasis was laid on the principles that education is a necessary basis for economic, social, cultural and political knowledge and responsibility, and that the extension of schooling and the raising both of literacy rates and of the standard expressed by the term "literacy" are prerequisites for the raising of general conditions in all fields. In the topics approved as the basis for its 1951 discussions, the Special Committee has included the relationship between social factors and economic development.

If, at its 1951 session, the Special Committee abides by the concept that each year special attention should be given to the consideration of information in one field, it may be anticipated that the recommendations for the work of the third year (1952) of the Committee's three-year cycle will tend in the direction of studies on major aspects of social conditions. It would seem that such a programme could be satisfactorily based on the previous consideration of social problems by the Special Committee, on the general work programme established by the Social Commission, and on subjects to which the attention of the specialized agencies has already been invited as of immediate importance to the Non-Self-Governing Territories.

(c) COLLABORATION WITH THE SPECIALIZED AGENCIES

The system of a three-year cycle for the special consideration of information on economic, social and educational conditions has already brought about a varying degree of need for the direct collaboration of those specialized agencies having a range of activities which coincides with the field under the Special Committee's consideration. Thus, in 1950, UNESCO gave assistance in the study of educational conditions; and in 1951, as stated above, FAO is preparing particular studies on a number of agricultural problems.

As in previous years, the representatives of the specialized agencies concerned took part in the deliberations of the Special Committee in 1950. FAO, UNESCO and WHO, in compliance with requests of the General Assembly, submitted annual notes on matters relating to their activities in their respective fields of operation.

In memoranda dispatched between December 1950 and April 1951, the Secretary-General informed the heads of the specialized agencies of pertinent points resulting from resolutions adopted by the General

Assembly at its fifth session relating to the transmission of information from Non-Self-Governing Territories, and invited their further collaboration.

The replies received contain the information noted below:

The secretariat of UNESCO will prepare for the Special Committee two progress reports on the use of the indigenous or national languages of Native populations as vehicles of instruction in schools and on measures for suppressing illiteracy. These reports will be accompanied by documents containing a synthesis of the information collected by UNESCO on the use of vernacular languages in education, a preliminary comparative study of the various standards used to differentiate between illiterates and literates, and notes on particularly interesting experiments undertaken by different Member States in the two fields in question. A conference of experts to deal with the question of indigenous languages in education will be held in Paris in November 1951 and a meeting of experts on the standardization of educational statistics will be convened in the same month. The latter will give special attention to the question of a practical definition of literacy.

FAO will prepare, as in previous years, a general report on its work in so far as it relates to Non-Self-Governing Territories and also studies on certain aspects of the economic problems to be considered by the Special Committee.

WHO has undertaken to prepare a study on the economic aspects of preventive medicine. In January 1951, the Executive Board of WHO, at its seventh session, adopted a resolution noting the statement made by the United Nations observer on the activities with regard to Africa carried on by the United Nations Division of Information from Non-Self-Governing Territories, and requested the Director-General to communicate to the Secretary-General of the United Nations the assurance of the continued interest of WHO in the co-ordination of activities in that area.

The above-mentioned specialized agencies and the International Labour Office have also been consulted on the revision of the Standard Form, in order that texts to be submitted to the Special Committee may take into account the experience and needs of those agencies.

(d) ECONOMIC AND SOCIAL ADVANCEMENT

(i) *Inter-governmental organizations*

At the secretariat level, liaison has continued to be maintained with the Caribbean and South Pacific Commissions. Liaison has also been established with the Commission for Co-operation in Technical Matters in Africa South of the Sahara.

At the invitation of the Caribbean Commission, the Secretary-General sent an observer to the Trade Statistics Conference held in Trinidad in October 1950. An observer was also sent by the Secretary-General to attend the Fourth West Indian Conference, which was held in Curaçao, Netherlands West Indies, in November and December 1950; under the terms of General Assembly resolution 58 (I) of 14

December 1946, an expert on housing was made available to this Conference.

At the Conference, interest was shown in (a) principles adopted by the United Nations; and (b) technical services available through that Organization and the specialized agencies. At one of its technical meetings action was taken to avoid duplication in research by the use of standard classifications and forms established by the United Nations. As regards (a) above, reference may be made to the recommendation of the Conference that the implementation of the Universal Declaration of Human Rights should be continued and, wherever necessary, accelerated in the Caribbean territories, with special reference to article 21 dealing with full participation by a citizen in the government of his country. Interest in point (b) above is illustrated by the many recommendations of the Conference relating to the services available to governments under the United Nations expanded programme of technical assistance, and the request for inclusion of the Caribbean territories in the fellowship and scholarship programmes of the United Nations and the specialized agencies. Lastly, at the technical conference on trade statistics, a recommendation was adopted urging Caribbean territorial governments to produce trade returns under the standard international trade classification recommended by the Economic and Social Council.

Among conferences of major importance held in the Caribbean area were the following: the Fourth Oils and Fats Conference, convened in Barbados in August 1950, which established the price of copra for 1950-51; the Trade Statistics Conference, held in Trinidad in October 1950, which discussed the uniform publication of external trade statistics and the training of statistical officers; the second meeting of the Caribbean Interim Tourism Committee, held in Puerto Rico in November 1950, which discussed co-operative methods of developing the potential of the Caribbean as an all-year recreation and travel area; the Conference on Rural Co-operatives, held in Trinidad in January 1951, under the joint sponsorship of the Caribbean Commission and the Food and Agriculture Organization, where information and experience were exchanged on co-operative problems and developments throughout the area; and the first meeting of the Regional Economic Committee, held in Barbados in May 1951, to consider economic matters affecting the area, and where it was agreed to establish a Trade Commissioner Service in the United Kingdom.

The twenty-nine projects adopted by the South Pacific Commission in 1949 covering the fields of economic and social development, including health and statistical services, the establishment of a South Pacific Literature Bureau and pilot community centres, were further implemented at the Commission's sixth session, held in Noumea from 23 October to 2 November 1950. A draft outlining action to be taken on forty-two resolutions adopted by the first South Pacific Conference, held in the spring of 1950, was presented to the South Pacific Commission at its seventh session held in April and May 1951 in Noumea.

A number of meetings and conferences sponsored by the United Nations and the specialized agencies were held in Asia and the Pacific. Some of them were attended by representatives from Non-Self-Governing Territories. The first regional Conference on Statistics was held in Rangoon in January-February 1951 to discuss balance of payment statistics and statistics of international trade; a representative from the Federation of Malaya attended this Conference. A number of regional conferences held under the auspices of ILO, WHO and FAO dealt respectively with such vital matters as migration, low wages, training of medical personnel, rice production and fertilizers.

Within the general framework of international co-operation in South and South-East Asia, Non-Self-Governing Territories such as the Federation of Malaya, North Borneo, Sarawak and Singapore are affected by the Colombo Plan for Co-operative Economic Development in South and South-East Asia initiated by the Governments of the British Commonwealth in 1949. The six-year programme for these Non-Self-Governing Territories, conceived with the objective of broadening and diversifying their economies by increasing the production of agricultural products and foodstuffs and by stimulating manufacturing industries, was to come into effect in July 1951. For the purpose of training technical personnel, a Council for Technical Co-operation has been set up in Colombo.

At its session held at Lahore in March 1951, the Economic Commission for Asia and the Far East, which includes amongst its associate members Hong Kong, the Federation of Malaya and British Borneo, agreed that the time had come when clearer recognition should be given to the principle that member countries in the region should take their own decisions in the Commission on their own economic problems; and that in doing so they should take full account of the views of the associate members in the region.

At meetings held in Paris in January 1950 and in Brussels in June 1950, statutes were approved for the Commission for Co-operation in Technical Matters in Africa South of the Sahara, established for the purpose of co-ordinating technical co-operation undertaken by the various members in Africa. The Commission is composed of Belgium, France, Portugal, Southern Rhodesia, the Union of South Africa and the United Kingdom. The statutes of the Commission have been communicated to the Secretary-General and to the heads of the specialized agencies. The Commission has been created in accordance with Article 73d of the Charter, and its establishment in no way modifies the existing relation between the members of the Commission, on the one hand, and the United Nations and the specialized agencies, on the other.

The Commission, jointly with WHO, convened a Malaria Conference at Kampala in November-December 1950. The Conference made an appeal to the Administering States to establish large-scale malaria control and recommended the establishment of training courses in malaria control. Two conferences held in Dakar in May 1951 discussed public health problems, particularly the training of medical personnel and the control and prevention of infectious diseases.

Among other inter-governmental conferences relating to Africa, two were of major significance. One was a conference on transport problems in British and French West Africa, French Equatorial Africa and the Belgian Congo held in Dshang, French Cameroons, in October 1950 and attended by representatives from Belgium, France and the United Kingdom, as well as observers from the Economic Co-operation Administration and the International Bank for Reconstruction and Development. The other was the African Labour Conference, held in Elisabethville in July 1950, which dealt with accident compensation, wages, housing and settlement of disputes, and was attended by representatives of Belgium, France, Portugal, Southern Rhodesia, the Union of South Africa and the United Kingdom. Other conferences of an informal character were held under the auspices of various research institutions to deal with urgent technical problems such as land tenure, standardization of the Braille alphabet, bilharziasis etc.

(ii) *Technical assistance*

The growing recognition of the particular need of the Non-Self-Governing Territories for technical assistance has been expressed in a number of pertinent resolutions adopted by the General Assembly and the Economic and Social Council. At its eleventh session, the Council adopted, on 15 August 1950, a resolution submitted for its consideration by the Secretary-General, in which General Assembly resolutions 220 (III), 221 (III) and certain paragraphs of 331 (IV) were invoked, taking note of the eligibility of the Non-Self-Governing Territories to receive technical assistance. In the same resolution, the attention of the Administering Members was drawn to the facilities available for technical assistance in matters of economic development and social welfare services. In addition, the attention of the Technical Assistance Board and the Technical Assistance Committee was drawn to General Assembly resolution 331 (IV) as a guide in examining the annual programmes of the participating organizations, and in the Technical Assistance Board's allocation of funds under Council resolution 222 A (IX), paragraph 9 (d).

In memoranda addressed in September 1950 to the Administering Members, the Secretary-General informed them that he was prepared to make specific allocations of fellowships and scholarships in the fields provided for by General Assembly resolutions 58 (I), 200 (III) and 246 (III), that is, in the fields of social welfare and social development, economic development and public administration.

On various occasions the Special Committee, while discussing information transmitted by the Administering Members on economic, social and educational conditions and the Secretary-General's analyses, has emphasized the pressing need for technical assistance to be granted to the Non-Self-Governing Territories in accordance with their particular requirements. In this connexion, it was acknowledged in 1950 that more fellowships had been accorded to the Non-Self-Governing Territories in the last year than in the previous year.

General Assembly resolution 444 (V) of 12 December 1950, adopted on the basis of the views expressed by the Special Committee, invited those Administering Members needing technical assistance for the economic, social and educational advancement of their Non-Self-Governing Territories to submit their requests; further, it recommended that the Administering Members should include yearly in the statistical information transmitted under Article 73e of the Charter as full a report as possible on all applications made on behalf of their respective Non-Self-Governing Territories and on the manner in which technical assistance received from the United Nations and the specialized agencies was being integrated into long-range development programmes in such Territories.

In a note dated 12 June 1951 from the United States Mission to the United Nations, the Secretary-General was advised that information concerning the United Nations fellowship and scholarship programme had been transmitted to Territories administered by the United States of America, with the suggestion that they should consider whether they had suitable candidates to propose for nomination by the United States. The communication added that the United States Government had recently allocated a grant of \$38,250 under the "point four programme" to the Metropolitan Vocational School of Puerto Rico for the purpose of furthering the vocational training of inhabitants of the British, French and Netherlands Territories within the scope of the Caribbean Commission.

A Basic Agreement setting forth plans for technical assistance programmes in territories under the administration of the United Kingdom was signed on 25 June 1951 by the permanent representative of the United Kingdom to the United Nations and by the Chairman of the Technical Assistance Board. The type of technical assistance to be rendered to the governments of those territories for the international relations of which the Government of the United Kingdom is responsible, and for which technical assistance is requested by the Government of the United Kingdom, will be set out in supplementary agreements to be made pursuant to the Basic Agreement.

The services envisaged by this Agreement will aim at increased productivity of material and human resources and a wide and equitable distribution of the benefits of such increased productivity, so as to contribute to the realization of higher standards of living for the entire populations.

The permanent representative of the United Kingdom expressed the hope that from this Agreement would spring many instances of constructive collaboration on an international scale between the specialized agencies, with their world-wide resources and knowledge and the technical services of the territories themselves, which had acquired an intimate knowledge of the particular and difficult problems with which they were called upon to deal.

The Chairman of the Technical Assistance Board welcomed the Basic Agreement, under the general conditions of which the United Nations, ILO, FAO, UNESCO, ICAO and WHO would render technical assistance to the Trust, Non-Self-Governing and other

dependent territories of the United Kingdom, in response to specific requests from the United Kingdom Government. He stated that negotiations were already in process for the provision by those organizations of experts to assist and advise the Governments of Cyprus, Jamaica, St. Lucia and Singapore, in fields as various as agriculture, industrial development and public health. He expressed confidence that the conclusion of the Agreement would lead to valuable help being given under the expanded programme of tech-

nical assistance to the Government of the United Kingdom in its efforts to promote the economic and social advancement of the peoples, not only of these but of other dependent territories, in the spirit of the United Nations Charter.

This Agreement is the first to be concluded between the Technical Assistance Board and an Administering Power on behalf of all its territories since the adoption of General Assembly resolutions 439 (V) and 444 (V) of 2 and 12 December 1950 respectively.

Chapter IV

LEGAL QUESTIONS

I. International Court of Justice

(a) JURISDICTION OF THE COURT

(i) *Acceptance of compulsory jurisdiction*

Since June 1950, one State, the State of Israel, has made a declaration accepting the Court's compulsory jurisdiction under the terms of Article 36 of the Statute of the International Court of Justice. The declaration was dated 4 September 1950, and was deposited on 11 October, subject to ratification.

Furthermore, by a declaration deposited on 13 June 1950, Thailand has renewed a previous declaration of acceptance of the Court's jurisdiction, which had expired on 3 May 1950. By a declaration dated 12 February 1951, and deposited on the same date, the United Kingdom renewed for a period of five years its declaration of 13 February 1946, accepting the Court's jurisdiction concerning any treaty relating to the boundaries of British Honduras.

(ii) *Instruments conferring jurisdiction on the Court*

The following treaties, registered with the Secretary-General of the United Nations, contain clauses conferring jurisdiction on the International Court of Justice:

Treaty for the pacific settlement of disputes between Brazil and Venezuela (signed at Caracas on 30 March 1940);

Agreement for air services between Australia and Ceylon (signed at Canberra on 12 January 1950);

Agreement for air services between Canada and Belgium (signed at Ottawa on 30 August 1949);

Protocol to amend the Convention for the Suppression of the Traffic in Women and Children and the Convention for the Suppression of the Traffic in Women of Full Age (signed at Lake Success on 12 November 1947);

Agreement concerning the privileges, immunities and facilities to be granted by the Government of India to the World Health Organization (signed at New Delhi on 9 November 1949);

Round Table Conference Agreement between the Netherlands and Indonesia (signed at The Hague on 2 November 1949);

Treaty between the United Kingdom and Burma regarding the recognition of Burmese independence and related matters (signed in London on 17 October 1947);

Revised General Act for the Pacific Settlement of International Disputes (adopted by the General Assembly on 28 April 1949);

Agreements relating to air services between India, the Philippines and the International Civil Aviation Organization (signed at New Delhi on 20 October 1949); between New Zealand and Canada (signed at Wellington on 16 August 1950);

Four Geneva Conventions of 12 August 1949 for the protection of war victims;

Treaty of Alliance between the United Kingdom and Transjordan (signed at Amman on 15 March 1948);

Convention of the World Meteorological Organization (signed at Washington on 11 October 1947);

Convention on the Prevention and Punishment of the Crime of Genocide (adopted by the General Assembly on 9 December 1948).

(iii) *Accession of Indonesia to the Statute of the Court*

By its admission to membership in the United Nations, the Republic of Indonesia became a party to the Statute of the International Court of Justice.

(b) CASES BEFORE THE COURT

(i) *Advisory opinion on the international status of South West Africa*

On 11 July 1950, the Court gave an advisory opinion on the international status of South West Africa, pursuant to General Assembly resolution 338 (IV) of 6 December 1949 referring the following questions to the Court:

"What is the international status of the Territory of South West Africa and what are the international obligations of the Union of South Africa arising therefrom, in particular:

"(a) Does the Union of South Africa continue to have international obligations under the Mandate for South West Africa and, if so, what are those obligations?"

“(b) Are the provisions of Chapter XII of the Charter applicable and, if so, in what manner, to the Territory of South West Africa?”

“(c) Has the Union of South Africa the competence to modify the international status of the Territory of South West Africa, or, in the event of a negative reply, where does competence rest to determine and modify the international status of the Territory?”

Written statements were received from the following States: Egypt, the Union of South Africa, the United States of America, India and Poland.

The Court heard oral statements submitted by the representatives of the Government of the Union of South Africa, of the Government of the Philippines and of the Secretary-General of the United Nations.

In its opinion, the Court stated that, after the war of 1914-1918, Germany having renounced its rights on the Territory of South West Africa, the latter was placed under a Mandate conferred upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa. This Mandate was confirmed on 17 December 1920 by the Council of the League of Nations.

The Government of the Union of South Africa having sought recognition of the incorporation of the Territory in the Union, the United Nations rejected this proposal and, the Union having refused to put the Territory under Trusteeship, the General Assembly referred the question of the international status of South West Africa to the Court, by the resolution of 6 December 1949.

The Court declared that the Mandate had only the name in common with the several notions of mandate in national law, and that if the Mandate lapsed, the Union Government's authority would equally have lapsed.

The international obligations assumed by the Union of South Africa were of two kinds, one of which was directly related to the administration of the Territory and corresponded to a sacred trust of civilization. In every respect the *raison d'être* and original object of these obligations remained, a view confirmed by Article 80, paragraph 1, of the Charter. With regard to the second group of obligations, the Court said that the supervisory functions of the League with regard to mandated territories not placed under the new Trusteeship System were neither expressly transferred to the United Nations, nor expressly assumed by that Organization.

The necessity for supervision continued to exist, however, despite the disappearance of the supervisory organ under the Mandates System.

The Court considered, in this connexion, that the competence of the General Assembly of the United Nations to exercise such supervision and to receive and examine reports was derived from the provisions of Article 10 of the Charter, and that the Union was under an obligation to submit to the supervision and control of the General Assembly and to render annual reports to it.

The Court considered that the right of petition, which was not mentioned in the Covenant of the League or in

the Mandate but was established by a decision of the Council of the League, was maintained by Article 80, paragraph 1, of the Charter, and that petitions should be transmitted to the General Assembly of the United Nations, which was legally qualified to deal with them.

Having regard to Article 37 of the Statute of the International Court of Justice and Article 80, paragraph 1, of the Charter, the Court was of the opinion that article 7 of the Mandate was still in force, and therefore that the Union of South Africa was under an obligation to accept the compulsory jurisdiction of the Court according to those provisions.

With regard to question (b), the Court said that Chapter XII of the Charter was applicable to the Territory of South West Africa in the sense that it provided a means by which the Territory might be brought under the Trusteeship System but that, however, the permissive language of Articles 75 and 77 did not impose upon the Union of South Africa an obligation to place the Territory under the Trusteeship System by means of a Trusteeship Agreement.

With regard to question (c), the Court decided that it was clear that the Union had no competence to modify unilaterally the international status of the Territory, or any of the relevant international rules.

Under article 7 of the Mandate, the same organ which was invested with powers of supervision in respect to the administration of the Mandate was competent to modify it. Furthermore, Articles 79 and 85 of the Charter gave, by analogy, to the General Assembly authority to approve any modification of the international status of a territory under mandate which would not have for its purpose the placing of the territory under the Trusteeship System.

The reply given by the Court to the general question was adopted unanimously; the reply to question (a) was given by 12 votes to 2; the replies to the first and second parts of question (b) were given unanimously and by 8 votes to 6, respectively; the reply to question (c) was given unanimously.

A declaration was appended to the opinion by Vice-President Guerrero. Judges Zorić and Badawi Pasha declared that they shared in general the views expressed on the second part of question (b) by Judge De Visscher. Sir Arnold McNair and Judge Reed appended to the Court's opinion statements of their separate opinions. Judges Alvarez, De Visscher and Krylov appended to the opinion statements of their dissenting opinions.

(ii) *Colombian-Peruvian Asylum Case*

On 20 November 1950, the Court delivered its judgment in the asylum case between Colombia and Peru.

This case, which concerned the asylum granted, on 3 January 1949, by the Colombian Ambassador in Lima to the Peruvian political leader Mr. Victor Raúl Haya de la Torre, had been brought before the Court in accordance with an act (*Acta*) concluded on 31 August 1949 in Lima between the two countries.

The Court found that Colombia, as the State granting asylum, was not entitled, as that country contended,

to qualify unilaterally and in a manner binding upon Peru the nature of the offence.

The right of unilateral and binding qualification which Colombia claimed, did not arise out of the Bolivarian Agreement on Extradition of 1911, or out of the Havana Convention on asylum of 1928.

The third treaty invoked by Colombia—the Montevideo Convention on Political Asylum of 1933—had not been ratified by Peru and could not be invoked against that country.

Finally, as regarded American international law, Colombia had not proved the existence of a constant and uniform regional practice of unilateral qualification as a right of the State of refuge and an obligation upon the territorial State, or that Peru had adhered to such a custom.

On Colombia's second submission, the Court declared that in the present case Peru had not requested the departure of the refugee; that country was not bound therefore to issue a safe-conduct. The relevant clause in the Havana Convention which provided guarantees for the refugee was applicable solely to a case where the territorial State demanded the departure of the refugee from its territory.

In a counter-claim, Peru had asked the Court to declare that asylum had been granted to Mr. Haya de la Torre in violation of the Havana Convention, first, because he was accused, not of a political offence but of a common crime and, secondly, because the urgency which was required under the Havana Convention in order to justify asylum was absent in that case.

Having observed that Peru had not proved that the acts of which the refugee was accused constituted common crimes, the Court rejected the counter-claim of Peru on that point, declaring it to be ill-founded.

On the second point, the Court declared that, on 3 January 1949, there was no case of urgency within the meaning of the Havana Convention. The danger threatening Mr. Haya de la Torre was that of being exposed to legal proceedings. The Court considered that the Havana Convention could not have established a legal system which would guarantee to persons accused of political offences the privilege of evading their national jurisdiction. Furthermore, it had not been proved that the situation in Peru at the time implied the subordination of justice to the executive authority or the abolition of judicial guarantees.

As regards the numerous cases cited by Colombia, the Court was of the opinion that considerations of convenience or political expediency, rather than any feeling of legal obligation, seemed to have each time prompted the territorial State to recognize asylum.

The Court therefore came to the conclusion that the grant of asylum was not in conformity with article 2, paragraph 2, of the Havana Convention. The two submissions of Colombia were rejected, the first by 14 votes to 2 (Judge Azevedo and Mr. Caicedo Castilla, Judge *ad hoc*), the second by 15 votes to 1 (Mr. Caicedo Castilla). The counter-claim of the Government of Peru was rejected by 15 votes to 1, in so far as it was founded on a violation of the article of the Havana

Convention providing that asylum shall not be granted to persons accused of common crimes. On the second point, the counter-claim was allowed by 10 votes to 6.

The dissenting opinions of Judges Alvarez, Badawi Pasha, Read, Azevedo and Mr. Caicedo Castilla, Judge *ad hoc*, were appended to the judgment. In respect of the second point of the counter-claim, Judge Zoričić subscribed to the dissenting opinion of Judge Read.

(iii) *Request for an interpretation of the judgment of 20 November 1950 in the Colombian-Peruvian Asylum Case*

On 27 November 1950, the Court, in pronouncing on the request for an interpretation of the judgment which it had delivered on 20 November in the Colombian-Peruvian asylum case, held that the request was inadmissible. The request had been presented to the Court on behalf of the Government of Colombia on the very day on which that judgment had been delivered.

In its judgment of 27 November, the Court recalled that the first condition which must be fulfilled to enable it to give an interpretation under the provision of its Statute is that the object of the request must be solely to obtain clarification of the meaning and scope of what had been decided by the judgment with binding force. It was also necessary that there should be a dispute between the parties as to the meaning or scope of that judgment.

The Government of Colombia asked the Court to reply to three questions:

Is the judgment of 20 November 1950 to be construed as meaning:

(a) That legal effect is to be attributed to the qualification made by the Colombian Ambassador at Lima of the offence imputed to Mr. Haya de la Torre?

(b) That Peru is not entitled to demand surrender of the refugee, and that Colombia is not bound to surrender him?

(c) Or, on the contrary, that Colombia is bound to surrender the refugee?

On the first question, the Court found that the point had not been submitted to it by the parties: the Court had been asked to decide only on a submission presented by Colombia in abstract and general terms.

The other two questions in reality amounted to an alternative, dealing with the surrender of the refugee. This point also had not been included in the submissions of the parties; the Court therefore could make no decision upon it.

Finally, no dispute between the parties as to the meaning of the judgment had been brought to the attention of the Court.

For these reasons, by 12 votes to 1, the Court found that the request for interpretation was inadmissible. Mr. Caicedo Castilla, Judge *ad hoc*, designated by the Government of Colombia, declared that he was unable to concur in the judgment. His declaration was appended to the judgment.

(iv) *Haya de la Torre Case (Colombia-Peru)*

After the Court, by its judgment of 27 November 1950, refused Colombia's request for an interpretation of the judgment of 20 November 1950 in the Colombian-Peruvian Asylum Case, Colombia instituted new proceedings by an application transmitted to the Court on 13 December 1950. A judgment in this new case was delivered on 13 June 1951.

In its application and during the procedure, Colombia had asked the Court to state in what manner the judgment of 20 November 1950 was to be executed (see section (b) (ii) above) and, furthermore, to declare that, in executing that judgment, Colombia was not bound to deliver Mr. Haya de la Torre to the Government of Peru.

Peru, for its part, had also requested the Court to state in what manner the judgment should be executed by Colombia. Peru had further invited the Court to dismiss the Colombian submission by which the Court had been asked to state, solely, that Colombia was not bound to deliver Mr. Haya de la Torre, and at the same time to declare that the asylum ought to have ceased immediately after the judgment of 20 November 1950, and must in any case cease forthwith in order that Peruvian justice might resume its normal course, which had been suspended.

In its judgment, the Court examined, in the first place, the admissibility of the intervention of the Cuban Government. That Government, having availed itself of the right conferred by Article 63 of the Court's Statute, had filed a Declaration of Intervention which stated its views on the interpretation of the Havana Convention. The Government of Peru having contended that the intervention was inadmissible, the Court observed that the subject-matter of the present case related to a new question—the delivery of Mr. Haya de la Torre to the Peruvian authorities—which had not been decided by the judgment of 20 November. In these circumstances, as the object of the intervention was the interpretation of a new aspect of the Havana Convention, the Court decided to admit it.

Proceeding next to discuss the merit of the case, the Court observed that both parties desired that the Court should make a choice among the various courses by which the asylum might be terminated. However, a choice among them could not be based on legal considerations, but only on grounds of practicability or of political expediency, which, to a very large extent, the parties were alone in a position to appreciate. Consequently, it was not part of the Court's judicial function to make such a choice, and it was impossible for it to give effect to the submissions of the parties in this respect.

As regards the surrender of the refugee, that was a new question which had only been brought before the Court by the application of 13 December 1950. The Court noted that, according to the Havana Convention, diplomatic asylum had to be terminated as soon as possible; however, the Convention did not give a complete answer to the question of the manner in which it should be terminated. In regard to cases in which the asylum had not been regularly granted and where the territorial

State had not requested the departure of the refugee, the Convention did not make any provision. The Latin-American tradition in regard to asylum, in accordance with which a political refugee should not be surrendered, did not indicate that any exception should be made in the case of an asylum irregularly granted. If it had been intended to abandon that tradition, an express provision to that effect would have been needed.

It was true that, in principle, asylum could not be opposed to the operation of national justice; but an obligation to surrender a person accused of a political offence because the asylum was irregularly granted would amount to rendering positive assistance to the local authorities in their prosecution of a political refugee, and such assistance could not be admitted without an express provision to that effect in the Convention.

As concerned Mr. Haya de la Torre, the Court had declared in its judgment of 20 November that it had not been proved that the acts of which he had been accused before asylum was granted constituted common crimes. Consequently, and in view of the foregoing considerations, Colombia was under no obligation to surrender him to the Peruvian authorities.

Finally, examining the Peruvian submissions concerning the termination of the asylum, the Court declared that Peru was legally entitled to claim that the asylum which had been irregularly granted should cease; however, the addition "in order that Peruvian justice may resume its normal course which has been suspended"—an addition which appeared to involve, indirectly, a claim for the surrender of the refugee—could not be accepted by the Court.

The Court thus arrived at the conclusion that the asylum must cease, but that Colombia was under no obligation to bring this about by surrendering the refugee. There was no contradiction between these two findings, since surrender was not the only way of terminating asylum.

The Court accordingly declared unanimously that it was not part of the Court's judicial function to make a choice among the different ways in which asylum might be brought to an end; it declared, by 13 votes to 1, that Colombia was under no obligation to surrender Mr. Haya de la Torre to the Peruvian authorities; it declared unanimously that the asylum ought to have ceased after the delivery of the judgment of 20 November 1950, and should terminate.

Mr. Alayza y Paz Soldán, Judge *ad hoc*, stated, in a declaration appended to the judgment, that, in view of the terms employed by the Court in the second point of the operative clause, he was unable to concur in the opinion of the majority.

(v) *Anglo-Norwegian Fisheries Case*

On 4 October 1950, the Court, at the request of the Government of the United Kingdom, made an order extending to 30 November 1950 and 31 January 1951 respectively, the time-limits fixed for the Reply of the United Kingdom and for the Rejoinder of Norway, in the dispute between the Governments of the United Kingdom and Norway concerning the maritime limits within which the Norwegian Government was entitled

to reserve fishing rights exclusively to Norwegian vessels.

On 10 January 1951, the President of the Court, since it was not sitting, made an order extending, from 31 January to 30 April 1951, the date for the deposit of the Norwegian Rejoinder. This extension was granted at the request of the Norwegian Government.

(vi) *Advisory opinion concerning reservations to the Convention on the Prevention and Punishment of the Crime of Genocide*

On 28 May 1951, the International Court of Justice rendered its advisory opinion in the matter of reservations to the Convention on the Prevention and Punishment of the Crime of Genocide.

The General Assembly of the United Nations, by resolution 478 (V) of 16 November 1950, had referred the following questions to the Court:

"In so far as concerns the Convention on the Prevention and Punishment of the Crime of Genocide in the event of a State ratifying or acceding to the Convention subject to a reservation made either on ratification or on accession, or on signature followed by ratification:

"I. Can the reserving State be regarded as being a party to the Convention while still maintaining its reservation if the reservation is objected to by one or more of the parties to the Convention but not by others?

"II. If the answer to question I is in the affirmative, what is the effect of the reservation as between the reserving State and:

- (a) The parties which object to the reservation?
- (b) Those which accept it?

"III. What would be the legal effect as regards the answer to question I if an objection to a reservation is made:

"(a) By a signatory which has not yet ratified?

"(b) By a State entitled to sign or accede but which has not yet done so?"

Written statements on the matter were submitted to the Court by the following States and organizations: the Organization of American States, the Union of Soviet Socialist Republics, the Hashemite Kingdom of Jordan, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Secretary-General of the United Nations, Israel, the International Labour Organisation, Poland, Czechoslovakia, the Netherlands, the People's Republic of Romania, the Ukrainian Soviet Socialist Republic, the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic and the Philippines.

In addition, the Court heard oral statements submitted on behalf of the Secretary-General of the United Nations and of the Governments of Israel, the United Kingdom and France.

On question I, the Court replied that a State which had made and maintained a reservation that was objected

to by one or more of the parties to the Convention but not by others, could be regarded as being a party to the Convention if the reservation were compatible with the object and purpose of the Convention; otherwise, that State could not be regarded as being a party to the Convention.

In the absence of an article in the Convention providing for reservations, it could not be inferred that they were prohibited.

The very wide participation which the Convention itself had envisaged involved, in practice, a greater flexibility and, particularly, a more general resort to reservations. Consequently, question I, on account of its abstract character, could not be given an absolute answer. The appraisal of a reservation and the effect of objections depended upon the circumstances of each individual case.

The Court then examined question II, concerning the effect of a reservation as between the reserving State and the parties which objected to the reservation and between that State and those which accepted it. In the Court's opinion, the same considerations applied. No State could be bound by a reservation to which it had not consented. Consequently, if a party to the Convention objected to a reservation which it considered to be incompatible with the object and purpose of the Convention, it could in fact consider that the reserving State was not a party to the Convention; if, on the other hand, a party accepted the reservation as being compatible with the object and purpose of the Convention, it could in fact consider that the reserving State was a party to the Convention.

On question III, the Court considered that an objection to a reservation made by a signatory State which had not yet ratified the Convention could have the legal effect indicated in the reply to question I only upon ratification; until that moment such an objection merely served as a notice to the other States of the eventual attitude of the signatory State.

On the other hand, an objection to a reservation made by a State which was entitled to sign or accede, but had not yet done so, was without legal effect.

The Court's reply on the three questions was given by a majority of 7 votes to 5.

A joint dissenting opinion was appended to the advisory opinion by Vice-President Guerrero, Sir Arnold McNair, Judge Read and Judge Hsu Mo. Judge Alvarez also appended a dissenting opinion.

(vii) *Case concerning rights of nationals of the United States of America in Morocco (France-United States of America)*

By an application dated 28 October 1950, the Government of the French Republic instituted proceedings before the International Court of Justice against the Government of the United States of America concerning the rights of nationals of the United States of America in Morocco.

In its application, the French Government asked the Court to declare that American nationals in Morocco

were not entitled to enjoy preferential treatment and should be subject to the laws and regulations in force within the Shereefian Empire, in particular those pertaining to imports not involving an official allocation of currency.

By order dated 22 November 1950, the Court specified the following time-limits for the deposit of the pleadings in this case: for the Memorial of the Government of the French Republic, 1 March 1951; for the Counter-Memorial of the Government of the United States of America, 1 July 1951; for the Reply of the Government of the French Republic, 1 September 1951; for the Rejoinder of the Government of the United States of America, 1 November 1951.

On 21 June 1951, the Government of the United States made a preliminary objection in the case.

(viii) *Ambatielos Case (Greece—United Kingdom)*

By an application dated 9 April 1951, the Hellenic Government instituted proceedings before the Court against the Government of the United Kingdom concerning the rights of a Greek national, Mr. N. E. Ambatielos. The application asked the Court to declare that effect must be given to the arbitral procedure referred to in the Treaty of Commerce and Navigation of 1886 between Great Britain and Greece.

By order dated 18 May 1951, the Court specified the following time-limits for the deposit of the pleadings: for the Memorial of the Hellenic Government, 30 July 1951; for the Counter-Memorial of the Government of the United Kingdom, 15 October 1951.

The rest of the procedure was reserved for further decision.

(ix) *Anglo-Iranian Oil Co. Case*

On 26 May 1951, the Government of the United Kingdom filed in the Registry of the International Court of Justice an application instituting proceedings against the Imperial Government of Iran in connexion with the application of the Convention, dated 29 April 1933, between the Imperial Government of Persia and the Anglo-Persian Oil Company, Ltd.

In accordance with the terms of the British application, the Court was requested to declare that the Imperial Government of Iran was under a duty to submit the dispute between itself and the Anglo-Iranian Oil Company, Ltd., to arbitration under the provisions of article 22 of the aforesaid Convention.

Furthermore, alternatively, the Court was asked to declare that the Convention could not lawfully be annulled, or its terms altered by the Imperial Government of Iran, otherwise than as the result of agreement with the Anglo-Iranian Oil Company, Ltd.; and the Court was asked to pronounce on a possible indemnity.

The application was immediately notified to the Iranian Government.

On 22 June 1951, the Government of the United Kingdom made a request for the indication of provisional measures of protection under Article 41 of the Statute of the Court. Hearings began on this request on 30 June 1951.

(c) OTHER ACTIVITIES

(i) *Request for the appointment of an arbitrator (Anglo-Iranian Oil Co., Ltd.)*

By a request dated 25 May 1951, the Chairman of the Anglo-Iranian Oil Company, Ltd. requested the President of the International Court of Justice to appoint a sole arbitrator to settle the dispute between the Company and the Iranian Government, concerning the execution of the concession granted to the Anglo-Persian Oil Company, Ltd. by the Imperial Government of Persia.

The Anglo-Iranian Oil Company, Ltd. based its request on article 22 of the Convention dated 29 April 1933.

The President replied to the Chairman of the Company on 28 May 1951, stating that he had placed the request on record; the President informed him, at the same time, of the filing by the Government of the United Kingdom of an application instituting proceedings and referring to certain points in common with those involved in the request of the Company. Consequently, the President stated that it was impossible for him to take any action at that time on the Company's request.

(ii) *Designation of an arbitrator with reference to certain claims*

On 25 April 1951, France, the United Kingdom and the United States of America concluded an agreement for the submission to an arbitrator of certain claims with respect to gold looted by the Germans from Rome in 1943. According to the agreement, the three Governments requested the President of the International Court of Justice to designate an arbitrator to decide whether Italy, Albania or neither of them had established that the gold belonged to it. The President designated Mr. Georges Sauser-Hall of Geneva, Switzerland, as arbitrator.

(d) COMPOSITION OF THE COURT AND OF THE CHAMBER FOR SUMMARY PROCEDURE

The President of the Court is M. Basdevant, and the Vice-President is M. Guerrero. On 28 February 1949 they were elected for a period of three years.

The Chamber for Summary Procedure, elected on 19 April 1951, is composed of the following Judges, whose term of office began on 3 May 1951 and will end on 2 May 1952:

Members: Mr. Basdevant, *President*; Mr. Guerrero, *Vice-President*; Sir Arnold McNair; Mr. Krylov; Mr. Hsu Mo.

Substitute members: Mr. Hackworth; M. De Visscher.

(e) VACANCY CREATED BY THE DEATH OF JUDGE AZEVEDO

The Court has lost one of its members, Judge José Philadelpho de Barros e Azevedo, whose death occurred at The Hague on 7 May 1951. A man of ex-

ceptional legal knowledge who had occupied the highest academic, judicial and administrative positions in his country (Brazil), Mr. Azevedo brought to the Court his wealth of experience and a profound sense of his duties as a Judge.

In a note dated 16 May 1951, the Secretary-General informed the Security Council that, on 8 May, the President of the International Court of Justice had advised him of the death of Judge Azevedo, who had been elected on 6 February 1946 for a term of nine years expiring on 5 February 1955. The resulting vacancy, he added, should be filled in accordance with the terms of the Statute of the Court, Article 14 of which states that vacancies shall be filled by the same method as that laid down for the first election, providing that the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5 of the Statute and that the date of the elections shall be fixed by the Security Council. Article 5, paragraph 1, of the Statute specifies that the invitations must be issued at least three months before that date.

At a meeting held on 29 May, the Security Council decided that an election to fill the vacancy should take place during the sixth session of the General Assembly, prior to the regular election to be held at the same session to fill the five vacancies which will occur owing to the expiration, on 5 February 1952, of the terms of five members of the Court.

2. International Law Commission

(a) CONSIDERATION BY THE GENERAL ASSEMBLY OF THE REPORT OF THE COMMISSION COVERING ITS SECOND SESSION

In his last report, the Secretary-General included a short survey of the first half of the second session of the International Law Commission held at Geneva from 5 June to 29 July 1950. In addition to discussing the items mentioned in that report—ways and means for making the evidence of customary international law more readily available, formulation of the Nürnberg principles, and the question of international criminal jurisdiction—the Commission held a preliminary discussion on a draft code of offences against the peace and security of mankind and adopted certain decisions for the guidance of the special rapporteurs with respect to the three topics selected for codification (law of treaties, arbitral procedure and regime of the high seas). The report of the Commission was examined during the fifth session of the General Assembly by the Sixth Committee, and on its recommendation the General Assembly, on 12 December 1950, adopted several resolutions relating to the work of the Commission.

(i) *Review by the Commission of its statute*

By resolution 484 (V), the General Assembly requested the International Law Commission to review its statute, since certain doubts had been expressed whether the conditions under which the work of the Commission was carried on would enable it to achieve rapid and positive results. The Commission was asked

to make recommendations to the General Assembly at its sixth session concerning revisions of the statute which might appear desirable, in the light of experience, for the promotion of the Commission's work.

(ii) *Extension of the term of office of the present members of the Commission*

By resolution 486 (V), the General Assembly extended the term of office of the present members of the Commission by two years, making a total period of five years from their election in 1948. This extension was decided upon in order to enable the Commission to achieve the tasks on which it is engaged before the current period of office expires.

(iii) *Ways and means for making the evidence of customary international law more readily available*

In its report, the International Law Commission had recommended that the widest possible distribution should be made of publications relating to international law issued by organs of the United Nations; that the General Assembly should authorize the Secretariat to prepare, issue and widely distribute eight groups of publications which would make the evidence of customary international law more readily available; and that the General Assembly should call to the attention of governments the desirability of their publishing digests of their diplomatic correspondence. By resolution 487 (V), the General Assembly invited the Secretary-General, in preparing his future programme of work in this field, to consider and report to the Assembly upon these recommendations of the Commission. A special report is being prepared by the Secretary-General in pursuance of this request and will be submitted to the General Assembly at its sixth session.

(iv) *Formulation of the Nürnberg principles*

On 11 December 1946, by resolution 95 (I), the General Assembly unanimously affirmed the principles of international law recognized in the Charter and in the judgment of the Nürnberg Tribunal. Later, by resolution 177 (II) of 21 November 1947, the General Assembly directed the International Law Commission to formulate those principles, and also to prepare a draft code of offences against the peace and security of mankind. In its report to the fifth session of the General Assembly, the Commission had formulated a set of seven principles of international law recognized in the Charter and in the judgment of the Nürnberg Tribunal. By resolution 488 (V), the General Assembly invited the governments of Member States to furnish their observations on this formulation, and requested the Commission to take these observations and those made during the fifth session of the Assembly into account in its further work on the draft code of offences against the peace and security of mankind.

(v) *International criminal jurisdiction*

In its report, the International Law Commission had arrived at the conclusion that the establishment of an international organ of criminal justice was both desirable and possible, but that the creation of a criminal chamber of the International Court of Justice could

not be recommended. By resolution 489 (V), the General Assembly established a special committee to prepare one or more preliminary draft conventions and proposals relating to the establishment and the statute of an international criminal court (see section 3 below).

(vi) *Draft code of offences against the peace and security of mankind and topics selected for codification (law of treaties, arbitral procedure, régime of the high seas)*

The Sixth Committee of the General Assembly decided not to discuss those parts of the report of the International Law Commission containing preliminary reports on the draft code of offences against the peace and security of mankind and on the three topics selected for codification. The Committee felt that the information given constituted merely progress reports on the Commission's work concerning subjects on which final reports would be submitted at a later date.

(b) NEW TOPICS ASSIGNED TO THE COMMISSION BY THE GENERAL ASSEMBLY AND THE ECONOMIC AND SOCIAL COUNCIL

(i) *Reservations to multilateral conventions*

In connexion with its discussion of the report of the Secretary-General regarding reservations to multilateral conventions, the General Assembly, by resolution 478 (V) of 16 November 1950, invited the International Law Commission, in the course of its work on the codification of the law of treaties, to study the question of such reservations both from the point of view of codification and from that of the progressive development of international law. The Commission was asked to give priority to this study and to report thereon to the General Assembly at its sixth session, especially as regards multilateral conventions of which the Secretary-General is the depositary.

(ii) *Definition of aggression*

On the proposal of its First Committee, the General Assembly, by resolution 378 B (V) of 17 November 1950, decided to refer to the International Law Commission a proposal of the Union of Soviet Socialist Republics concerning a definition of aggression. The Commission was asked to take this proposal into consideration, together with the records of the First Committee dealing with the question, and to formulate its conclusions as soon as possible (see also section (c) (i) below).

(iii) *Convention for the elimination of statelessness*

On 11 August 1950, the Economic and Social Council, in resolution 319 B (XI), section III, noted with satisfaction that the International Law Commission intended to initiate as soon as possible work on the subject of nationality, including statelessness. At the same time, it urged the Commission to prepare at the earliest possible date the necessary draft international convention or conventions for the elimination of statelessness.

(c) PREPARATION FOR THE THIRD SESSION OF THE COMMISSION

In preparation for the third session of the International Law Commission, all the special rapporteurs of

the Commission prepared new reports on the subjects entrusted to them. These reports have been issued by the Secretary-General as the main documents for the session. In addition, the Secretary-General also prepared several memoranda on other questions to be discussed by the Commission.

(i) *Draft code of offences against the peace and security of mankind*

Mr. J. Spiropoulos, rapporteur on the draft code, prepared a revision of the draft considered at the second session of the Commission, taking into account the discussions in the Sixth Committee of the General Assembly on the text of the Nürnberg principles. The new draft contained five articles, of which article I defined ten offences against the peace and security of mankind, while article II dealt with superior orders, article III with the necessary national legislation, article IV with extradition, and article V with the settlement of disputes regarding the interpretation or application of the code.

The annex to the report dealt with the definition of aggression, a new topic referred to the Commission by General Assembly resolution 378 B (V) (see section (b) (ii) above). After an historical survey of efforts to provide such a definition, the rapporteur examined in his report the difficulties inherent in the several objective and subjective criteria proposed in the past and presented a "dogmatic" analysis of the "notion of aggression".

(ii) *Law of treaties*

In the light of the discussion at the second session of the Commission, Mr. J. L. Brierly, rapporteur on the law of treaties, revised several articles of his first draft convention which dealt with the conclusion of treaties, with their entry into force, application and ratification, with the obligations of signatories prior to ratification, and with accession to treaties.

In addition, he submitted a special report on reservations to multilateral conventions, a topic to be given priority at the request of the General Assembly. This report summarized the debates in the Sixth Committee on the subject and the views thereon of various writers on international law. It contained also examples of reservation clauses in treaties and a survey of international practice. The rapporteur presented finally a series of optional reservation clauses dealing with admissibility of reservations; States entitled to be consulted as to reservations; functions of the depositary; procedure for objections.

(iii) *Arbitral procedure*

In his second report, Mr. G. Scelle, rapporteur on arbitral procedure, redrafted articles 1-11 of his proposals in the light of the discussion by the Commission of articles I-III of his first draft. He also prepared a second draft of articles 12-44 based on articles IV-XVI of his first draft. The new draft followed closely the various stages of arbitral procedure from the agreement to arbitrate through the rendering of the arbitral awards. It dealt also with the interpretation, execution and revision of awards and with disputes concerning the validity of awards.

(iv) *Régime of the high seas*

The second report of Mr. J. P. A. François, rapporteur on the régime of the high seas, dealt with eleven topics selected by the Commission for further study. The rapporteur presented a summary of international practice in each particular field and a draft of basic principles of international law which might be deduced therefrom. The proposed draft principles related to nationality of ships; penal jurisdiction in matters of collision between ships; safety of life at sea; right of approach; slave trade; submarine telegraph cables; protection of resources of the sea; right of pursuit on the high seas; contiguous zones of the high seas under special national control; sedentary fisheries; continental shelf.

(d) THIRD SESSION OF THE COMMISSION

During the third session of the International Law Commission, held at Geneva from May to July 1951, the Commission completed its study of reservations to multilateral conventions, the definition of aggression, and the draft code of offences against the peace and security of mankind. It also concluded a preliminary review of its statute, and made a detailed study of the reports submitted to it on the law of treaties and the régime of the high seas.

(i) *Reservations to multilateral conventions*

The Commission discussed the differences between the tasks entrusted by the General Assembly to it and to the International Court of Justice in the matter of reservations to multilateral conventions, and concluded that its own study should be more general and need not be limited to the interpretation of existing law. Accordingly, it proposed rules which it considered "the most convenient for States to adopt for the future". It rejected, therefore, the criterion, applied by the Court to the Convention on Genocide, of compatibility of a reservation with the object and purpose of a multilateral convention (see section 1 (b) (vi) above). The Commission believes that it may often be more important to maintain the integrity of a convention than to aim, at any price, at the widest possible acceptance of it.

While no single rule uniformly applied can be wholly satisfactory, the Commission felt that, subject to certain modifications, the rule suitable for application in the majority of cases might be found in the practice hitherto followed by the Secretary-General. The Commission then prepared five basic rules on the subject outlining the procedure to be followed by the depositary of a multilateral convention on receipt of a reservation to that convention, and defining the effect of objections to such a reservation by various groups of States.

(ii) *Definition of aggression*

The Commission first decided that it was undesirable to define aggression by a detailed enumeration of aggressive acts, since no enumeration would be exhaustive. It also thought it inadvisable unduly to limit the freedom of judgment of the competent organs of the United Nations by a rigid and necessarily incomplete list of acts constituting aggression. When an attempt

was made to draw up a general definition, the majority of the Commission felt that this also would be unsatisfactory. On reconsideration, the Commission decided, however, to embody a general definition of aggression in the draft code of offences against the peace and security of mankind (see sub-section (iii) below). It agreed to consider as one such offence "any act of aggression, including the employment, by the authorities of a State, of armed force against another State for any purpose other than national or collective self-defence or in pursuance of a decision or recommendation by a competent organ of the United Nations".

(iii) *Draft code of offences against the peace and security of mankind*

The Commission decided to limit the code to offences containing a political element and endangering or disturbing the maintenance of international peace and security, omitting all questions concerning conflicts of legislation and jurisdiction in international criminal matters and such special international crimes as piracy and slavery. In incorporating in the code the Nürnberg principles approved at its previous session, the Commission felt free to suggest modification or development of these principles. The offences enumerated in the code were defined as "crimes under international law". The Commission decided that only individuals should be punished for such crimes, and that no provisions should be included with respect to crimes by abstract entities.

The following offences were included in the draft code: act of aggression (for definition, see sub-section (ii) above); threat of aggression; preparation, by the authorities of a State, for the employment of armed force against another State for any purpose other than self-defence or in pursuance of a decision or recommendation by a competent organ of the United Nations; incursion into the territory of a State from another State by armed bands acting for a political purpose; acts by State authorities connected with fomenting civil strife or terrorist activities in another State; violation by State authorities of treaty obligations concerning limitations of armaments, military training, fortifications or other similar restrictions; annexation of a territory in violation of international law; genocide by authorities of a State or by private individuals; inhuman acts against the civilian population, when committed in connexion with other offences under the code; acts in violation of the laws of war; and conspiracy, incitement or attempts to commit any of the offences defined in the code, as well as complicity in committing them. The fact that a person acted as Head of a State, or as a responsible government official, did not relieve him from responsibility. If a person acted pursuant to an order of his government or of a superior, he would be responsible only if a moral choice were in fact possible for him.

The Commission refrained from drafting an instrument for implementing the code; it thought that, pending the establishment of an international criminal court, the code might be applied by national courts. As the Commission deemed it impracticable to prescribe a definite penalty for each offence, it was left to the competent tribunal to determine the penalty for any offence.

under the code, taking into account the gravity of the particular offence.

(iv) *Review by the Commission of its statute*

The Commission recommended that, in the interest of promoting and expediting its work, it should be placed on a full-time basis after the new elections in 1953. Future members should devote all their time to the work of the Commission and should not exercise any political or administrative function, or engage in any other occupation of a professional nature. If the General Assembly were to approve this recommendation in principle, the Commission would, if so requested, draft the necessary amendments to its statute.

(v) *Régime of the high seas*

The Commission finished its preliminary examination of the draft rules dealing with the continental shelf, the conservation of the resources of the sea, sedentary fisheries and contiguous zones. It decided to communicate these rules to governments so that they could submit their comments as envisaged in the statute of the Commission.

In these draft rules, the Commission defined the continental shelf as that part of the sea-bed contiguous to the coast, but outside the areas of marginal seas, where the depth of the superjacent waters admitted of the exploitation of natural resources of the sea-bed and subsoil. The coastal State might exercise control and jurisdiction for the purpose of exploiting the natural resources of the shelf, but the legal status of the superjacent waters and of the air space above might not be affected thereby. In particular, there should be no substantial interference with navigation or fishing, though safety zones might be established around installations constructed on the shelf.

The States whose nationals were engaged in fishing in any area of the high seas might regulate and control fishing activities in such area for the purpose of conserving its resources against extermination. When several States were interested in a particular area these measures should be established by them in concert. The Food and Agriculture Organization should be invited to draft a statute for a permanent body which would be competent to establish rules for such an area if the States concerned failed to agree on them.

A State might regulate sedentary fisheries in areas of the high seas contiguous to its territorial waters, where such fisheries had long been maintained and conducted by its nationals. Nationals of other States should be permitted, however, to participate in such fisheries on an equal footing.

In a contiguous zone of the high seas, up to twelve miles from the coast, the coastal State might exercise the control necessary to prevent the infringement of its customs, fiscal or sanitary regulations.

The Commission examined also various other topics coming within the régime of the high seas—nationality of ships, penal jurisdiction in matters of collision, safety of life at sea, right of warships to approach foreign vessels suspected of piracy or the slave trade, submarine

telegraph cables, right of pursuit—and gave directives to the special rapporteur on the principles to be drafted with regard to them.

(vi) *Law of treaties*

The Commission discussed several draft articles with respect to the preparation of treaties, capacity to make treaties, methods of assuming treaty obligations, ratification, acceptance and entry into force of treaties, and accession to them. A final draft of these articles will be considered at the next session.

(vii) *Other decisions of the Commission*

The Commission decided to initiate work on the régime of territorial waters and on the topic of nationality, including statelessness, and appointed special rapporteurs for these subjects. The question of the nationality of married women, referred to the Commission by the Economic and Social Council, will be studied in connexion with the general question of nationality.

3. International criminal jurisdiction

In connexion with its resolution approving the Convention on the Prevention and Punishment of the Crime of Genocide, the General Assembly, by resolution 260 B (III) of 9 December 1948, invited the International Law Commission to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction would be conferred upon that organ by international conventions and, in carrying out this task, to pay attention to the possibility of establishing a criminal chamber of the International Court of Justice.

The question was discussed in a preliminary way at the first session of the International Law Commission (12 April to 9 June 1949), for which session the Secretary-General had prepared a special memorandum entitled *Historical Survey of the Question of International Criminal Jurisdiction*. The Commission decided to appoint Mr. Ricardo J. Alfaro and Mr. A. E. F. Sandström as rapporteurs on the subject.

At the second session of the Commission, held in Geneva between 5 June and 29 July 1950, the two rapporteurs submitted their reports. Mr. Alfaro, in his report, concluded that it was both desirable and possible to establish such a judicial organ, either in the form of an international criminal court or as a criminal chamber of the International Court of Justice. In the latter case, he observed, the Statute of the Court would have to be amended so as to permit the trial of individuals before the Court. Mr. Sandström, on the other hand, reached the conclusion that the time was not yet ripe for the establishment of a permanent international criminal court. If, nevertheless, such a court were to be created, he would prefer the establishment of a criminal chamber of the International Court of Justice to the creation of a separate tribunal.

The Commission considered the matter on the basis of the two reports and decided, by 8 votes to 1, with 2 abstentions, that it was desirable to establish an inter-

national judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction would be conferred upon that organ by international conventions. It further decided, by 7 votes to 3, with 1 abstention, that the establishment of such an organ was possible. The Commission finally decided to state that it had paid attention to the possibility of establishing a criminal chamber of the International Court of Justice and that, though it was possible to do so by amendment of the Court's Statute, the Commission did not recommend it.

The question of an international criminal jurisdiction was again discussed by the Sixth Committee at the fifth session of the General Assembly in connexion with the consideration of the report of the second session of the International Law Commission. After rejection in the Committee of a draft resolution to postpone the consideration of the question until the Commission had submitted its code of offences against the peace and security of mankind, the General Assembly, on 12 December 1950, adopted, by 42 votes to 7, with 5 abstentions, resolution 489 (V) (see section 2 (a) (v) above).

This resolution stressed the fact "that, in the course of development of the international community, there will be an increasing need of an international judicial organ for the trial of certain crimes under international law" and emphasized that a final decision regarding the setting up of such an international penal tribunal could not be taken except on the basis of concrete proposals. It provided accordingly that a committee composed of the representatives of the following seventeen Member States, namely, Australia, Brazil, China, Cuba, Denmark, Egypt, France, India, Iran, Israel, the Netherlands, Pakistan, Peru, Syria, the United Kingdom, the United States of America and Uruguay, should meet in Geneva on 1 August 1951 for the purpose of preparing one or more preliminary draft conventions and proposals relating to the establishment and the statute of an international criminal court. The resolution further requested the Secretary-General to prepare and submit to the committee one or more preliminary draft conventions and proposals regarding such a court, to communicate the committee's report to the governments of Member States so that their observations might be submitted not later than 1 June 1952, and to place the question on the agenda of the seventh session of the General Assembly.

In accordance with the aforesaid resolution, the Secretary-General prepared for the meeting of the committee a report regarding the establishment of an international criminal jurisdiction, together with three draft statutes. One of the drafts was based on the assumption that the proposed international criminal court would be created by a resolution of the General Assembly. The second draft envisaged the possibility of establishing the court by means of an international convention. The third draft dealt with the possible creation of a panel from which tribunals might be chosen for particular cases. Both the report and the draft statutes considered not only the method of establishing the court, but also questions relating to its competence, to the prosecution of individuals brought before it and to the law to be applied by it.

4. Multilateral Conventions

(a) NEW CONVENTIONS WHICH HAVE BEEN CONCLUDED UNDER THE AUSPICES OF THE UNITED NATIONS

The following conventions, protocols, agreements or other instruments of which the Secretary-General is the depositary, have been drawn up under the auspices of the United Nations since the publication of the last report:¹

* Protocol on the International Transport of Goods by Containers, done at Geneva on 11 March 1950, additional to the Draft Customs Convention on the International Transport of Goods by Road (entered into force on 11 March 1950);

Final Act of the United Nations Technical Assistance Conference, signed at Lake Success, New York, on 14 June 1950;

European Agreement supplementing the 1949 Convention on Road Traffic and the 1949 Protocol on Road Signs and Signals, signed at Geneva on 16 September 1950;

European Agreement on the application of article 23 of the 1949 Convention on Road Traffic concerning dimensions and weights of vehicles permitted to travel on certain roads of the Contracting Parties, signed at Geneva on 16 September 1950;

European Agreement on the application of article 3 of annex 7 of the 1949 Convention on Road Traffic concerning the dimensions and weights of vehicles permitted to travel on certain roads of the Contracting Parties, signed at Geneva on 16 September 1950;

Declaration on the Construction of Main International Traffic Arteries, signed at Geneva on 16 September 1950;

* Special Exchange Agreement between the Government of Haiti and the Contracting Parties to the General Agreement on Tariffs and Trade, signed at London on 20 October 1950 (entered into force on 23 February 1951);

* Special Exchange Agreement between the Government of Indonesia and the Contracting Parties to the General Agreement on Tariffs and Trade, signed at London on 20 October 1950 (entered into force on 25 February 1951);

Agreement on the Importation of Educational, Scientific and Cultural Materials, signed at Lake Success, New York, on 22 November 1950;

Fifth Protocol of Rectifications to the General Agreement on Tariffs and Trade, signed at Torquay on 16 December 1950;

¹ This list includes all agreements which have been deposited with the Secretary-General since 1 July 1950 but excludes other conventions, protocols and agreements which have been drawn up under the auspices of the specialized agencies and of which the Secretary-General is not the depositary.

* The agreements preceded by an asterisk have entered into force.

Final Act authenticating the results of Tariff Negotiations concluded at Torquay, beginning 28 September 1950 and ending 21 April 1951;

* Decision by the Contracting Parties agreeing to the Accession of the Republic of Austria to the General Agreement on Tariffs and Trade, opened for signature at Torquay on 21 April 1951 (became effective on 21 June 1951);

* Decision by the Contracting Parties agreeing to the accession of the Federal Republic of Germany to the General Agreement on Tariffs and Trade, opened for signature at Torquay on 21 April 1951 (became effective on 21 June 1951);

* Decision by the Contracting Parties agreeing to the Accession of the Republic of Korea to the General Agreement on Tariffs and Trade, opened for signature at Torquay on 21 April 1951 (became effective on 21 June 1951);

* Decision by the Contracting Parties agreeing to the Accession of Peru to the General Agreement on Tariffs and Trade, opened for signature at Torquay on 21 April 1951 (became effective on 21 June 1951);

* Decision by the Contracting Parties agreeing to the Accession of the Republic of the Philippines to the General Agreement on Tariffs and Trade, opened for signature at Torquay on 21 April 1951 (became effective on 21 June 1951);

* Decision by the Contracting Parties agreeing to the Accession of the Republic of Turkey to the General Agreement on Tariffs and Trade, opened for signature at Torquay on 21 April 1951 (became effective on 21 June 1951);

* Torquay Protocol to the General Agreement on Tariffs and Trade, done at Torquay on 21 April 1951;

* Declaration on the Continued Application of the Schedules to the General Agreement on Tariffs and Trade, done at Torquay on 21 April 1951.

(b) STATUS OF SIGNATURES, RATIFICATIONS AND ACCESSIONS; ENTRY INTO FORCE

The number of international agreements for which the Secretary-General exercises depositary functions has risen to eighty-nine.²

A total of 1,583 signatures have been affixed to these agreements, and 519 instruments of ratification, accession or notification have been transmitted to the Secretary-General. Thirty-three of the agreements have entered into force, fifteen of them since 1 July 1950. The fifteen instruments which have entered into force since the last report are those marked by an asterisk in the list in section (a) above, plus the following:

The Revised General Act for the Pacific Settlement of International Disputes, entered into force on 20 September 1950;

² This number does not include those agreements concluded under the auspices of the League of Nations for which the Secretary-General of the United Nations exercises depositary functions.

The amendments set out in the Annex to the Protocol amending the International Convention relating to Economic Statistics signed at Geneva on 14 December 1928. These amendments entered into force on 9 October 1950;

The Convention on the Prevention and Punishment of the Crime of Genocide, entered into force on 12 January 1951;

The amendments concerning the Arrangement of 18 May 1904 annexed to the Protocol amending the International Agreement for the Suppression of the White Slave Traffic signed at Paris on 18 May 1904, and the International Convention for the Suppression of the White Slave Traffic signed at Paris on 4 May 1910. These amendments entered into force on 21 June 1951.

(c) HANDBOOK OF FINAL CLAUSES IN MULTILATERAL CONVENTIONS

A "Handbook of final clauses in multilateral conventions" will shortly be issued; a subsequent edition will be printed in 1952. It is hoped that this Handbook, which has been prepared in the light of the long-felt need in the sphere of international treaty-making procedure for a readily accessible compilation of final clauses, will assist all those engaged in the negotiation and drafting of multilateral conventions.

The final clauses in the Handbook have been presented under eleven classifications according to their nature and purpose. The clauses have been taken from nearly all the multilateral conventions drawn up under the auspices of the United Nations or of the specialized agencies, from the constituent instruments of the specialized agencies themselves, and also from other multilateral conventions which have been drawn up since December 1944 but not concluded under the auspices of the United Nations or of the specialized agencies.

The Handbook contains a general introduction, an explanatory note to each type of clause classified, and also a comprehensive index.

(d) PRACTICE OF THE SECRETARY-GENERAL IN THE EXERCISE OF HIS DEPOSITARY FUNCTIONS

In a report on reservations to multilateral conventions, the Secretary-General placed before the fifth session of the General Assembly a statement of his practice with respect to reservations made by States in signing or becoming parties to multilateral conventions. The question had become of especial importance to him in his capacity as depositary of the Convention on the Prevention and Punishment of the Crime of Genocide.

Inasmuch as the views of governments differed on the requirement of consent to reservations and the method of obtaining consent, the General Assembly, by resolution 478 (V) of 16 November 1950, requested an advisory opinion of the International Court of Justice on specific questions which concerned the Convention on Genocide and, at the same time, invited the International Law Commission to study the broad question of reservations in the course of its work on the codification of the law of treaties.

In the meantime, the Secretary-General, as requested by that resolution, has continued, throughout the period

under review, to follow his prior practice with respect to reservations, but in such a manner as not to prejudice the position of States pending recommendations by the General Assembly at its sixth session. Accordingly, the Secretary-General has continued to receive such reservations as have been presented, without commitment as to their legal effect, and has solicited from each State already having ratified or acceded to the convention in question an expression of its attitude toward the reservation. At the same time, he has communicated the text of the reservation, without comment, to all other States Members of the United Nations or non-member States entitled to become parties to the convention. Meanwhile, the International Court of Justice has rendered its advisory opinion to the General Assembly on the questions referred to it concerning the Genocide Convention (see section 1 (b) (vi) above).

(e) REVISED GENERAL ACT FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES

Paragraph 3 of article 43 of the Revised General Act for the Pacific Settlement of International Disputes, as approved by the General Assembly on 28 April 1949, provides that:

"The Secretary-General of the United Nations shall draw up three lists, denominated respectively by the letters A, B and C, corresponding to the three forms of accession to the present Act provided for in article 38, in which shall be shown the accessions and additional declarations of the Contracting Parties. These lists, which shall be continually kept up-to-date, shall be published in the annual report presented to the General Assembly of the United Nations by the Secretary-General".

Pursuant to the provisions of this paragraph, the Secretary-General communicates the following information, already listed in his preceding annual report, no further accessions having been received by him in the twelve months under review:

Accessions

A. *All the provisions of the Act (chapters I, II, III and IV)*

Belgium23 December 1949

B. *Provisions relating to conciliation and judicial settlement (chapters I and II) together with the general provisions dealing with these procedures (chapter IV)*

Sweden22 June 1950

With the reservation provided in article 39, paragraph 2 (a) with the effect of excluding from the procedure described in the present Act disputes arising out of facts to the accession.

C. *Provisions relating to conciliation (chapter I) and the general provisions concerning that procedure (chapter IV)*

None.

5. Rules of procedure of United Nations organs and related questions

(i) *General Assembly*

The General Assembly, by resolution 362 (IV) of 22 October 1949 relating to methods and procedures, requested the Secretary-General to present at the fifth session a thorough legal analysis of the question of the majority required for the adoption by the Assembly in plenary meeting of amendments to proposals requiring a two-thirds majority for adoption by virtue of Article 18 of the Charter, and of the question of the majority required for the adoption of parts of such proposals when put to the vote separately.

The Secretary-General's report on the question was circulated to the Members of the United Nations on 11 September 1950. It contained a review of precedents in the General Assembly and an analysis of Article 18 and of other relevant Articles of the Charter, and concluded that the matter was essentially a procedural one on which the General Assembly was free to decide in its rules of procedure, with the sole limitation that the rules it might adopt should not produce results inconsistent with the principles and purposes of Article 18 of the Charter. With respect to the procedure of the Assembly, the Secretary-General's study analysed the existing rules relating to voting on amendments and parts of proposals and concluded, on the basis of the necessity of adopting an orderly procedure in plenary meetings and of the respective interests of the majority and minority of the delegations with regard to a given question (a) that the majority requirements for amendments to proposals relating to important questions should be the same as for parts of such proposals; and (b) that a two-thirds majority should be required for both amendments to and parts of proposals relating to important questions.

The question was placed on the agenda of the fifth session of the General Assembly and referred to the Sixth Committee for consideration. A number of representatives expressed their agreement with the Secretary-General's conclusions and a new rule of procedure — rule 84 (a) — providing for a two-thirds majority for decisions on amendments to proposals relating to important questions, and on parts of such proposals when put to the vote separately was recommended for adoption by the General Assembly. The latter, on 1 November 1950, decided, by 57 votes to none, with one abstention, to include the new text in its rules of procedure.

On 3 November 1950, the General Assembly adopted resolution 377 A (V) on "Uniting for peace", which provides in its annex for additions to rules 8, 9, 10, 16 and 19 and for a new rule to precede rule 65. These amendments relate to the convening of emergency special sessions and to the agenda and organization of such sessions (see chapter I, 18 (b)).

A new edition of the rules of procedure of the General Assembly incorporating the changes made during the fifth session is being published by the Secretary-General.

At the fourth session of the General Assembly, the Secretary-General was requested (resolution 362 (IV))

to carry out appropriate studies and to submit, at such times as he might consider appropriate, suitable proposals for the improvement of the methods and procedures of the General Assembly and its committees, including proposals to extend the use of mechanical and technical devices. Careful consideration is now being given to the experience gained during recent sessions and, at the appropriate time, new recommendations will be submitted to the Assembly.

(ii) *Security Council*

No changes have been made during the period under review in the rules of procedure of the Security Council. Its proceedings are still conducted on the basis of the provisional rules adopted at the Council's first meeting and subsequently amended.

(iii) *Economic and Social Council*

No changes have been made in the rules of the Economic and Social Council or of its functional commissions during the past year. By resolution 295 B (XI) of 16 August 1950, the Council provided for the appointment of an *ad hoc* committee which was instructed to undertake, in co-operation with the Secretary-General, a comprehensive review of the organization and operation of the Council and of its commissions and to submit a report and recommendations thereon to the Council at its thirteenth session. In a report dated 31 May 1951, the *Ad Hoc* Committee made certain important recommendations on the organization of the Council and of the functional commissions. It recommended, *inter alia*, that the Council should hold three instead of two regular sessions annually, and that these sessions should be more specialized as regards the questions to be considered; that some of the existing functional commissions should be discontinued and a more elastic system adopted for the establishment and the holding of sessions of the subsidiary organs of the Council. Should the recommendations of the *Ad Hoc* Committee be accepted by the Council, a revision of the Council's rules of procedure would become necessary.

(iv) *Trusteeship Council*

By resolution 442 (V) of 2 December 1950, the General Assembly approved the draft Trusteeship Agreement for the Territory of Somaliland under Italian administration. Article 5 of the Agreement provides for the designation by Italy of an accredited representative to be present at the sessions of the Trusteeship Council at which the reports of the Administering Authority or petitions relating to the Trust Territory are considered. Article 11 lays down the conditions under which the States members of the United Nations Advisory Council for the Trust Territory of Somaliland may be represented at the sessions of the Trusteeship Council.

During the eighth session of the Trusteeship Council, the conditions for the participation of Italy and of the States members of the Advisory Council in the work of the Trusteeship Council were examined in detail by its Committee on Rules of Procedure and, on the rec-

ommendation of the Committee, several supplementary rules were adopted by the Council.

The supplementary rules provide for the participation without vote of a representative of the Government of Italy in the deliberations of the Council relating specifically to the Trust Territory of Somaliland under Italian administration and to general questions relating to the operation of the International Trusteeship System. During the deliberations of the Council on these matters, the representative of Italy is authorized to propose draft resolutions and other motions or amendments on the same conditions as the other members of the Council. The Government of Italy may request the inclusion of items in the provisional agenda of a session of the Council if such items concern the Trust Territory of Somaliland or general questions relating to the operation of the International Trusteeship System. The Government of Italy will receive all notifications and documents which are transmitted to the other Administering Authorities which are members of the Council and may request that a special session of the Council be held.

The supplementary rules of procedure also provide for a notification, to the governments of States members of the Advisory Council which are not members of the Trusteeship Council, of the date and place of the sessions of the Council at which questions relating to Somaliland are to be considered and of the agenda of all Council sessions, as well as for the transmission to these governments of communications and petitions relating to the Trust Territory. The inclusion in the provisional agenda of the Council of such reports, memoranda or statements as may be submitted by the Advisory Council is also prescribed.

6. Privileges and immunities

(a) CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS

In its resolution 93 (I) of 11 December 1946, the General Assembly stated that it was essential for the efficient exercise of the functions of the Organization and the fulfilment of its purposes that the provisions of the Convention on the Privileges and Immunities of the United Nations should be brought into force in all Member States. In previous reports, the Secretary-General has drawn attention to the unsatisfactory state of accessions and now, five years after the approval of the Convention by the General Assembly, he feels obliged to note that the situation remains unsatisfactory. Since the last annual report was published, only one Member State has acceded to the Convention, namely, Turkey, which deposited its instrument of accession on 22 August 1950, subject to a number of reservations.

Therefore, at the present time the following thirty-eight Member States have deposited instruments of accession with the Secretary-General:

United Kingdom of Great Britain and Northern Ireland	17 September	1946
Dominican Republic	7 March	1947

Liberia	14 March	1947
Iran	8 May	1947
Honduras	16 May	1947
Panama	27 May	1947
Guatemala	7 July	1947
El Salvador	9 July	1947
Ethiopia	22 July	1947
Haiti	6 August	1947
France	18 August	1947
Norway	18 August	1947
Sweden	28 August	1947
Afghanistan	5 September	1947
Philippines	28 October	1947
Nicaragua	29 November	1947
New Zealand	10 December	1947
Greece	29 December	1947
Poland	8 January	1948
Canada	22 January	1948
Iceland	10 March	1948
Netherlands	19 April	1948
India	13 May	1948
Denmark	10 June	1948
Egypt	17 September	1948
Pakistan	22 September	1948
Belgium	25 September	1948
Chile	15 October	1948
Luxembourg	14 February	1949
Australia	2 March	1949
Lebanon	10 March	1949
Iraq	15 September	1949
Israel	21 September	1949
Costa Rica	26 October	1949
Brazil	15 December	1949
Bolivia	23 December	1949
Yugoslavia	30 June	1950
Turkey	22 August	1950

(b) CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES

In the last year's report it was stated that the Secretary-General had drawn the attention of the General Assembly, at its fourth session, to certain conflicting provisions in the International Telecommunication Union Convention of 1947 and in the Convention on the Privileges and Immunities of the Specialized Agencies. On 16 January 1951, ITU transmitted to the Secretary-General the final text of annex IX to the latter Convention. Except that the Union does not claim communications privileges under the Convention, this action now permits the application to that organization of the standard clauses without modification.

Only five instruments of accession to the Convention on the Privileges and Immunities of the Specialized Agencies have been deposited with the Secretary-General since the last report. They were received from Austria, Ecuador, Guatemala, the Hashemite Kingdom of Jordan and Luxembourg. A number of States already parties to the Convention have made notifications, under section 43 thereof, undertaking to apply its provisions to one or more additional specialized agencies.

At the present time, the following accessions and subsequent notifications, under section 43 of the Convention, have been received by the Secretary-General:

<i>State</i>	<i>Date of deposit of instrument of accession or receipt of subsequent notifications</i>	<i>Specialized agencies in respect of which States undertake to apply the provisions of the Convention</i>
<i>Netherlands</i>		
Accession	2 December 1948	International Civil Aviation Organization World Health Organization
Notification	2 December 1948	International Labour Organisation
Notification	21 July 1949	Food and Agriculture Organization United Nations Educational, Scientific and Cultural Organization International Monetary Fund International Bank for Reconstruction and Development International Refugee Organization
Notification	15 February 1951	Revised text of annex VII—World Health Organization
Notification	15 June 1951	International Telecommunication Union
<i>India</i>		
Accession	10 February 1949	World Health Organization International Civil Aviation Organization International Labour Organisation Food and Agriculture Organization United Nations Educational, Scientific and Cultural Organization
Notification	19 October 1949	International Monetary Fund International Bank for Reconstruction and Development Universal Postal Union
<i>United Kingdom of Great Britain and Northern Ireland</i>		
Accession	16 August 1949	World Health Organization International Civil Aviation Organization International Labour Organisation Food and Agriculture Organization United Nations Educational, Scientific and Cultural Organization International Refugee Organization

<i>State</i>	<i>Date of deposit of instrument of accession or receipt of subsequent notifications</i>	<i>Specialized agencies in respect of which States undertake to apply the provisions of the Convention</i>
<i>Denmark</i>		
Accession	25 January 1950	International Labour Organisation Food and Agriculture Organization United Nations Educational, Scientific and Cultural Organization International Civil Aviation Organization International Monetary Fund International Bank for Reconstruction and Development World Health Organization Universal Postal Union
Notification	5 April 1950	International Refugee Organization
Notification	22 May 1951	Revised text of annex VII—World Health Organization
<i>Norway</i>		
Accession	25 January 1950	World Health Organization International Labour Organisation Food and Agriculture Organization United Nations Educational, Scientific and Cultural Organization International Civil Aviation Organization International Refugee Organization International Monetary Fund Universal Postal Union International Bank for Reconstruction and Development
Notification	14 September 1950	Revised text of annex VII—World Health Organization
<i>Philippines</i>		
Accession	20 March 1950	World Health Organization Food and Agriculture Organization United Nations Educational, Scientific and Cultural Organization International Civil Aviation Organization International Bank for Reconstruction and Development International Monetary Fund International Labour Organisation
<i>Austria</i>		
Accession	21 July 1950	International Labour Organisation Food and Agriculture Organization International Civil Aviation Organization United Nations Educational, Scientific and Cultural Organization World Health Organization International Monetary Fund International Bank for Reconstruction and Development Universal Postal Union International Refugee Organization
Notification	28 March 1951	International Telecommunication Union
<i>Luxembourg</i>		
Accession	20 September 1950	International Labour Organisation Food and Agriculture Organization International Civil Aviation Organization United Nations Educational, Scientific and Cultural Organization World Health Organization (Revised annex VII) International Monetary Fund International Bank for Reconstruction and Development Universal Postal Union International Refugee Organization
Notification	27 March 1951	International Telecommunication Union
<i>Hashemite Kingdom of Jordan</i>		
Accession	12 December 1950	Universal Postal Union Food and Agriculture Organization United Nations Educational, Scientific and Cultural Organization International Civil Aviation Organization World Health Organization (Revised annex VII)

State	Date of deposit of instrument of accession or receipt of subsequent notifications		Specialised agencies in respect of which States undertake to apply the provisions of the Convention
Notification	24 March	1951	International Telecommunication Union
<i>Ecuador</i>			
Accession	8 June	1951	International Labour Organisation
<i>Guatemala</i>			
Accession	30 June	1951	International Labour Organisation Food and Agriculture Organization International Civil Aviation Organization United Nations Educational, Scientific and Cultural Organization World Health Organization (Revised annex VII) International Monetary Fund International Bank for Reconstruction and Development Universal Postal Union International Refugee Organization International Telecommunication Union

(c) LAISSEZ-PASSER

The Secretary-General, in his last report, referred to an administrative arrangement which had been drawn up between himself and the Director-General of the International Labour Office to enable the latter, in conformity with section 26 of the Convention on the Privileges and Immunities of the Specialized Agencies, to issue *laissez-passer*. This administrative arrangement, having already been signed by the Secretary-General on 7 June 1950, entered into force on 26 July 1950, the date upon which it was signed by the Director-General of the Office.

The Secretary-General has also concluded administrative arrangements with all the other specialized agencies to enable the latter to use the United Nations *laissez-passer* pursuant to the authority conferred on them by the various Agreements between the United Nations and the specialized agencies. The arrangements with the Universal Postal Union are on a permanent basis. Those with the World Health Organization are also on a permanent basis, subject to the right of termination, with six months' notice, by either party. The arrangements with the United Nations Educational, Scientific and Cultural Organization, the International Telecommunication Union, the International Monetary Fund and the International Bank for Reconstruction and Development are all being placed upon a similar basis.

At the present time, the arrangements with the Food and Agriculture Organization, the International Civil Aviation Organization and the International Refugee Organization are continuing on an annual renewal basis. The Secretary-General hopes, however, that the specialized agencies desiring to do so will agree to the permanent extension of the arrangements along the lines of those referred to above.

The Registrar of the International Court of Justice, by a letter of 17 June 1950, informed the Secretary-General that the Court had issued *laissez-passer* to the Judges and to the Registrar and other officials of the Court, as envisaged in paragraph 6 of General Assembly resolution 90 (I) of 11 December 1946, which recommended that Member States of the United Nations should recognize and accept such *laissez-passer*.

The *laissez-passer* issued by the International Court of Justice are of a type similar to those issued by the United Nations. The members of the Court, the Registrar, and the Deputy Registrar receive red "diplomatic" *laissez-passer*, and the other officials of the Court receive blue *laissez-passer*.

(d) SPECIAL AGREEMENTS RELATING TO PRIVILEGES AND IMMUNITIES

During the period covered by the present report, various agreements and arrangements have been concluded relating to the privileges and immunities to be enjoyed by the United Nations, its organs, representatives of Member States and officials of the United Nations, with respect to the functions to be exercised by United Nations conferences, commissions and missions in the territories of Member and non-member States. The following may be said to be of particular interest and importance.

On 2 November 1950, the Secretary-General concluded with Italy, by means of exchanges of letters, an agreement relating to the privileges and immunities to be enjoyed by the United Nations and the secretariat staff of the Advisory Council in Somaliland.

On 30 January 1951, the Secretary-General concluded an agreement with Chile with regard to the holding of the twelfth session of the Economic and Social Council in Santiago.

The Secretary-General also concluded an agreement with Mexico, effective 20 May 1951, with regard to the holding of the fourth session of the Economic Commission for Latin America in Mexico City.

The United Nations Relief and Works Agency for Palestine Refugees in the Near East concluded with Egypt on 12 September 1950 an agreement relating to the privileges and immunities to be enjoyed by the Agency and its staff in that country.

An agreement is in the process of being concluded with the Government of Thailand on the privileges and immunities to be enjoyed in Thailand by the United

Nations and the secretariat staff of the Economic Commission for Asia and the Far East.

7. Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations

Section 8 of the Headquarters Agreement between the United Nations and the United States of America, in establishing the laws applicable and the competent authority in the Headquarters District, specifies that the United Nations shall have the power to make regulations, operative within the Headquarters District, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. Bearing in mind these provisions, the General Assembly, by resolution 481 (V) of 12 December 1950, requested the Secretary-General to present to it any necessary draft regulation, but at the same time gave him authority to make regulations if it should in his opinion prove necessary to give them immediate effect.

The Secretary-General has on one occasion had recourse to this authority, having, on 26 February 1951, promulgated Headquarters Regulation No. 1 entitled "United Nations Social Security System". Issued for the purpose of establishing conditions necessary for the full execution of the functions of the United Nations in the field of social security for staff, the regulation is a technical one designed to avoid overlapping with local law in this field. Its effect is to make the United Nations social security system, which protects against all reasonable risks connected with service with the United Nations, the only one under which persons in that service can claim against the Organization. The Secretary-General will submit to the General Assembly at its sixth session a report on this action.

On 28 March 1951, a Postal Agreement between the United States of America and the United Nations was signed. This supplemental agreement, establishing a postal service and a United Nations Post Office Station in the Headquarters District, was provided for by section 6 of the Headquarters Agreement and authorized by General Assembly resolution 454(V) of 16 November 1950. It is to take effect on a date to be agreed upon by the United Nations and the United States Post Office Department.

On 28 October 1950, the Economic and Social Council adopted resolution 340 A (XI) noting the difficulties encountered in the admission to the United States of America of a representative of the World Federation of Trade Unions, a non-governmental organization enjoying consultative status in category A, which had desired to have a person in attendance at the fifth session of the General Assembly. The Council accordingly requested the Secretary-General to present a legal opinion on these difficulties, in relation especially to paragraph 4 of section 11 of the Headquarters Agreement, which accords the right of transit to the Headquarters District to representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter. In his memorandum to the Council, the Sec-

retary-General expressed the opinion that attendance of the type in question was included within the consultative functions already defined by the Council. Taking note of this memorandum, the Council, by resolution 340 B (XI) adopted on 14 November 1950, requested the Secretary-General to submit a report to the Council at its next session, after further negotiations with the United States Government.

In January 1951, representatives of the Secretary-General and of the United States of America formally conferred on the problem of the interpretation to be given to the Headquarters Agreement in this matter but, in view of the continued divergence of the two positions taken, the Secretary-General reported to the Council the stand of each party, with the suggestion that it might wish to consider a possible clarification of the problem under the authority conferred on it by Article 71 of the Charter. The question was carried forward to the agenda of the thirteenth session of the Council.

8. Registration and publication of treaties and international agreements

During the period 1 July 1950 to 30 June 1951, a total of 625 treaties and international agreements were registered or filed and recorded. Of that number 549 were registered or filed and recorded by twenty-one governments, 34 by three specialized agencies and 42 *ex officio* by the Secretariat. The figures for the corresponding period of last year were: 295 treaties registered or filed and recorded by twenty-two governments, 120 by four specialized agencies and 64 *ex officio*. It will thus be seen that the steady increase, to which attention has been drawn in previous years, in the number of treaties and international agreements registered or filed and recorded has continued since the date of the last report.

During the period covered by the present report, twenty-two volumes of the *Treaty Series* have been published, bringing the total number published to date to fifty-five volumes. In addition, twenty volumes and Index No. 2 are now in the process of being printed.

The General Assembly, by resolution 482 (V) of 12 December 1950, requested the Secretary-General regularly to review the free mailing list of the *Treaty Series* with a view to its possible reduction. Since that date the mailing list has been re-examined and measures have been begun for reducing free distribution.

9. Reparation for injuries suffered in the service of the United Nations

During the year under review, the Secretary-General, under the authority of General Assembly resolution 365 (IV) of 1 December 1949, has taken several steps in connexion with the presentation of international reparation claims against governments alleged to have been responsible for the injury or death of United Nations agents in Palestine.

Claim for the death of Mr. Ole Helge Bakke

Mr. Bakke, a United Nations guard of Norwegian nationality who was serving with the Mediator's staff in Palestine, was killed on 13 July 1948, in territory under the control of the Government of the Hashemite Kingdom of Jordan, by members of the Jordan armed forces. Before presenting a claim for reparation the Secretary-General obtained assurance from the Governments of Norway and of the United States of America, the countries of nationality of the victim and of his widow respectively, that neither of the two Governments intended to bring a separate claim in connexion with Mr. Bakke's death. Similar assurances were obtained from the victim's widow and from the daughter of a first marriage. On the other hand, the Norwegian Government transmitted to the Secretary-General a request from the mother of the deceased to present on her behalf a claim for loss of contribution in the amount of 22,000 Norwegian kroner.

On 25 May 1951, the Secretary-General addressed a letter to the Minister for Foreign Affairs of the Hashemite Kingdom of Jordan requesting a formal apology to the United Nations, a report on the measures taken in connexion with the incident, and the payment of the sum of \$US 36,803.76 as reparation for the monetary damage suffered by the Organization, and of the sum of 22,000 Norwegian kroner (or \$US 3,080) for the damage suffered by Mr. Bakke's mother.

The United Nations claim was based upon the following elements of responsibility: violation of the Agreement of 7 July 1948 regarding the demilitarization of Mount Scopus; violation of obligations owed by Jordan to the United Nations to facilitate the carrying out of the Mediator's mandate, and to furnish adequate protection to the Mediator and his staff; and failure to take the necessary measures to bring the culprits to justice.

Injuries to and death of French military observers

With respect to the death of Commandant René de Labarrière, Lt. Colonel Joseph Quéru, Captain Pierre Jeannel and Colonel André Sérot, and the injuries to Captain Etienne de Canchy, United Nations military observers from France, the Secretary-General, on 31 July 1950, addressed a letter to the French Government in which it was stated that the United Nations would include in its claims against the responsible governments a demand for reparation for damage to the victims if a request to this effect were made by the claimants through the French Government. The Secretary-General indicated also the principles, based upon international law, which would be applicable with respect to the determination of the damage, and requested assurance from the French Government that it had no intention of presenting separate claims in this connexion.

On receipt of a reply from the French Government, the Secretary-General is prepared to initiate negotiations with the governments held responsible with respect to these incidents.

Death of Mr. Thomas C. Wasson

In the light of the information available to the United Nations, and of the reports submitted to the Secretary-General by the Government of the United States of America, the Secretary-General has decided that, unless new evidence is obtained, sufficient elements are not available to fix the responsibility for the death of Mr. Wasson, a United States national, who was killed by a sniper's bullet in Jerusalem on 23 May 1948 while serving as a member of the United Nations Truce Commission for Palestine. Accordingly, no claim has been brought in connexion with this incident.

10. Proceedings in national courts

No reference has been made in previous annual reports of the Secretary-General to the legal proceedings instituted by the United Nations in national courts. Since, however, during the year under review this type of activity has increased and the capacity of the United Nations to sue has been the subject of judicial decisions, a separate item is herewith devoted to this subject.

The capacity of the United Nations to institute legal proceedings is governed by Article 104 of the Charter and by article I of the Convention on the Privileges and Immunities of the United Nations. With respect to the United States of America, which has not yet acceded to the Convention, the International Organizations Immunities Act of 1945 provides that international organizations, including the United Nations, shall possess the capacity to institute legal proceedings.

Under this authority the United Nations has brought a number of legal actions of a private law character in the courts of several countries. Some of these actions were brought by the United Nations on its own behalf, others on behalf of the United Nations International Children's Emergency Fund or the United Nations Relief and Works Agency for Palestine Refugees in the Near East. For instance, the United Nations undertook to take the necessary steps for the collection of certain maritime and other claims assigned by the United Nations Relief and Rehabilitation Administration (UNRRA) to the United Nations for the benefit of UNICEF. In the prosecution of these claims the United Nations brought legal actions in the courts of several countries including the United States of America, Canada and the United Kingdom. Other types of action included the legal proceedings instituted by the United Nations in New York courts in connexion with traffic accidents involving United Nations vehicles, a petition brought in a California court in connexion with the distribution of an estate, and an action instituted in France by the United Nations on behalf of UNICEF and UNRWAPRNE in connexion with the substitution of blankets purchased by UNICEF as agent for UNRWAPRNE.

In addition to the foregoing actions, during the year under review there have been two cases in which the capacity of the United Nations to institute legal proceedings in the courts of the United States of America was challenged. In both cases the position taken by the United Nations was upheld by the tribunal.

The first action was brought in a United States District Court by the United Nations on behalf of UNICEF in connexion with shortage in and damage to a UNICEF cargo. The Court overruled the respondents' exceptions which would have considerably limited the legal capacity of the United Nations to sue in United States courts, and held that a liberal interpretation of the International Organizations Immunities Act was in harmony with its purpose, and that the Act did not limit the kind or type of legal proceedings that might be instituted by the United Nations.³

The other decision was handed down by a United States Circuit Court of Appeals⁴ in an appeal by the International Refugee Organization against a lower court decision (*IRO v. Republic Steamship Corpora-*

tion, 92 Federal Supplement 674) which had denied to IRO the right to sue an alien in a federal court on a contractual matter. The higher court reversed the District Court's decision and held that international organizations have the right to institute legal proceedings in the federal courts by virtue of the International Organizations Immunities Act. Since any judicial decision involving IRO would apply to the United Nations as well, the United Nations submitted a brief *amicus curiae* both in the District Court and the Court of Appeals in support of IRO's position.

³ Balfour, Guthrie & Co. *et al.* v. United States *et al.* 90 Federal Supplement 831. N. D. California, S. D. 5 May 1950.

⁴ U. S. Federal Circuit Court of Appeals, 4th Circuit, 11 May 1951.

Chapter V

DEVELOPMENT OF PUBLIC UNDERSTANDING

(a) GENERAL CONSIDERATIONS

Events in Korea and their influence upon the work of the United Nations have had the effect of bringing the Organization into the forefront of public attention. Never, perhaps, since its establishment has the United Nations, its operations, decisions and activities aroused such keen and widespread public interest, as manifested, for example, in the speeches of statesmen, in parliamentary discussions, and in newspaper and magazine articles.

Public opinion in the great majority of the Member States approved the Security Council's intervention in regard to Korea and, later, that of the General Assembly. The Council's action was regarded as proof of the will to resist aggression; the Assembly's resolutions were considered to be the expression of the will to establish a system of collective security and, in the case of the Chinese intervention, to repel aggression. The Assembly's resolutions and the Council's action were interpreted as strengthening the authority and prestige of the United Nations in a manner likely to safeguard the freedom and independence of nations.

It is the general view that, by performing its duty in accordance with the Charter, the United Nations has emerged with added stature from the test it had to face in 1950, and that world peace has thereby been strengthened. In the United States of America, Europe and Latin America, it has been emphasized that, although the United Nations has had to resort to force, it has not rejected all idea of negotiation and that, by refusing to place a "premium on aggression" it has helped to reinforce the basic principles of the Charter and, thus, the very existence of the United Nations as an international organization for the maintenance of peace. It should, however, be noted that a section of the American public has complained that the United States has had to shoulder a disproportionate burden in the application of collective security in Korea and that, following upon the Chinese intervention there, a number of Member States have in some cases been unwilling and in many cases hesitant to resort to enforcement measures. The result has been a certain impatience with the United Nations in some quarters in the United States. Similarly, though for different reasons, a section of the West European public has criticized the United Nations action in Korea and, more particularly, the attitude and measures adopted with regard to the Peiping Govern-

ment. Nevertheless, it remains true that on the whole the United Nations action in Korea has been regarded by the majority of people in most of the Member States as being both necessary and useful and as marking a turning point in the Organization's history.

Nevertheless, this view is not universal. In the Union of Soviet Socialist Republics, for example, and in the People's Democracies of Central Europe and the Far East, the prevailing view is that the United States, and not North Korea, has been guilty of aggression, by intervening arbitrarily in a civil war; that the United Nations has made itself the instrument of American policy; that the decisions adopted by the Security Council are illegal; and that the Assembly's resolutions in certain respects constitute a disguised revision of the Charter. This view was expressed with particular emphasis in the above-mentioned countries after the interview given to a Moscow newspaper by the Prime Minister of the USSR in February 1951. It has also been supported by the World Peace Council, an organization which, as a result of the Stockholm Peace Congress, was set up at Warsaw in 1950 and finally established at Berlin in February 1951. The World Peace Council, which claims to be more representative than the United Nations in that it includes delegates from States not Members of the United Nations, condemns the Organization's intervention in Korea and maintains that it, the Council, is the true defender of the principles of the Charter.

In a third group of Member States, principally in Asia and the Middle East, public opinion, while expressing sympathy for resistance to aggression and the strengthening of collective security, has mainly emphasized that it is the duty of the United Nations, before resorting to force, to make full use of the machinery contained in the Charter for the peaceful settlement of disputes. This view has been chiefly expressed with regard to the Chinese intervention in Korea, the representation of the Peiping Government in the United Nations, and the question of Formosa.

Thus, throughout the world, public opinion is not uniform in its judgment of the United Nations, its operations and activities. It could not be otherwise, since opinion, like the world itself, is divided by clashing interests and conflicting doctrines and the United

Nations itself is a mirror in which these clashes and conflicts are reflected.

Hostilities in Korea and Far Eastern political questions, as already stated, have been the chief preoccupation throughout the year. However, to consider only the statements and comments made on those questions would give but an imperfect idea of the development in the public attitude toward the United Nations. The correspondence which has passed between the Organization's information centres in various regions and Headquarters provides evidence of increased curiosity with regard to the United Nations, in all countries and in all classes of society.

The extent of this curiosity should not be measured solely by the number of reports and articles which have appeared in the Press of the various countries, although that number is considerable. It may also be measured by the increase, which is reported with satisfaction by the information centres, in the number of visitors taking advantage of their documentation services, and in the number of requests for information of all kinds which they receive from government departments as well as from associations and private individuals.

The session which the Economic and Social Council held this year at Santiago de Chile and the Secretary-General's visits to Latin America, Europe and the Middle East have made it possible to obtain precise data on the state of opinion in these regions. In Chile, as in Peru and Ecuador, in Yugoslavia, as in Greece and Turkey, in Lebanon, Syria, Israel and Egypt, the Secretary-General was able to observe the importance attached to the United Nations by public opinion in those countries, the interest which their governments take in the Organization's work and the satisfaction which they feel at the progress achieved in the field of collective security.

It is natural that each country should have its own particular problems, for the solution of which it can have recourse, if it so desires, to one or another of the organs of the United Nations. But of all the United Nations activities, that on which the highest hopes are placed by all countries, whether in Latin America, the Middle East or Asia, is the technical assistance programme as envisaged in its expanded form by the General Assembly in 1949. The initiation of this programme, in the form of study and travel fellowships, missions of experts, the establishment of projects for economic and social progress, has created a very favourable impression. It is true that criticisms are still heard. Thus, the technical assistance programme is sometimes accused of being limited in character and slow in application; it is also alleged that the bilateral agreements on technical assistance constitute interference; above all, it is regretted that more rapid progress is not being made in the financing of the programme. It is none the less true that, thanks to technical assistance, international co-operation has begun to appear in the eyes of the public in a concrete form. No other activity of the United Nations has contributed so much to stimulating knowledge and understanding of the Organization. This has been one of the most important developments of the year in the evolution of public opinion as regards the United Nations.

It is not surprising that, in a period when the principles of the Charter and their application, the functioning and even the existence of the United Nations have been at stake, the division of opinion between East and West should have been particularly marked. As against this, it is significant that opposition to the United Nations and scepticism regarding its effectiveness should have become less widespread and have been expressed with less vigour. Thus, in circles where the United Nations is accused of having failed in its task, or of not having acted impartially, there is still belief in the utility of international co-operation based on the principles of the Charter. Those who think, on the contrary, that the United Nations, by repelling aggression, has successfully carried out its duty and has therefore added to its strength and its authority, attach no less importance to the pacific settlement of disputes and the progress of international co-operation.

So it appears that throughout the world, a body of opinion is being formed which believes that the United Nations is a meeting-place for the free expression of ideas and opinions, and may provide a ground for agreement. To those who hold this view, the United Nations appears an indispensable institution; it remains the only hope, and opens up the only path which can lead to peace and to economic and social progress. If the conflicts which are turning the world into an armed camp and threatening its ruin can be settled, it will be through the spirit of the United Nations manifested within the framework of the Charter and according to its principles.

(b) OPERATION AND ACTIVITIES OF THE DEPARTMENT OF PUBLIC INFORMATION

Resolution 13 (I) adopted by the General Assembly on 13 February 1946 states ". . . that the United Nations cannot achieve the purposes for which it has been created unless the peoples of the world are fully informed of its aims and activities". The Department of Public Information of the Secretariat was set up for this very purpose.

The organization of the Department is well known from previous reports and in the past year it has not been substantially changed. It may, however, be noted that the External Services section has been made responsible for co-ordination of the activities of information officers assigned to missions.

Efforts during the period under review have been concentrated principally on the development and expansion of those services, such as "United Nations Radio", which are best suited to ensure the widest dissemination of information, and on the regional services and the information centres, which perform the function of adapting general information to the needs and tastes of the various areas of the world.

Through the Radio Division and the information centres, which are supplied with material by the Information Centres Desk and the regional services, the Department seeks to achieve a dual aim. In the first place, it seeks to supplement the representation at Headquarters of the Press of Europe, Latin America, the Near East and Asia. Secondly, it endeavours to vary the presentation of material in accordance with the information received from the various regional centres. To

this end it utilizes to the full the wide linguistic knowledge of its officers, who together are able to work in more than thirty languages. In short, the Department aims at the ideal of universality and diversity commensurate with its resources.

Two general comments are essential in connexion with the activities of the Department. First, the number of subsidiary bodies of the United Nations is constantly increasing, with a resultant expansion in the work, in particular, of the Press and Publications Bureau and of the Radio Division which, together, must provide publicity for the various organs. In the political and security field alone, several additional bodies and missions have been set up as a consequence of decisions adopted by the General Assembly at its fifth session, for example, the Committee of Twelve (established under General Assembly resolution 496 (V)), the Collective Measures Committee, the Peace Observation Commission, the Additional Measures Committee and the Commissioner for Eritrea.

Secondly, requests for information and documents are constantly increasing, both at the permanent Headquarters and elsewhere. The move of the Secretariat to Manhattan in the first part of 1951 has resulted in a growing number of requests for information and documents from American and foreign journalists, writers and lecturers, who previously came to Lake Success only occasionally but who are now increasingly attracted by the presence of the Organization in New York.

All the information centres—both those in London and Paris, where there are numerous Press agencies, newspapers and periodicals as well as, for example, those in Mexico or Teheran, which have fewer sources of information—constantly request information material of all kinds, and to such an extent that, in order to satisfy the demand as far as possible, the Department has established priorities in an endeavour to satisfy each region's most urgent needs. During his recent trips to Latin America, Europe and the Near East, the Secretary-General himself noted the keen interest being taken in the activities of the United Nations in various fields and the increasing desire on the part of journalists and teachers, students and specialists in various fields, for abundant and varied information.

(i) *Press*

Over 2,000 meetings were held at Headquarters during the year under review. In connexion with those meetings, the Central Information and Press Services published almost 3,500 Press releases of varying lengths. These releases are made available to journalists, who are thus supplied with objective information material and are kept informed of the work of Commissions or other bodies which they themselves cannot cover. The releases are also distributed to delegations. In addition, it may be noted that thirty-five delegations, agencies or newspapers regularly receive the Bureau's Press releases by teletype.

At the beginning of 1951, over 500 correspondents from thirty-seven countries, representing 200 newspapers and agencies, were accredited to the United Nations. A little over half the accredited correspondents serve United States agencies and papers. Never-

theless, it is estimated that more than 10,000 newspapers throughout the world receive information about the United Nations and that over 100,000 words of copy are telegraphed each day.

Apart from Press correspondents, there are more than 100 reporters, photographers, cameramen and radio correspondents from twelve countries, representing twenty radio stations and networks.

The Press releases prepared by the Central Information and Press Services are transmitted to the regional services, the Press and Publications Bureau, the Radio Division and the Films and Visual Information Division, which must adapt them for their own purposes. In addition, the releases are being used increasingly as a basis for the preparation of articles for technical, commercial or other magazines and publications.

Among the functions of the Central Services, reference must be made to oral coverage given through personal liaison between Bureau officials and journalists or through more formal Press conferences.

Moreover, the Central Services reproduce, in English and French and, during the Assembly sessions, in Spanish, statements made at meetings by delegation representatives.

The Information Centres Desk has given particular attention to the development of two innovations introduced at the beginning of 1950 and which experience has shown to be useful and efficient. These are the "Daily Report" and the "Weekly Morse Transmission", both of which are sent to all information centres and missions, the first by air mail and the second by radio-telegraphy.

The "Daily Report" is prepared and drafted in a form in which it can be used by the centres; it serves as a means of keeping missions (both the representatives of Member States and Secretariat officials) informed on all important aspects of United Nations activities, and represents an essential working aid as well as a valuable means of disseminating news. It contains extracts from the daily Press releases, speeches or newspaper articles; it also contains analyses of documents and articles and similar material.

The French, Spanish and Arabic sections of the Central Services adapt information notes, agenda analyses and resumé of the work of various United Nations organs to meet the needs of the regions they serve. In addition, the Information Centres Desk prepares for the benefit of centres, missions and non-governmental organizations a "Guide to Documentation" containing a classification and analysis of United Nations documents relating to the work of the General Assembly, the Security Council, the Trusteeship Council and other bodies.

The "Weekly Summary", which is drawn up in English, French and Spanish, is transmitted by radio-telegraph to all United Nations centres and missions. It gives in concise form a full review of United Nations activities throughout the week. It is reproduced by hundreds of newspapers and radio stations in Argentina, Australia, Belgium, Brazil, Chile, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, Egypt, France, Greece, Guatemala, Honduras, India, Iran, Israel, Japan,

Jordan, Korea, Lebanon, Liberia, Mexico, Norway, Pakistan, the Philippines, Poland, Sweden, Syria, Turkey, the United Kingdom and Uruguay. Mimeographed copies are distributed to 500 newspapers and non-governmental organizations in the United States of America and Canada.

(ii) Publications

Publications may be divided into two categories, one comprising periodicals and the other comprising brochures or more or less permanent publications.

The *United Nations Bulletin* is the most important publication in the first category; it appears twice monthly in English, French and Spanish (a Russian edition is in preparation). The *Bulletin* gives an objective and as comprehensive an account as possible of the work of the various organs of the United Nations; it contains, further, articles written and signed by representatives of Member States (for example the Chairmen, Vice-Chairmen, or rapporteurs of different bodies), which are reproduced by many journals in various countries. It is an essential source of information for the informed public. In the course of the past year, the Press and Publications Bureau has increased the volume of reprints from the *Bulletin*, thus bringing to a wider public, at a reasonable cost and in convenient form and size, articles of more than immediate interest.

The *United Nations News Features* and the *United Nations Reporter* also fall into the periodicals category. The *News Features*, which appears weekly except for monthly editions in Portuguese and Turkish, contains on one sheet short articles, together with illustrations, on the work of the United Nations and the specialized agencies. This publication is distributed on request to newspapers throughout the world. Over 9,000 publications receive this service. Editions in the three Scandinavian languages, prepared by the Copenhagen Information Centre, have now been added to the English, French, Portuguese, Spanish and Turkish editions produced at Headquarters.

The *United Nations Reporter* is a monthly publication, consisting of eight pages of articles and illustrations. It is intended particularly for non-governmental organizations, educational establishments, study groups, etc. It was first issued in English but now appears also in Dutch and Scandinavian editions. All these editions are produced at the expense of private associations, as a result of agreements between the associations and the Secretariat, which provides the copy. It is hoped that similar agreements will be concluded for French, Spanish and other language editions.

As in previous years, the same service which issues the *News Features* and the *United Nations Reporter* has also published several illustrated lay-outs in twenty-three different languages.

The *Yearbook of the United Nations* and *Everyman's United Nations* also belong to the category of periodical publications. The former is a kind of encyclopaedia of the United Nations. In the 1948-49 edition, published in December 1950, a new system was adopted, separate chapters being devoted to the functions and organization of the United Nations and to its substantive work.

Everyman's United Nations is also a kind of yearbook, in shorter form and more popular style. The second edition in English was issued in September 1950; the third will appear early in 1952. The first edition in French will be published in October 1951.

The second group of publications consists of brochures and folders, both series being duly kept up to date. Among the booklets issued in the course of the year on the work of the United Nations in various spheres, attention may be called to the following: *Uniting for Peace, Indonesia, United Nations Work and Programmes for Technical Assistance, World Facts and Figures and United Action in Korea*. Most of these publications are issued in English, French and Spanish, several appear in Chinese and Russian and other languages.

It may be added that the Press and Publications Bureau has helped in the preparation of, or has sponsored publications issued by publishing houses or institutions, such as "Peace on earth", a symposium of twelve studies on various organs and activities of the United Nations by outstanding United Nations personalities; "What you will see at the United Nations", a popular illustrated guide; "United Nations action on Korea", which will be published this autumn; and studies on United Nations questions issued by the Carnegie Endowment, the Rockefeller Foundation and the Woodrow Wilson Foundation.

The Research Section of the Bureau has collaborated in the preparation of articles for yearbooks, encyclopaedias and other publications issued by publishing houses or individuals. The Section has also continued to produce historical or analytical reference papers — now exceeding sixty in number — on the constitution, organization and functioning of various United Nations bodies.

In the folder series, that entitled *The United Nations — What it is, What it does and How it works* may be mentioned. There is also a folder on each of the specialized agencies, produced in collaboration with these bodies. The Press and Publications Bureau, in conformity with a General Assembly resolution, has taken special pains to publicize the Universal Declaration of Human Rights. The text of the Declaration is now available in thirty-seven languages and more than two million copies have been distributed. A comprehensive survey of international action in the field of human rights, up to the time of adoption of the Declaration, has been given in a brochure entitled *These Rights and Freedoms*.

(iii) Sales and distribution

The progress noted last year in respect both of sales and control of free distribution of information material has continued.

By the end of 1950, the number of sales agencies for United Nations publications, which in 1949 had been 49, distributed over 46 countries, had risen to 54, distributed over 51 countries. In the same period, sales which had amounted to \$165,000 in 1949 rose in 1950 to almost \$185,000. This advance has been due in no small measure both to the preparation of new catalogues

in English and French and a first catalogue in Spanish, and to the sending out of prospectuses and "notes to reviewers".

The free distribution of information material has been co-ordinated and strictly controlled through the establishment of a central index of all distribution lists.

(iv) *Radio*

Considerable progress has been made by the "United Nations Radio" in the last year, and it may be said that its programmes are now heard in all parts of the world. The national stations of forty Member States re-broadcast United Nations programmes daily, either by direct relay or, where technical difficulties interfere, by the use of recordings which are sent by airmail.

Thus, two of the main characteristics of the work of the Radio Division during the year have been, on the one hand, closer co-operation with the various national broadcasting stations, both directly and through correspondents of national broadcasting systems who are accredited to the United Nations and who are given all working facilities and, on the other hand, the increasing use of recorded programmes for countries whose own information resources are limited. A third feature of the radio work is the greater stress that has been laid on news properly so-called.

At the beginning of 1951, the "United Nations Radio" was broadcasting programmes in the five official languages of the United Nations, Chinese, English, French, Russian and Spanish, and also in Burmese, Dutch, Danish, Arabic, Icelandic, Greek, Turkish, Serbo-Croat, Polish, Amharic, Persian, Pushtu, Hebrew, Portuguese, Hindi, Thai, Indonesian-Malay, Tagalog, Urdu and Korean.

The broadcasts include news bulletins, interviews and statements by delegates, experts and journalists, commentaries and special features. All the programmes are concerned with the debates and reports of the various organs of the United Nations: the General Assembly, the Security Council, the Trusteeship Council, the Economic and Social Council, commissions and committees and with the activities of the specialized agencies.

In order to meet an increasing demand for information on United Nations activities, the Radio Division broadcast a news bulletin throughout the year, at least once a day, to all areas. During the fifth session of the General Assembly, the morning and afternoon debates of Main Committees were broadcast in English and French to Europe and the Middle East, in Russian to the Union of Soviet Socialist Republics, in Chinese to China and in Spanish to Latin-America: during the debates on the former Italian colonies, a daily information bulletin was broadcast in Italian. The Division also broadcast a weekly news bulletin to most areas throughout the year.

The output of the Division is spread over four regions, Europe and the Middle East (in fourteen languages), Latin-America (in Spanish, French, English and Portuguese), the Pacific (seven languages) and the English-speaking region.

Progress was made in all these regions both as regards the number of broadcasts, their frequency and

duration, and variety of their content, which is adapted to the needs and preferences of the various regions. This progress was especially marked in the Middle East, Latin America, the Pacific and the English-speaking region. In the Middle East, the length of the daily broadcasts has been increased to half an hour and, during the Assembly period, to three-quarters of an hour; during the session of the Economic and Social Council held at Santiago, a summary of the debates was broadcast in Arabic and in Persian.

The Latin-American Service broadcasts for two and one-half hours daily; seventy-three radio stations in Latin America re-broadcast United Nations programmes daily. In addition, recordings are supplied to forty key stations with about 260 affiliated stations. As a result of requests submitted by the stations, the number of interviews and statements by Latin-American delegates almost doubled in comparison with the previous year.

The Trans-Pacific Service broadcasts regularly in Chinese, Hindi, Indonesian-Malay, Tagalog, Thai and Urdu. All these broadcasts are re-broadcast daily or weekly in the countries concerned. It may be added that, since the outbreak of hostilities in Korea, the United Nations Radio has broadcast news bulletins every day of the week in Korean; this programme is re-broadcast by stations in the Republic of Korea.

The English Language Service has greatly enlarged the distribution of its output. Its two daily news programmes are now re-broadcast by over 500 stations in the United States of America. Of the weekly news features, one is re-broadcast by ninety-six stations in the United States, by thirty-three stations in Canada, and by other stations in Australia, New Zealand, the Philippines, South Africa and elsewhere. Another feature is broadcast in the same countries and also in Burma, India, Pakistan, Thailand and elsewhere.

One of the most interesting phenomena in the English-speaking region has been the remarkable development of television, especially in connexion with meetings of the Security Council and of the General Assembly.

(v) *Films and visual information*

In the cinematographic field, the Department has concentrated on the development of documentaries and new reel material. As regards photography, special attention has been given to the development of photographic features and to the preparation of visual displays and wall pictorials. In both fields, the circulation and distribution system has continued to improve.

During the year, seven "United Nations Screen Magazines" were produced, dealing with a number of aspects of the work of the United Nations in various places and in different fields. In addition to the "Magazine", two documentary films were released, one, "Highlights of 1950", dealing broadly with United Nations activities in the political, economic and social fields, and the other, "Article 55", being devoted to a report on the work of a technical assistance mission. The Secretariat has made every effort to stimulate and assist the production of films of interest to the United Nations by private producers at their own expense. There are now thirty-

five United Nations films in active distribution in fifty-five countries, with versions in twenty-six languages. In addition to a substantial increase in the number of persons who have seen United Nations films, there has been a considerable expansion in the distribution of films through non-governmental organizations and non-commercial channels.

Plans for the more extensive use of United Nations films in Latin America, the Middle East and the Far East are now under way.

The growth of television during the year under review has been accompanied by enhanced interest in the United Nations and a consequent increase in the demand by interested organizations for films on the United Nations. This is particularly true of newsreel material, and more than 116,000 feet of newsreel footage was distributed to about thirty countries during the year under review. In this connexion, it may be noted that thirteen delegations have undertaken to forward newsreel material to their own countries.

The photographic section, developing the "picture-story" technique, released fifteen full-length photographic features during the year. During sessions of the General Assembly, a daily photo service is maintained to picture syndicates. Throughout the year, glossy prints of photographic features are available by mail. Last year, more than 2,600 leading pictorial publications in twenty-five countries made use of this service for reproduction purposes.

The photographic section also produces visual displays, enlargements and wall pictorials. During the year, these forms of visual information have been used, at their own expense, by commercial and non-commercial organizations.

In order to increase its production without additional staff, the photographic section has set up a world panel of Press photographers, which now covers forty-one countries. At the same time, constant liaison is maintained with Press photographers accredited to the United Nations, and every assistance is given to them in their work. In addition, the active co-operation of fifty-six commercial picture syndicates has been enlisted, in the United States and in other parts of the world, with a view to strengthening the distribution network.

(vi) Education

The progress achieved in teaching about the United Nations in public and private establishments (schools, colleges and universities) has been very satisfactory in spite of the difficulties arising from the different systems of public education in the various countries.

Thanks to the contact maintained with the educational authorities of Members of the Organization, the Secretary-General is pleased to report that teaching about the United Nations has now reached a considerable stage of development in over half the Member States.

The Secretariat furnishes to professors, teachers, authors of textbooks, students and other groups the necessary information material and assists them in the preparation of courses and lectures on the United Nations, its

constitution, its operation and activities. It has prepared seven standard texts and discussion guides in English, French and Spanish.

In this connexion, special mention should be made of the increasing number of voluntary educational centres, the establishment of which has been encouraged by the Secretariat, and of the importance of their work in the expansion of teaching about the United Nations. There are now 283 centres in forty-six countries (as against 150 in twenty-nine countries a year ago.) Their principal function is to train teachers to give courses on the United Nations.

In all matters concerned with education, the Department is, of course, working in close collaboration with the United Nations Educational, Scientific and Cultural Organization.

During the year, 550 public lectures on the aims and activities of the United Nations were organized in the United States and Canada; 200 requests which could not be met from Headquarters were referred to the voluntary correspondent speakers units, which now number 277 in fifty-two countries.

At Headquarters, the education section organizes lectures and discussions on the United Nations for special groups of visitors (government officials, professors, students, school-children, business men). During the year, 852 groups comprising more than 40,000 visitors, 7,500 of whom were teachers, participated in such conferences and discussions.

(vii) Non-governmental organizations

The number of non-governmental organizations with which contact is being maintained is steadily increasing; during the past year, the number of international organizations rose from 350 to 445 and the number of national organizations from 1,800 to 2,000. Sixty of these international organizations and 121 national organizations have had representatives and observers at United Nations permanent Headquarters during 1951, all facilities being granted to them to attend meetings, obtain documents and meet representatives of delegations and officials of the Secretariat. Like Press or radio correspondents, these observers provide their organizations with a regular service of documentation and articles.

Because of their number and the wide scope of their activities, the non-governmental organizations are at the present time a necessary and effective instrument for the propagation of information on the United Nations, its constitution, purposes and work.

It may be noted that the leading organizations have their own publications, which often reproduce, with the necessary adaptations, information provided by the Secretariat. They frequently have a service of pamphlets, photographs, posters, etc. Some of them use broadcasting stations from which they send out more or less regular programmes on the United Nations; or they have theatres for showing films on the United Nations. Most of them maintain close contact with the teaching profession.

One regional conference of inter-governmental organizations has already been held in 1951 at Istanbul; others

will be held during the year in France, Nicaragua and Indonesia.

The international essay contest, instituted in 1948 to allow young members of inter-governmental organizations to become familiar, at Headquarters, with the organization, functioning and activities of the United Nations, was held in the year under review, as in preceding years. The ten candidates (nine men and one woman) who were successful in the 1951 contest were nationals of Australia, Costa Rica, Egypt, France, India, Iran, Liberia, Paraguay, Sweden and the United Kingdom.

(viii) *Information centres*

The information centres, which since the beginning of 1951 have numbered nineteen, have had an arduous task during the past year, owing to the increased interest evinced in various countries in United Nations activities. That interest has been focused, according to the country concerned, either on the political activity of the United Nations or on its activity in the technical assistance field.

As has already been pointed out, each information centre is a sort of microcosm carrying on, on a smaller scale, all the activities of the central services, such as Press, radio, cinema and visual information and education. Although, with the exception of the Geneva Centre, they do no creative work of their own, the centres play an important part in the production of information material, chiefly by translating and adapting the material provided by the central services.

The various information centres have been concentrating their efforts increasingly in that direction, especially during the past year. While giving the widest possible publicity to information of general international interest, they have been endeavouring, through judicious selection and proper adaptation, to fill the needs and requirements of the areas they serve, whenever possible in the language of each area.

Thus, a centre in the Middle East, Latin America or Asia will lay more stress on information on economic and social questions and technical assistance, while a centre in another part of the world will give a larger place to political or legal information.

Selection and adaptation are the two chief principles by which the centres are guided. In order to apply these

principles most of the centres have been led to issue their own periodic information bulletins. These bulletins are often reproduced in full or in part by non-governmental organizations or in publications for the use of teachers or schools, colleges, etc., as well as by the smaller newspapers and radio stations.

A third principle is that of specialization—in other words, distribution by the information centres within any one region of information and documentary material of interest to different groups in that region: government administrations, educational institutions, experts and technicians, merchants and industrialists. Here a good deal of attention is devoted to the work of the specialized agencies, to which the centres give coverage equal to that afforded to United Nations organs, and in which the most diverse groups in many countries are becoming increasingly interested.

Each year, the heads of the information centres meet with the higher officials of the Department of Public Information, in order that views may be exchanged and close co-ordination achieved between the centres and the central services. This year, the conference will be held during the sixth session of the General Assembly, in order to enable the heads of the centres to follow the Assembly's deliberations and to establish contact with delegations.

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The Secretariat is doing all in its power, with the means at its command, to fulfil the task entrusted to it by the General Assembly, that is, to give as full and objective an account as possible of the work of the Organization in order to aid in the formation of that enlightened public opinion which is essential to the success of the United Nations. It is fortunate in being able to count, in the fulfilment of this task, on the assistance of the non-governmental organizations, as well as on that of numerous individuals who have faith in the United Nations and wish it to succeed. Lastly, if the Secretariat is able to carry out its mission, this will be due in large part to the governments of Member States which give it their unstinting co-operation and put their own information media at its disposal in order to contribute to a wider knowledge of United Nations activities.

Chapter VI

ADMINISTRATIVE AND BUDGETARY QUESTIONS

For carrying forward the various activities described in the preceding chapters of the present report, the Organization has had at its disposal during the past year a budget of approximately \$US40 million and a staff of approximately 4,000, of whom some 1,600 are internationally recruited professional or executive personnel, the remainder comprising, for the most part, locally engaged clerical and general help. This total is exclusive of staff attached to bodies independent of the United Nations Secretariat (although established by and responsible to the General Assembly) the operations of which are financed by voluntary contributions amounting, during the period under review, to approximately \$68 million, exclusive of the value of goods and services contributed for Korean relief and reconstruction. Clearly, any improvidence or inefficiency in the use of these considerable resources must greatly hinder, if not frustrate, the essential purposes for which they have been provided. The Secretary-General believes that the record of the United Nations during the past difficult and eventful year provides convincing evidence of the very real progress which has been made towards the attainment of the goal, set forth in the Charter, of a Secretariat characterized by "the highest standards of efficiency, competence and integrity".

This progress, moreover, has been achieved at a time when the Secretariat was not only confronted by challenging problems from without, but has had to adjust itself to internal administrative upheavals. In particular, the move from Lake Success to the permanent Headquarters in Manhattan, begun in August 1950 and completed in June 1951, and the introduction of a completely new salary, allowance and leave system, necessitating a major revision of staff rules and regulations, have meant, for the individual staff member, a year of far-reaching readjustment. These changes, together with others that have been made in departmental organization and structure, will undoubtedly add still further, in the long run, to the Secretariat's effectiveness, though their temporarily disturbing consequences should not be minimized. In this connexion, the Secretary-General is glad to place on record his appreciation of the loyal and efficient service rendered by the staff during this year of change and adjustment.

Member States have the further reassurance that the responsibility for the sound and prudent management of the resources placed at his disposal rests, not with the Secretary-General alone, but equally with a number of

advisory bodies of experts appointed by the General Assembly or by the Secretary-General for this purpose. It is doubtful whether any public organization, national or international, is subject, in its administrative and budgetary operations, to more thorough and continuous review. This situation is, of course, a source of strength and a protection to the Secretary-General no less than to Members. Without it, his responsibilities as chief administrative officer of the Organization would be infinitely more difficult of fulfilment.

If, therefore, the administrative record of the past year has been a successful one, it is due, in no small measure, to the constructive advice and assistance which both the Organization and the Secretary-General himself have unfailingly received. The Advisory Committee on Administrative and Budgetary Questions, whose responsibilities range over the entire field of administration and finance, has continued, in successive reports, to point the way to possible economies through better organization and management. The Committee on Contributions has a task, too often thankless, the difficulty of which is exceeded only by its importance to the Organization's effective functioning; the Board of Auditors has presented a report on the 1950 accounts which testifies to the care with which the finances of the Organization have been managed. The Investments Committee has the responsibility of advising the Secretary-General on the investment of the Joint Staff Pension Fund, the accumulated balance of which amounted, at 31 December 1950, to more than \$16 million. The Joint Staff Pension Board has responsibilities which have grown very considerably during the past year as a result of the admission of four specialized agencies representing, together with the United Nations itself, a total membership in the Joint Fund of almost 7,000. Finally, thanks are due to the Headquarters Advisory Committee, the Administrative Tribunal and the International Civil Service Advisory Board, reference to whose work is made later in the present chapter.

1. Administrative and organizational questions

(a) THE SECRETARY-GENERAL OF THE UNITED NATIONS

In accordance with the provisions of paragraph 3 of General Assembly resolution 11 (I) of 24 January

1946, the term of office of the Secretary-General of the United Nations, who was appointed for five years, expired on 1 February 1951.

Under the terms of Article 97 of the Charter, "the Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council". The Security Council duly held five meetings between 9 and 30 October 1950 to discuss the matter, but was unable to agree upon any recommendation.

The General Assembly, noting the absence of such a recommendation from the Council, discussed the question at three plenary meetings held on 31 October and 1 November 1950. At the third of these meetings, on 1 November, the Assembly adopted, by 46 votes to 5, with 8 abstentions, a joint draft resolution proposed by fifteen States, whereby Mr. Trygve Lie, the present Secretary-General, was continued in office for a period of three years as from 1 February 1951.

(b) ORGANIZATION AND STRUCTURE OF THE SECRETARIAT

Through most of the past twelve months, the Headquarters Secretariat has been divided in location between Lake Success and New York. It has been necessary to maintain conference services simultaneously at Lake Success (until 18 May 1951), Flushing Meadow (where the General Assembly hall has been converted to accommodate the Security Council and the Trusteeship Council) and the new Manhattan Headquarters (where temporary conference rooms have been utilized for other meetings). The physical and administrative difficulties of these transitional arrangements have been considerable, in addition to which it has been necessary to provide for a heavy conference programme at Geneva and for the servicing of meetings at Montevideo, Santiago and Mexico City. Though the meetings scheduled both at Headquarters and elsewhere during this transition period have been accommodated satisfactorily, it is to be earnestly hoped that in future the fullest possible advantage will be taken of the admirably planned facilities which will shortly be available at the permanent Headquarters. These facilities, moreover, will represent a capital and maintenance outlay which must, in any event, be a first charge against the Organization's budget.

During the year under review, the Secretariat has undergone no major structural reorganization, although in many areas the process of streamlining its organic structure, with a view to economy of posts and greater flexibility in the use of staff, has been carried forward. Following the recommendations of the Fifth Committee and of the Advisory Committee on Administrative and Budgetary Questions, the organization and staffing of the Departments of Economic Affairs and of Social Affairs have again been carefully reviewed, with particular regard to relationships with the newly-established Technical Assistance Administration. The structure and activities of the Department of Public Information have likewise been the subject of special study. The results of these reviews, and of other measures taken pursuant to recommendations made by the Advisory Committee during 1950 or by the General Assembly at its fifth session, are reflected in the budget estimates which the Secretary-General is presenting for 1952.

One development of special interest resulting from decisions of the last General Assembly was the establishment, as from 1 January 1951, of the United Nations Postal Administration. Following upon the adoption of resolution 454 (V) on 16 November 1950, the Postal Agreement between the United Nations and the United States of America was signed at Headquarters on 28 March 1951. On 4 May 1951, a committee, appointed by the Secretary-General for this purpose, gave final approval to eight designs for United Nations postage stamps, six for the regular series (to be issued in eleven denominations) and two for the air-mail series (to be issued in four denominations). Printing contracts have since been completed with firms in the Netherlands and in the United Kingdom respectively, under which the regular series will be delivered by 15 September, and the air-mail series by 15 October. As soon as practicable thereafter, the United Nations Postal Administration will begin operations.

Other actions by the General Assembly on certain issues facing it at its fifth session have further accentuated the tendency to deal with special problems by the creation of new forms of organization, outside the regular Secretariat and financed by voluntary contributions outside the normal appropriations. Last year, the United Nations International Children's Emergency Fund was prolonged for a further three years, at the end of which period its future would be reconsidered by the General Assembly "with the object of continuing the Fund on a permanent basis". Relief and reconstruction efforts have been continued for Arab refugees in the Middle East and similar measures have been initiated for Korea, both programmes being administered by executive heads who report directly to the General Assembly. These arrangements would seem to represent a new and permanent method of meeting major emergencies or special operational requirements. The Office of the High Commissioner for Refugees, financed from the regular budget, but having, under the terms of its Statute, a direct responsibility to the General Assembly and a semi-autonomous relationship to the Secretary-General, has been established at Geneva, and the High Commissioner is in process of setting up field offices in selected areas of the world.

(c) MISSIONS ADMINISTRATION

Throughout the past year, United Nations missions have operated in the Balkans, Palestine, Kashmir, Indonesia, Korea, Libya, Eritrea and Somaliland. These missions have been concerned with the implementation of various programmes of conciliation, mediation and observation, approved by the General Assembly or the Security Council. The three missions in the former Italian colonies have had important political advisory functions.

In the Balkans, the Special Committee has continued to maintain the system of observation of the Greek frontier, with the assistance of approximately twenty military observers loaned by Brazil, China, France, the Netherlands, the United Kingdom and the United States of America.

Two separate missions are functioning in Palestine. The Conciliation Commission has been exploring the possibilities of a final settlement of outstanding political

issues between Israel and the neighbouring Arab States, with particular emphasis on the problem of refugees. The United Nations Truce Supervision Organization, established in June 1948, has the responsibility of assisting the Mixed Armistice Commissions in the execution of the provisions of the General Armistice Agreements between Israel, on the one hand, and Syria, Lebanon, Jordan and Egypt on the other. The Truce Supervision Organization consists of a United Nations Chief of Staff, assisted by a group of seventeen military observers and auxiliary personnel seconded by the United States, France and Belgium.

In Kashmir, the United Nations observation group, consisting of approximately thirty-five military observers loaned by the Governments of Belgium, Canada, Chile, Denmark, Norway, Sweden and the United States of America has continued to assist in the observance by India and Pakistan of the cease-fire agreement concluded on 1 January 1949. On 26 June 1951, Dr. Frank P. Graham, the United Nations Representative for India and Pakistan, appointed by the Security Council on 30 April 1951, left New York for the sub-continent.

The United Nations Commission for Indonesia has completed most of its work and, on 3 April 1951, adjourned *sine die*. Only one officer and one secretary remained in Indonesia to handle such business as might arise during the adjournment.

The United Nations Commission for the Unification and Rehabilitation of Korea has had perforce to postpone many aspects of its operations. It has, however, maintained close contact with the United Nations Command, with the Government of the Republic of Korea and, more recently, with representatives of the United Nations Agent General in Korea. The Commission has thus performed an important function of liaison.

The United Nations missions in the three former Italian colonies are carrying out important advisory functions. The United Nations Commissioner in Libya and his Advisory Council are dealing with the vast variety of constitutional, political, financial and administrative measures essential to the establishment of an independent State of Libya by 1 January 1952. In addition, the Commissioner has been active in the development of an extensive technical assistance programme, in which the United Nations and the specialized agencies are sharing. A United Nations Tribunal in Libya, consisting of three outstanding jurists from Mexico, Sweden and Turkey, is now in process of being established. The Tribunal will deal with cases arising from transfers of property to the Libyan State.

In Eritrea, the United Nations Commissioner, with a small staff, has been engaged in extensive consultations with representatives of the inhabitants of Eritrea and with the Government of Ethiopia, as a preliminary to the drafting of an Eritrean constitution and the convocation of an Eritrean assembly to consider it.

In Somaliland, the Advisory Council established by the General Assembly at its fourth session has now assumed the functions, entrusted to it under the Trusteeship Agreement, of aiding and advising the Administering Authority in the implementation of local govern-

mental arrangements looking towards the eventual independence of the area.

These numerous and varied activities in the field have called for a higher degree of day-to-day co-ordination at Headquarters and liaison with interested delegations. The Missions Co-ordination Committee, established for this purpose in 1949, has continued to meet periodically, as circumstances required. The Committee consists of representatives of the Departments of Security Council Affairs, Trusteeship and Public Information, of the Legal Department of the Bureau of Finance and Personnel and of the Field Service. Continuing the policy initiated in 1949, the Chairman of the Committee, accompanied by the Principal Director of the Department of Security Council Affairs, completed in May-June 1951 a visit to the United Nations missions in Korea, Kashmir and Palestine for the purpose of dealing on the spot with a number of questions of administration and policy.

Various administrative improvements have been carried out during the year. Successful efforts have been made to reduce as much as possible the number of military observers in the Balkans, in Palestine and in Kashmir and, at the same time, to improve the efficiency of their organization. In Palestine, the United Nations Chief of Staff has been recruited as a member of the Secretariat in order to ensure continuity of service. In particular, it has been found possible to replace the system of *per diem* payments to staff by a system of monthly subsistence allowances which, after a three months' transition period, are sufficient to compensate for the financial hardships connected with missions service.

The Field Service organized under General Assembly resolution 297 (IV) of 22 November 1949 has, in the course of the last twelve months, been placed on an operational footing. It now includes all guards and security personnel at Headquarters and at Geneva, as well as those currently assigned to missions. Active recruitment, combined with an intensive training programme, has raised the number of fully equipped field service personnel to 124, of whom 105 were stationed, as at 30 June 1951, at ten widely scattered points around the world, with the remainder temporarily assigned to guard duty at Headquarters.

The aim of the programme has been to provide thoroughly trained personnel for rendering to field missions telecommunications, transport and security services. The programme began with an initial group of ten men on 5 July 1950. In three subsequent courses of about three months' duration each, a further seventy-five men were trained. Upon completion of their respective courses these trainees, who had been recruited from twenty-one different countries, were all assigned to various mission duties. The training programme has included courses in sending and receiving morse code; operation, maintenance and repair of radio equipment; typing and clerical work; security work; first aid; operation and maintenance of coding machines; driving, maintenance and repair of motor vehicles, and related matters. A guard-training programme was also initiated in May 1951 with the purpose of developing among the members of the guard force a fuller understanding of the organization and functions of the United Nations,

due regard also being paid to the desirability of providing well-trained security personnel for overseas assignments.

Special emphasis has been laid during the year on the establishment of a direct communications system for handling both inter-mission communications and traffic between Headquarters and the field. Such a system not only makes possible substantial savings in traffic costs but assures, in addition, a higher degree of security. Communication links, serviced by United Nations radio stations and staffed by radio operators trained at Headquarters, have now been established among the missions in Palestine, India-Pakistan, Libya, the Balkans and Eritrea. A communications centre in Jerusalem has been set up to connect this communications system with Headquarters via Tangier.

(d) TECHNICAL ASSISTANCE ADMINISTRATION

Technical assistance problems have continued to receive considerable attention from the administrative as well as from the substantive point of view. The consolidation of all the operational aspects of the United Nations programme into a single Technical Assistance Administration, under a Director-General responsible to the Secretary-General, was accomplished in October 1950, and relevant functions and staff were transferred to the new Administration from the Departments of Economic Affairs and Social Affairs. This staff has been enlarged by the recruitment of additional personnel to carry out the programme on the expanded basis made possible through the allocation to the United Nations of its share (\$2,108,255 as of 30 June 1951) of the voluntary contributions made to the Special Account for economic development. The additional staff members are paid from the United Nations' share of the Special Account. The increase in the magnitude of the programme is just beginning to be felt, as agreements negotiated with governments come into effect, as experts recruited for service begin to take up their posts in a growing number of countries, and as the number of countries participating in the fellowship programmes, either as sponsors of fellows or as host countries, increases. Particular care is being taken to ensure that, in the development of TAA, full use is made of the research capacities and policy guidance of the substantive departments and, indeed, an increasing proportion of staff time in these departments is being devoted to such activities.

The administrative tasks of the Secretary-General in this field have also increased in magnitude and complexity. As administrator of the Special Account, he is concerned, through the Bureau of Finance, with many problems in connexion with disbursement, exchange of currencies, investment and financial reporting. As chairman of the Technical Assistance Board, consisting of all international organizations which share in the Special Account, he must also assume certain responsibilities, through the Department of Administrative and Financial Services, in aiding the executive secretariat of TAB in the formulation of common standards and conditions with respect to the administration and financial control of available funds, the employment of experts and other matters.

(e) LIBRARY SERVICES

During the early months of 1951, the Library moved into new quarters adjoining the Secretariat building. The building now occupied, which was designed as an office building, is ill-adapted to library use, but some alterations have been made at minimum cost. Plans for extensive remodelling and enlargement of the building have been prepared and discussed with the Headquarters Planning Office; if they can be carried out within the next two or three years, the Library will be appropriately housed and provided with ample room for its foreseeable future growth.

The collections of the Library have been adjusted to the new quarters, which provide for three major reference areas: one on the second floor (plaza level), housing the Library's reference collection, together with a general reading room and a periodical room; one on the third floor, containing the collections of documents of the United Nations and the specialized agencies, and books about international organizations; and one on the fourth floor, housing documents and books of and about the League of Nations, a collection enriched in 1950 by the substantial gift from the Woodrow Wilson Foundation of the Woodrow Wilson Memorial Library. The fifth and sixth floors are given over to the technical processing operations and administrative offices, and the basement floors are used as storage and stack areas.

Upon the transfer to Headquarters, a systematic effort was made to organize the collections for most convenient and ready use. Large quantities of unbound documents were sorted and put into good order, and hundreds of volumes of documents of the United Nations, the specialized agencies and the League of Nations were bound and shelved. In the course of this work, duplicates and unwanted materials were sorted out systematically and disposed of by exchange.

Under its current acquisition programme, the Library added 8,643 books, 113,679 periodical issues, and 111,302 documents to its collections during 1950. A large share of these were obtained as gifts or by means of exchanges of United Nations documents for the publications of governments, other libraries and research institutions. Most fruitful results have thus been obtained from many countries, more particularly in the receipt of official documents and maps from Member nations and of commercially published journals in economics, sociology and political science.

The Library has also been active in establishing a world-wide network of depository libraries which receive United Nations documents. In general, these are national libraries, parliamentary libraries and international study centres, many of which offer publications or bibliographical services in exchange for the documents received.

Book selection and acquisition procedures were carefully reviewed during 1950-51 to ensure a regular inflow of new books, periodicals and government documents within the scope of United Nations interests, the emphasis being on obtaining such materials from all parts of the world and with the greatest possible expedition.

The Library has played an active role in purchasing library materials for missions, commissions and field services, and for the growing programme of the Technical Assistance Administration.

The monthly *United Nations Documents Index*, initiated in January 1950, has established itself solidly as an indispensable bibliographical guide to United Nations documents and those of the specialized agencies. The cumulative subject index to volume I (1950) was issued in May 1951.

The *Check List of United Nations Documents*, covering the period 1946-1949, has been completed, and twenty-seven volumes listing and indexing the documents of various organs of the United Nations in a sessional order are being prepared for publication. The first of these will appear in the latter part of 1951.

The removal of the Library to Headquarters has resulted in a noticeable increase in the volume of queries received and in the number of requests from the Secretariat and delegations for special bibliographies, reading lists and inter-library loans.

(f) GENERAL ADMINISTRATIVE CONSIDERATIONS

In view of the special interest which the General Assembly has also shown in the problem of increasing the amount of international purchasing and of further rationalizing the production and distribution of documents, a brief review is given below of the results achieved in these two fields since the last report.

In the year ending 30 June 1951, the sum of \$700,000 (out of a total of \$4.5 million) was spent on purchases in countries other than the United States of America, in addition to which, as forecast in last year's report, the amount of contractual printing placed overseas, mainly in countries with revalued currencies, increased to a total of more than \$420,000. The first half of 1951 already shows an even more accelerated trend in this direction which will be still further emphasized as a consequence of holding the sixth session of the General Assembly in Europe.

As regards the publications programme, the year 1950 was the first to witness a marked stabilization of that portion of the total programme printed on a contractual basis (as distinct from internal reproduction by mimeograph or off-set printing processes); the number of pages thus printed for the Headquarters account (82,400) and the expenditure involved (\$1,577,570) differed by only approximately 1 per cent from that of the previous year. In the case of documentation internally reproduced, the total Headquarters output for the period July 1950 through June 1951 amounted to 273 million impressions, a considerable increase over the preceding twelve months. This increase represented, however, a somewhat slower rate of growth than in previous years, and has been absorbed by a proportionately greater utilization of off-set printing facilities, with less reliance upon mimeographing. This tendency will be further emphasized when the re-equipment of the reproduction plant is completed.

The various documents distribution reforms described in last year's report have since been further extended, more recently at a quickened tempo as a result of the

urgency of the current paper shortage. More stringent controls of wasteful distribution practices have been introduced, and all distribution lists are currently undergoing close re-examination. The fascicule method of printing Official Records has been extended to all the major organs, with the consequent elimination of double distribution of documentation and a reduction in storage requirements. The microfilming and binding of all documents is being centralized in order to catch up with arrears and thereby to relieve the Organization of the necessity for reprinting and storing great numbers of obsolescent publications.

Perhaps the most important fact emerging from any general review of administrative and budgetary trends over the past year is that the regular Secretariat, generally speaking, is now stabilized as to size, structure and composition. The budget estimates to be presented for 1952 will, it is felt, fully support this conclusion. Moreover, of the total personnel a very large majority have completed several years' continuous service while, in the course of 1951, more than 40 per cent will have been with the Organization for at least five of the six years that have passed since the General Assembly first met in London. In this way, the organization and management of the staff and its performance of the duties entrusted to it have gained in effectiveness from year to year.

While the Secretariat is largely stabilized, the same cannot be said of the assignments of work, which necessarily vary to meet changing circumstances and needs. So long as these variations do not substantially increase the total output expected of the Secretariat, the large measure of stability now achieved can be maintained. It is only proper to point out, however, that there are limits to the capacity of the staff to absorb new tasks and that, if the various organs find it desirable appreciably to increase its responsibilities, there should be a willingness to deal simultaneously with the resulting administrative and financial implications.

2. Staff questions

(a) SALARY, ALLOWANCE AND LEAVE SYSTEM

On 15 December 1950, the General Assembly approved, by resolution 470 (V), a new salary, allowance and leave system for the Secretariat, based on the principles set forth by the Committee of Experts in their 1949 report, to which reference was made last year. The implementation of the General Assembly's decisions involved a number of major administrative tasks. In the first place, it necessitated a complete review of the grading and salary of all posts and the qualifications and performance of all staff members, as a result of which it was possible for the new classification and salary rates to become effective as from 1 January 1951 for Headquarters and Geneva staffs. Other offices were converted to the new salary basis as soon as appropriate local rates could be worked out. In the second place, machinery and procedures had to be devised for receiving and hearing reclassification appeals and for making appropriate recommendations thereon to the Secretary-General. Though all such appeals, including those from overseas staff, were not

finally disposed of until June 1951, the Secretary-General is satisfied that the labour and time devoted to consideration of the appeals was amply justified from the viewpoint of staff morale. In the third place, the decisions of the General Assembly, together with certain changes relating particularly to annual, sick and home-leave provisions which were given effect to by the Secretary-General under his administrative authority, required a comprehensive revision of the staff rules. This task was completed by 1 January 1951, when the revised rules became effective. Finally, the new salary and allowance plan made necessary the determination, wherever appropriate, of the entitlement of staff members to non-residents', language and personal allowances, the last-named involving an adjustment of salary in certain individual cases as part of the transitional arrangements approved by the General Assembly.

The conditions under which payment could be made in compensation for death, injury or disability have been established. These conditions, which were based on the recommendations of the Committee of Experts, have been used in the examination of such claims as have to date needed settlement; experience in this field, however, is as yet too limited to permit a final report on their suitability.

(b) STAFF REGULATIONS

One of the main problems in the field of personnel arrangements awaiting final determination is the adoption of permanent staff regulations in place of the provisional regulations under which the Secretariat has hitherto been functioning. A draft of such permanent regulations was submitted by the Secretary-General to the General Assembly at its fifth session. The Assembly decided, however, to defer consideration of the proposals pending their examination by the Advisory Committee on Administrative and Budgetary Questions. In the meantime, the Advisory Committee has offered its preliminary comments, and these have been transmitted to the specialized agencies, in consultation with which the Secretary-General's initial proposals had been formulated in order to secure as much uniformity as possible in the rights and obligations of staff members of the various organizations which together comprise the International Civil Service.

The Secretary-General is hopeful that it will be possible to submit to the General Assembly, at its next session, a revised set of proposed permanent regulations which will embody a very substantial measure of agreement. It is hoped, furthermore, that once the Assembly has taken action, the staff may be assured of a reasonable measure of stability and security in the basic conditions under which they are employed—a situation which, unfortunately, has not prevailed during the past five years of constant re-adjustment.

(c) RECRUITMENT AND TRAINING

Apart from the foregoing problems, the main concern of the Secretary-General during the last year has been to continue to effect improvements in the quality and efficiency of the Secretariat. In this respect, considerable progress has been made in carrying out the recommendations of the International Civil Service Ad-

visory Board set forth in its 1950 report on recruitment methods and standards for the United Nations and the specialized agencies. In line with these recommendations, the standards of recruitment have been raised and the most careful preliminary scrutiny of candidates has been undertaken at the junior professional and clerical levels. The areas in which examinations are now a recognized method of entry have been extended. It should be borne in mind, however, that to raise the standards inevitably slows down the recruitment process, especially at a time such as the present when opportunities in various countries tend to make appointment to the Secretariat less attractive to candidates than it was hitherto. This applies in particular to the recruitment of the required calibre to fill senior professional posts.

One new responsibility that the Secretary-General has been required to assume during the past year has been the recruitment of experts for the United Nations technical assistance programme, primarily in the fields of public administration and finance, major industries and utilities, and in certain fields of social welfare. The co-operation of governments, however, has greatly facilitated this onerous and varied task.

Active consideration has also been given to the problem of developing a more effective programme of in-service training in the light of a provisional report on the subject prepared by the International Civil Service Advisory Board during its third session held in New York in May 1951. It was recommended by the Board that a number of conclusions tentatively reached should be tested in operation in the international agencies, with a view to their possible reconsideration in the light of the experience thus gained. In the meantime, staff training activities have been concerned, for the most part, with orientation courses for new recruits at the clerical and junior levels and with the organization of language courses. The former courses are designed to explain the fundamental aims of the United Nations, the functions of its principal organs, the role and methods of work of the Secretariat and the rights and duties of international civil servants. The two-year programme of study and working assignments within the Secretariat has been continued for the junior professional trainees recruited by competition in Latin America, India and Pakistan. It is expected that these trainees will be placed in established posts in the course of 1951. A beginning has been made in providing regular briefing for staff and experts sent on missions away from Headquarters. Proposals for the organization of a training unit for secretaries and administrative assistants are presently under discussion.

Improvement of the quality of the staff, to which these recruitment and training efforts have been directed, was also an important element in the review of the qualifications and grades of all staff in connexion with the establishment of the new salary schedule. As a result, the Secretariat is approaching a condition of stability and, with experience, is obtaining a constantly increasing competence. What is needed now above all is a continuing period of undisturbed development during which a well balanced and intelligently directed programme of training can improve working methods.

Time will assuredly develop a Secretariat tradition which will unite the elements of different national administrative backgrounds into a true international civil service of the highest efficiency.

(d) INTERNE PROGRAMME

During the period under review, the interne programme has been maintained at the same level of activity as in previous years, four separate groups having visited Headquarters or Geneva since July 1950. In the summer of 1950, a group of eleven students spent two months at Geneva and a group of thirty-one spent two months at Lake Success. Twenty-three civil servants from nineteen countries attended the autumn courses during the fifth session of the General Assembly, and twenty-five more from twenty-two countries attended the spring courses at Headquarters. These programmes, in which most delegations continue to show a keen interest, have afforded an opportunity for students and officials of participating countries to become better acquainted with the activities of the United Nations and the work of the Secretariat. Nominations made by the governments of Member States have exceeded considerably the number of internes who can be successfully accommodated.

(e) VOLUNTEER SERVICES

The Office of the United Nations Volunteer Services, staffed by eighteen part-time volunteers under the direction of a Secretariat official, has continued to provide a unique service to staff members at Headquarters, many of whom, particularly new arrivals, have found it a great help in their adjustment to a new environment. An important by-product of the hospitality services made available is the increased understanding of United Nations affairs and the goodwill engendered by the visits of staff members of many different nationalities to various communities, primarily in the host country, but on occasion in neighbouring countries. The staff as a whole is greatly indebted to the part-time volunteers, who have given 8,000 hours of service during the past year.

(f) JOINT APPEALS BOARD AND JOINT DISCIPLINARY COMMITTEE

The Joint Appeals Board has continued to function as constituted in May 1950 in accordance with General Assembly resolution 352 (IV). During the twelve months ending 30 June 1951, the Board held seventy-three meetings, in the course of which it considered nine appeals, most of them relating to termination of temporary indefinite appointments. The Joint Disciplinary Committee, constituted under the same resolution, has not yet been called upon to meet.

(g) ADMINISTRATIVE TRIBUNAL

The Administrative Tribunal held its second plenary session on 14 December 1950, and elected its President and two Vice-Presidents for 1951.

At the same session, the Tribunal considered certain points raised by the Secretary-General with respect to

the Tribunal's competence in the matter of awarding costs to applicants whose claims had been sustained by the Tribunal. The Tribunal decided that, in view of the simplicity of its proceedings as laid down in its rules, it would not as a general rule have to consider the granting of costs, whether such costs covered the fees of legal counsel or other litigation expenses. In exceptional cases, however, and in the exercise of the functions imposed upon it by the General Assembly, the Tribunal would have to recognize the equitable rights of interested parties arising out of its proceedings; the Tribunal would then consider the granting of reasonable costs in cases where it was clearly demonstrated that the normal expenses of litigation had been unavoidably exceeded owing to the special difficulties involved.

To meet the difficulties that might be encountered by terminated staff members who are not United States citizens in appealing to the Tribunal, the Secretary-General has decided that, in such cases, the United Nations will pay the travel expenses and subsistence of the applicant from his home to the point where the Tribunal decides to meet and hear the case, provided, of course, that the Tribunal entertains the case at all and that oral as opposed to written proceedings are held. The Secretary-General would also request such visas as might be necessary. In the event of a hearing being held away from Headquarters, the expenses of United States citizens would similarly be paid.

3. Financial questions

(a) WORKING CAPITAL FUND

By General Assembly resolution 473 (V) of 15 December 1950, the Working Capital Fund was maintained at \$US20,000,000, the advances of Member States being adjusted on the basis of the scale of assessments for the 1951 budget. As at 30 June 1951, a balance of \$322,000 remained unpaid in respect of the 1951 advances to the Fund. As of the same date, the Secretary-General, under the authority granted in the above resolution, had advanced from the Fund the following amounts:

	\$US
(i) To finance budgetary expenditures pending the receipt of contributions.....	13,230,211
(ii) Loans to specialized agencies..... (Interim Commission of the International Trade Organization, Food and Agriculture Organization, Preparatory Commission of the Inter-Governmental Maritime Consultative Organization)	1,038,843
(iii) Advances for staff housing..... (Deposit on Parkway Village Housing Project)	400,000
(iv) Self-liquidating purchases and activities... (Travel expenses of members of certain commissions of investigation, conciliation, etc., operating in the field; travel expenses of "extra" representatives to the General Assembly, the Councils and Commissions, and "extra" local transportation for delegations; rentals and cost of improvements to accommodations occupied by delegations in Empire State Building; travel of staff loaned to governments and other agencies; financing of cafeteria operations and the purchase and installation of cafeteria equipment)	97,500

(v) Advances for unforeseen and extraordinary expenses	121,894
(To finance related expenses in connexion with General Assembly resolution 377 (V) entitled "Uniting for peace"; to finance the procurement of certain permanent equipment for the new Headquarters)	
	\$14,888,448

In addition to the outstanding advances shown above, authorizations issued under resolution 473 (V) for which funds have not yet been disbursed amounted to \$869,453, leaving a balance as at 30 June 1951 of \$4,242,099.

(b) CONTRIBUTIONS

The scale of assessments for the 1951 budget adopted by the General Assembly (resolution 462 (V) of 14 December 1950) was the same as for 1950 except for the following changes:

	1950 rate of contribution per cent	1951 rate of contribution per cent	Change per cent
Afghanistan	0.05	0.06	+ 0.01
Australia	1.97	1.92	- 0.05
Byelorussian Soviet Socialist Republic	0.22	0.24	+ 0.02
Canada	3.20	3.30	+ 0.10
Chile	0.45	0.41	- 0.04
Cuba	0.29	0.31	+ 0.02
Czechoslovakia	0.90	0.99	+ 0.09
Egypt	0.79	0.71	- 0.08
Greece	0.17	0.18	+ 0.01
Guatemala	0.05	0.06	+ 0.01
India	3.25	3.41	+ 0.16
Netherlands	1.40	1.35	- 0.05
Pakistan	0.70	0.74	+ 0.04
Poland	0.95	1.05	+ 0.10
Sweden	1.98	1.85	- 0.13
Syria	0.12	0.11	- 0.01
Thailand	0.27	0.24	- 0.03
Ukrainian Soviet Socialist Republic	0.84	0.92	+ 0.08
Union of South Africa	1.12	1.04	- 0.08
Union of Soviet Socialist Republics	6.34	6.98	+ 0.64
United States of America	39.79	38.92	- 0.87
Venezuela	0.27	0.30	+ 0.03
Yugoslavia	0.33	0.36	+ 0.03

Furthermore, the Republic of Indonesia, a new Member State, was assessed at 0.60 per cent, which assessment is in addition to the scale of assessments amounting to 100 per cent as set out in paragraph 1 of resolution 462 (V).

Under the authority granted the Secretary-General by resolution 462 (V) to accept a portion of the contributions of Member States for the financial year 1951 in currencies other than United States dollars, the Secretary-General, after consultation with the Chairman of the Committee on Contributions, advised Member States that the following percentages of their 1951 contributions could be accepted in such currencies:

12 per cent in Swiss francs;

5.75 per cent in French francs in respect of General Assembly expenditure;

8.25 per cent in a group of currencies, namely: Belgian francs, Chilean pesos, French francs, Greek drachmas, Indian rupees, Mexican pesos, Netherlands

guilders, Pakistan rupees, pounds sterling, Thailand baht and USSR rubles.

The total assessment that could be accepted from Member States under this arrangement amounted to the equivalent of \$6,800,000, namely, the equivalent in Swiss francs of \$3,150,000; in French francs (General Assembly expenditure) of \$1,500,000; and in the group of currencies designated above of \$2,150,000. Seventeen Member States decided to accept the option to pay in one or more of these currencies.

As at 30 June 1951, the status of the 1951 contributions and of the contributions in arrears for the financial years 1949 and 1950 was as follows:

	Assessments for the year, \$US		
	1951	1950	1949
Total amount	42,898,520.00	34,197,085.00	41,651,063.00
Paid	9,116,951.97	31,624,069.61	41,475,875.34
Balance due	33,781,568.03	2,573,015.39	175,187.66

The contributions to the budgets for prior years have been paid in full.

(c) STATUS OF THE 1950 AND 1951 BUDGETS

The financial report and accounts for the year ending 31 December 1950, as certified by the Board of Auditors, show that total obligations for the year amounted to \$43,746,264, against appropriations of \$44,520,774 voted by the General Assembly, leaving an unobligated balance of appropriations of \$774,510. The General Assembly, by resolution 356 (IV) of 10 December 1949, had originally voted appropriations for 1950 of \$49,641,773, which included \$8,000,000 for the establishment of a permanent international régime for Jerusalem; under resolution 468 (V) of 14 December 1950 this provision of \$8,000,000 was cancelled, leaving a residual amount of \$41,641,773, which was increased by supplementary appropriations for 1950 of \$2,879,000.

At its fifth session, the General Assembly approved a budget of \$47,798,600 for the expenses of the Organization during the financial year 1951 (resolution 471 (V) of 15 December 1950). On 30 June 1951, obligations and expenditures under this appropriation amounted to \$23,330,488, leaving an unobligated balance of \$24,468,112 for expenses during the last six months of the year.

(d) BUDGET ESTIMATES FOR 1952

The budget estimates for the financial year 1952 are being presented to the General Assembly in a separate document. The total expenses for 1952 are estimated at \$46,568,300, as compared with approved appropriations of \$47,798,600 in 1951.

The decrease of \$1,230,300 results mainly from the fact that it will be possible to hold the General Assembly at the permanent Headquarters, and from the savings expected for the same reason in the costs of sessions of the Economic and Social Council and the Trusteeship Council, as well as from other savings on political missions. These savings, estimated at \$3,760,000, are partially offset by increases in the ex-

penditures for the Office of the High Commissioner for Refugees, the regional Economic Commissions for Latin America and for Asia and the Far East, Headquarters' maintenance at the new location, and normal salary increments.

4. Permanent Headquarters of the United Nations

A significant milestone in the history of the Organization was passed during the year 1950-51 with the establishment of the permanent Headquarters on the Manhattan site in New York City.

The entire Headquarters staff was able to move into the 39-storey Secretariat building in various stages between August 1950 and June 1951. The building is now practically completed and almost fully occupied by members of the Secretariat, liaison officers of specialized agencies, and representatives of the Press and other public information organizations. In addition, a large part of the underground garage has been in use for most of the year.

Progress in the other parts of the project now under construction has, on the whole, been satisfactory in spite of increased difficulties in obtaining building material supplies.

The Conference building, housing the three Council chambers and the three large conference rooms for General Assembly committees, is now being completed in stages. Two of the conference rooms are finished and equipped for use; the remaining conference room and the three Council chambers, together with the restaurant and cafeteria located on the roof of this building, are expected to be completed within the next few months.

Progress in the erection of structural steel for the General Assembly building, including the main auditorium and several conference rooms, has suffered considerably from a shortage of supply of fabricated steel, due to heavy demands upon the steel industry. Deliveries of stone from abroad for the exterior of the General Assembly building have also been slow and unsatisfactory. It is still expected, however, that the General

Assembly building will be completed and furnished in time for the seventh session in 1952.

The authorities of the City of New York have pressed forward their programme for improvements around the site, and although they have been handicapped by an inability to get building materials on time, their entire programme, as outlined in the over-all agreement between the United Nations and the City of New York in 1947, is being carried forward on a schedule which provides for completion of the work in 1952. It is notable that the City has continued its original plan in the face of a tremendous rise in costs over those used in the preliminary estimates in 1947, necessitating substantially increased appropriations.

Preliminary landscaping plans have been made for the entire site and certain detailed plans have been executed in the areas most adjacent to the completed Secretariat building and its courtyard.

The necessary funds have been promptly advanced by the United States Government under the terms of the Agreement concluded with the United States of America for an interest-free loan of \$65,000,000 for Headquarters construction purposes. As of 30 June 1951, a total amount of about \$52,000,000 had been requested and received. The first payment by the United Nations to the United States Government in liquidating the loan was made on 1 July 1951 in the amount of \$1,000,000.

The Headquarters Planning Office budget has been adjusted from time to time throughout the entire construction period in an effort to keep the project within the amount of the construction loan. However, as time goes on, it is becoming increasingly difficult to provide all the features of the original plan without over-reaching the \$65,000,000 limit. Construction costs during the past four years have increased constantly and have risen sharply within the past year, while the requirements of the various organs of the United Nations have called for more facilities than those provided for in the original plan on which the budget was first based. It appears unavoidable that the General Assembly, at its sixth session, will be asked for some relatively small additional authorization to supplement the present construction funds and assure the completion of the Headquarters in an appropriate and satisfactory way.

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