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**1845<sup>th</sup>** MEETING: 30 SEPTEMBER 1975

NEW YORK

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## 1845th MEETING

Held in New York on Tuesday, 30 September 1975, at 11 a.m.

*President:* Mr. Moulaye EL HASSEN (Mauritania).

*Present:* The representatives of the following States: Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Guyana, Iraq, Italy, Japan, Mauritania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania and United States of America.

### Provisional agenda (S/Agenda/1845)

1. Adoption of the agenda
2. Letter dated 19 September 1975 from the President of the General Assembly to the President of the Security Council (S/11826)

*The meeting was called to order at 11.30 a.m.*

### Adoption of the agenda

*The agenda was adopted.*

Letter dated 19 September 1975 from the President of the General Assembly to the President of the Security Council (S/11826)

1. The PRESIDENT (*interpretation from French*): In accordance with the decision taken by the Council at previous meetings, I invite the representatives of Algeria, Bulgaria, Cambodia, Cuba, Czechoslovakia, Dahomey, the German Democratic Republic, Hungary, India, Laos, Madagascar, Mongolia, Poland, Romania, Senegal, Sri Lanka and Yugoslavia to take part in the discussion without the right to vote, under the terms of Article 31 of the Charter and the relevant provisions of the provisional rules of procedure, and I ask them to take the places reserved for them at the side of the Council chamber.

*At the invitation of the President, Mr. Rahal (Algeria), Mr. Ghelev (Bulgaria), Mr. Sarin Chhak (Cambodia), Mr. Alarcón (Cuba), Mr. Vejvoda (Czechoslovakia), Mr. Adjibadé (Dahomey), Mr. Florin (German Democratic Republic), Mr. Hollai (Hungary), Mr. Jaipal (India), Mr. Sipraseuth (Laos), Mr. Tiandraza (Madagascar), Mr. Puntsagnorov (Mongolia), Mr. Jaroszek (Poland), Mr. Datcu (Romania), Mr. Fall (Senegal), Mr. Amerasinghe (Sri Lanka) and Mr. Petrić (Yugoslavia) took the places reserved for them at the side of the Council chamber.*

2. The PRESIDENT (*interpretation from French*): I wish to inform members of the Council that I have received a letter from the Minister for Foreign Affairs of the Ukrainian Soviet Socialist Republic requesting that his delegation be invited to participate without the right to vote in the discussions of the Council. Since there is no objection, I intend, in accordance with the terms of Article 31 of the Charter and the relevant provisions of the provisional rules of procedure, to invite the representative of the Ukrainian Soviet Socialist Republic to participate in the Council's discussions without the right to vote. I now invite the representative of the Ukrainian Soviet Socialist Republic to take the place reserved for him at the side of the Council chamber, it being understood that he will be invited to take a place at the Council table when it is his turn to speak.

*At the invitation of the President, Mr. Shevel (Ukrainian Soviet Socialist Republic) took the place reserved for him at the side of the Council chamber.*

3. The PRESIDENT (*interpretation from French*): Before I call on the first speaker, I should like to draw the attention of Council members to draft resolutions S/11832 and S/11833, which are before the Council.

4. I now invite Mr. Shevel, Minister for Foreign Affairs of the Ukrainian Soviet Socialist Republic, to make his statement.

5. Mr. SHEVEL (Ukrainian Soviet Socialist Republic) (*interpretation from Russian*): On behalf of my delegation and on my own behalf may I first welcome you, Sir, to the responsible position of President of the Security Council and wish you all success. I should also like to thank you and the members of the Council for having given me an opportunity to speak in this august body of the United Nations.

6. The constant growth of the ranks of the United Nations through the admission of new States that have appeared on the map of the world as a result of the irresistible process of history is one of the most remarkable phenomena of our time, showing that the world is following unswervingly the path of progress. Quite recently the General Assembly welcomed the peoples of the Republic of Cape Verde, the Republic of Mozambique and the Democratic Republic of Sao Tome and Principe as they achieved independence and admission to the United Nations.

The creation of these new independent States and their admission to the United Nations are the result of the victories of the national liberation movements and undoubtedly attest to the fact that the final abolition of the last outposts of colonialism and racism is drawing near. At the same time, the delegation of the Ukrainian Soviet Socialist Republic, like many other delegations, is sincerely in favour of a decision being taken on the question of the admission to membership in the United Nations of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam.

7. We express our regret that the negative vote cast previously by one of the five permanent members of the Security Council made impossible the adoption of the recommendation on the admission of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to membership in the United Nations. As a result of that step there has been a completely unwarranted delay in involving in the activities of the United Nations the two Vietnamese States, whose peoples have made tremendous sacrifices in their long struggle against the interventionists and who have successfully defended their freedom, independence and sovereignty.

8. The Democratic Republic of Viet-Nam and the Republic of South Viet-Nam have won the profound respect and sincere sympathy of the peoples of the entire world. They have received broad international recognition. The steps taken recently in the international arena by the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam demonstrate that they are endeavouring to develop friendly relations with different countries on the basis of the principles contained in the Charter of the United Nations.

9. The Ukrainian SSR resolutely supports the requests of the Governments of the two States to be admitted to the United Nations. In full accord with the aim of universality of the United Nations and the requirements of its Charter, the admission of both Vietnamese States would undoubtedly be an extremely important contribution to the further strengthening of peace, security and co-operation among peoples and would represent the concrete practical embodiment of the principles of peaceful coexistence. Nor can there be any doubt that a decision to admit the two Vietnamese States to the United Nations would help the achievement of one of the most important purposes of the Organization at the present stage: to deepen and broaden international détente and make it irreversible.

10. We are very gratified to note that the applications of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam for admission to the United Nations enjoy the unconditional support of an overwhelming majority of Members of the United Nations. One of the most striking

demonstrations of this was the adoption by the General Assembly of its resolution 3366 (XXX) on 19 September of this year. Any delay in finding a positive solution to the problem of the admission of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to the United Nations might create artificial barriers to the implementation of one of the most fundamental principles of the United Nations, the principle of universality. Not only would this not serve to strengthen the United Nations; it would, on the contrary, lead to its weakening and would essentially be tantamount to ignoring the realities of the present-day world.

11. In this connexion, we should like to emphasize that the admission of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to the United Nations would be first and foremost in the interests of the Organization itself. It would enhance its prestige and would help it more effectively to tackle the important and responsible tasks facing it. The Ukrainian people, like all Soviet people, have always stood shoulder to shoulder with the heroic Vietnamese people and have made their contribution by giving them the necessary assistance in their struggle against foreign usurpers and their henchmen. On behalf of the people and Government of the Soviet Ukraine, we would express our conviction that the applications of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to be admitted to United Nations membership will enjoy the support of the members of the Security Council and that both Vietnamese States will become fully fledged Members of the United Nations.

12. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Senegal. I now invite him to take a place at the Council table and to make his statement.

13. Mr. FALL (Senegal) (*interpretation from French*): Mr. President, my delegation is happy to see you presiding over the work of the Security Council at a time when it is considering so burning an issue as the admission of the two Republics of Viet-Nam to the United Nations. This pleasure is due not only to the special ties—I should say privileged ties—which unite the Islamic Republic of Mauritania with Senegal, but also to the political course taken by your Government which is motivated by ideals of peace, progress and justice that the Government of Senegal appreciates and shares with it. Furthermore, I hope, Sir, that you will allow me to add a personal note to those considerations and to express the feelings of friendship and high esteem which I have for you, a generous man, a skilled statesman and diplomat. I also request you to act as my interpreter to all the members of the Council by expressing the gratitude of my delegation for their goodness in authorizing our participation in this debate.

14. The Security Council is today dealing with the applications for admission to membership in the United Nations of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam. The Council already considered this question, at the request of the parties concerned, on 11 August last [1835th and 1836th meetings]. The Council then voted on recommending that the General Assembly give favourable consideration to these applications [1836th meeting]. However, that decision of the Council could not take effect because of the vote cast by a permanent member of the Security Council, the United States of America.

15. Now the problem appears under a new light, because this time it is not the requesting States which have brought the matter to the Council, but the General Assembly itself which felt that the conclusion of the debate on 11 August last not only did not reflect the real feelings of our international community but also were a violation of Article 4 of the Charter of the United Nations. The General Assembly adopted that decision by an overwhelming majority in resolution 3366 (XXX). This means that, in the light of that massive vote, it is the duty of the Council to take into account the indications of the real feelings of the vast majority of the delegations of the Organization.

16. In the course of the debate on 11 August, the permanent member who had recourse to the exercise of his right to veto justified his action by saying that the Council had rejected consideration of the application of South Korea. I shall not dwell on the political and legal arguments against that position. Everyone knows that Article 4 of the Charter provides that:

“Membership in the United Nations is open to all other peace-loving States which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.”

17. In this connexion, I would venture to point out that the decision to admit a State to the United Nations is not a matter for the Security Council, but for the General Assembly; the Council only makes a recommendation. Therefore, if as laid down in resolution 3366 (XXX) of 19 September 1975, the General Assembly “considers that the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam should be admitted to membership in the United Nations”, the Security Council should, in its turn, note that its task has been considerably simplified.

18. I shall not dwell, either, on the sense of the opinion given by the International Court of Justice on 28 May 1948<sup>1</sup> which indicated that there is no legal foundation for a Member of the United Nations, which is called upon to vote on the admission of

another State, to subject its affirmative vote to the condition “that other States be admitted to membership in the United Nations together with that State”.

19. The delegation of the United States of America furthermore justified its veto by a refusal of selective universality in the United Nations. Now, the irony of fate has willed it that precisely that same delegation which is now so indignantly fighting such a practice did everything it could for almost 20 years to close the door of the Organization to the legitimate representatives of more than a fourth of the population of our planet. If today the Government of the People’s Republic of China is seated here with us, it is no less true that the United States, up to the last minute, objected to the restoration of its legitimate rights in the United Nations. In the more recent past, the same attitude could also be observed regarding the seat of Cambodia, which for almost five years was illegally occupied by the puppets of the so-called Khmer Government of Lon Nol. We are equally entitled to believe that it is doubtless their concern to prevent selective universality which leads the United States to give its unconditional support to 4 million white racists of the Government of Pretoria, while 16 million black and Coloured people who live in the same State are refused any participation in the administration of their own country. Senegal, for its part, remains profoundly attached to the principle of the universality of the United Nations; but the problem we have before us today has nothing to do with that principle.

20. Furthermore, there is some similarity between the problem of the States of Viet-Nam and the Korean problem. In both cases they are countries divided by circumstances independent of the will of their people. However, the comparison can go no further. The two Republics of Viet-Nam have freely requested admission to the United Nations, whereas in respect of the two Koreas only one has submitted such a request. Furthermore, I must add that the application for membership of the Government of the Republic of Korea is in violation of the terms of the consensus of the General Assembly when it met on 28 November 1973 on the peaceful reunification of Korea.<sup>2</sup> It is also contrary to the South-North joint communiqué signed by the two parties concerned on 4 July 1972<sup>3</sup> confirming that Korea is a single, indivisible entity and that the two present Governments of Korea, like the United Nations, should work for the peaceful reunification of the country. Therefore, the problem of the admission of Korea can in no way be linked to the question of the admission of the two Republics of Viet-Nam to the United Nations.

21. The Vietnamese people has heroically won its right to citizenship in the broad family of nations. It has spared no effort or sacrifice to recover its freedom and safeguard its independence and national sovereignty. It has likewise shown recently that it is

just as capable of working for the maintenance of peace and security throughout the world as for the development of relations of friendship and good co-operation among peoples. It would be shameful if the Organization were to submit the applications of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam to the odious package deal to which we are invited, whereas it would be to the honour of the Organization to admit the true representatives of that heroic people which has paid so heavy a price to defend the ideals of freedom, justice and independence to which we are all so deeply attached.

22. In the course of his statement last Friday in the Security Council [1842nd meeting], the representative of the United States of America stated that his Government was still determined to veto the applications for membership in the United Nations of the two Viet-Nams despite the overwhelming majority decision of the General Assembly. He also reminded us of something we already know, that it was at the request of his Government that the International Court of Justice handed down its opinion of 28 May 1948. However, it would seem to us to be curious, to say the least, that in his statement, after having linked the applications for admission of the Republics of Viet-Nam to that of the Republic of Korea, the representative of the United States of America now accuses the other members of the Council of making their vote dependent on the admission of another State—that is the Democratic People's Republic of Korea—when there is no question of considering the case of that State, which has never submitted an application for admission to the United Nations.

23. Furthermore, the statement of the United States representative contains elements which seem to us to be somewhat contradictory. After having pointed out that the International Court of Justice considers over-all solutions in respect of admission to the United Nations to be unacceptable, the United States representative nevertheless ended his statement by saying that his Government would exercise its right of veto if the applications of the two Viet-Nams were not dealt with on a footing of equality with that of the Republic of Korea, which is not even on the agenda of the Security Council. The United States representative also affirmed that the General Assembly and the Security Council had on several occasions expressed the opinion that the Republic of Korea was qualified to become a Member of the United Nations. It seems that matters must have developed considerably, judging by the decisions on this subject taken recently by the Security Council. As for the opinion of the General Assembly on the matter, the delegation of the United States can learn this by submitting the question for its consideration.

24. It is truly deplorable to note that the spokesman of a country which plays so paramount a role

on the international scene as the United States should resort to such legal quibbling to show its resentment against a people whose only crime is to remain fervently attached to its freedom and national independence. In any event, the United States can never win on the diplomatic level a victory which it was never able to win on the battlefield of the Indo-Chinese peninsula. However, it is comforting to note that this inadmissible and ignoble conduct meets with the almost unanimous condemnation of the entire international community.

25. Once again the United States is alone, completely alone, in supporting an unjust and indefensible cause and opposing the almost unanimous will of the world community. After having borne for 30 years the terrible weight of a war they never wanted, the people of Viet-Nam have now dedicated themselves to the reconstruction of their devastated country. In this gigantic endeavour they should be able to count on the moral and material support of the international community, and particularly of those who bear the heavy burden of having imposed those sacrifices on them. The entry to the United Nations of the Republics of Viet-Nam should be considered as the true end of the long nightmare in which for 30 years that heroic people has lived. I must in all truth emphasize that so far no one in the Organization has challenged the right of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam to take their places in the United Nations. Thus the fundamental point is that applications for admission of those two countries should be considered impartially and without partisanship, rancour or acrimony, with the sole concern of working for peace, reconciliation and understanding among peoples.

26. The United Nations, which was not able to find effective means to spare that people suffering and tears during 30 years of heroic struggle, will be failing in its duty if it does not seize the opportunity now offered to make reparation, even if only in part, for the error, not to say tragic complicity, of which it could with justice be accused. The Security Council should without hesitation accede to the requests of the two Republics of Viet-Nam and thus respond favourably to the wish of almost all the representatives to the United Nations. Only such a decision would satisfy the entire international community and if the Security Council were to pronounce itself against resolution 3366 (XXX), adopted by an overwhelming majority in the General Assembly, according to which "the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam should be admitted to membership in the United Nations", it would undoubtedly be taking a decision fraught with consequences. However, we should like to believe that, despite a statement made at a previous meeting of the Security Council, no member of the Council would assume such a serious responsibility.

27. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Madagascar. I invite him to take a seat at the Council table and to make his statement.

28. Mr. TIANDRAZA (Madagascar) (*interpretation from French*): Mr. President, allow me to express the feelings of particular satisfaction of my delegation at seeing you preside over the Security Council. The very friendly relations which Mauritania and Madagascar are honoured to maintain give me every hope that under your diligent, enlightened and informed direction the Council will be able to find a solution in accordance with the common ideals of peace, understanding and progress to the problem at present before it. I should like to take this opportunity also to address the thanks of my delegation to you personally, and through you to all members of the Council, for having agreed to our request to participate in this discussion.

29. International opinion is agreed in recognizing the present situation in South-East Asia, and particularly in Viet-Nam, as a decisive factor in the strengthening of peace and security in that region and hence throughout the world. That situation has come about through the courageous struggle waged by the Vietnamese people of an entire generation against colonialism and imperialism, as well as by the victory of the forces of progress against reaction and foreign intervention.

30. There is therefore an indisputable link between the strengthening of international security and the victory of the Vietnamese people. Furthermore, we all recognize that the main responsibility for maintaining peace and security is borne by the Council and that their strengthening is an integral part of its functions, exercised, it must be recalled, on behalf of all Members of the Organization. It follows that if we are indeed wedded to these two essential elements, namely, the role of the Council and the contribution of the Vietnamese people, in the field of the strengthening of peace, there should be no opposition to international recognition of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam, which would be the necessary corollary to the admission of those two States to the United Nations.

31. The United States, for its part, has declared that it is not opposed to the entry of the two Vietnamese States. It would have been eminently desirable for the United States to be in a position to make it clear that it would not be opposed to it in any way imaginable, as it stated it wished to support in all possible ways the favourable consideration of another candidacy. Unfortunately, after the most recent statement of the United States [*ibid.*] to the effect that no change would occur in the attitude it had adopted during the first discussion of the candidacy of the two Vietnamese States [*1834th meet-*

*ing*], we note that those two States have once again been ostracized by the arbitrary will of a single State.

32. An uninformed layman could draw three possible conclusions from this: first, that the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam had not accepted the obligations of the Charter, or, secondly, that in the judgement of the Organization the two States were not peace-loving, capable of meeting those obligations and prepared to do so, or, thirdly, that the United Nations had invited the two States not to abide by the principles of the Charter.

33. The first conclusion is formally disproved by the declarations of the two Governments, as regards both the Organization and all countries throughout the world with which they wish to initiate diplomatic relations based on the principles of non-alignment, namely, sovereign equality, mutual respect, non-interference, respect for independence and mutual advantage. The second conclusion flies in the face of the deliberations held on 19 September last, as a result of which the Organization, validly and democratically represented by the General Assembly, recognized in resolution 3366 (XXX) that the two Vietnamese States could become Members of the United Nations. It is true that the United States and other States did not see fit to go along with that majority opinion, which is not supported only, we would emphasize, by the non-aligned and the socialist countries. Regarding the third conclusion, it is clear that it is an untenable paradox because as an organization we are pledged to ensure that all States act in accordance with the principles on which the obligations of the Charter are based. For our part, all the objective conditions for admission have been met by the two Vietnamese States which have, furthermore, received democratic, unanimous and non-partisan support.

34. That would explain the procedural manoeuvres indulged in by the United States and the doubts some have tried unsuccessfully to cast on our intentions. Thus the United States at the last minute instigated a candidacy, knowing quite well that it would be contested as it had already been four times previously. It also implicitly and explicitly invoked the question of conditional admission, whereas it could not be unaware, since it had raised the question itself, that the International Court of Justice had in 1948 handed down an advisory opinion<sup>1</sup> to the effect that that thesis was invalid. Now, by a rather unusual reversal of the situation, the other States are accused of making the consideration of one candidacy contingent upon that of another which exists only in the imaginations of certain people. To be more precise, as far as we know the Organization has not had any request for admission by the Democratic People's Republic of Korea.

35. From the point of view of ideas, there is objection to our speaking of the need for ideological

pluralism and universality. We have, however, been misunderstood, because it is precisely in the name of that pluralism that we are demanding the admission of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam. As far as universality is concerned, it is high time, if only to satisfy the international public, to remove the ambiguities purposely injected into that concept. Because we share with the Vietnamese States the same ideology and the same concept of the promotion of man by socialist revolution, it is claimed that the support we give to them proceeds from some sort of selective universality. There is an attempt to ignore the fact that, according to the Charter, which implicitly recognizes the status of a non-Member State, universality can only be the universality of acceptance of our principles and objectives. To go beyond that would be tantamount to violating the spirit and the letter of the Charter.

36. The objective and subjective conditions in which the examination of the applications of the two Vietnamese States is taking place lead us to share the following thoughts with the Council. First, the right of veto, which is certainly questionable although still recognized by the present Charter, should be exercised only when peace and security are endangered. It is difficult to see how the admission of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam can have a negative effect on the security of a country or lead to a breach of international peace and security.

37. Secondly, the Charter provides that in regard to the admission of a new Member State the decision is to be taken by the General Assembly and that the Security Council can only make recommendations. Now, a recommendation has no binding value, and one can therefore wonder what meaning and what value can be attached to the exercise of the veto in this particular case.

38. Thirdly, despite the interpretation given by the International Court of Justice 27 years ago, in completely different conditions, it can be agreed that the Council's recommendation to the General Assembly may take three forms: it can be positive, as has been the case for most previous admissions—at least for 20 years now; or it can be conditional, which was the case in 1949 when one State was admitted; or it can be negative.

39. Since the Council cannot arrive at a positive recommendation because of the veto cast by a permanent member, and since there can be no question of a conditional recommendation in the case of the two Vietnamese States, we see no alternative for the Council but to be obliged to transmit a negative recommendation to the General Assembly. The Assembly, with full sovereignty, will decide how to treat such a recommendation. This is an unprecedented fact, of exceptional gravity for the very

future of our institutions. We shall at least have the advantage of saying that we are not responsible for this absurd situation, the origin of which is to be found in the manipulations indulged in by certain States, to the detriment of strict respect for the provisions of the Charter.

40. For 30 years, because of the determination of the great Powers and despite the reiterated appeals of the universal conscience and the most authoritative persons, the United Nations was not able to play a truly significant role in the settlement of the Viet-Nam war. We shirked our responsibilities when there was a breach of peace and security in that region.

41. The Vietnamese people endured, with the greatest dignity, the most terrible suffering and the worst humiliation that can be imagined. Is it too much to ask that we ensure that that suffering was not in vain? Is it too much to ask that the United Nations recognize, in the most appropriate way possible, the victory won by a people over colonialism, occupation and foreign domination, and recognize as well that people's contribution to the strengthening of international security? Finally, is it too much to ask that we be consistent with the principles of the Charter and the declarations adopted during the past 15 years on relations between States, international security and the liberation of peoples?

42. The outcome of the Council's discussions appears to be predetermined. We deeply regret that, and we shall know what conclusions to draw from it. Nevertheless, whatever decision may be taken by the Council, we remain convinced that justice and equity will finally prevail and that the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam will make a positive contribution to international life. They have already given proof of that in the non-aligned movement and we know that they will not remain for long in the limbo of the history of the Organization, for in the final analysis it is we who stand to gain by their membership in the United Nations.

43. Mr. JACKSON (Guyana): Having co-sponsored the draft resolutions now before the Security Council, my delegation has the greatest pleasure in voicing its support—as it did in August [1834th and 1835th meetings]—for the admission of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to the United Nations. That the Security Council is reconsidering these applications a mere few weeks after its previous deliberations on the subject is the result of the fact that it has been specifically requested so to do by the General Assembly in its resolution 3366 (XXX), in favour of which 123 delegations voted. Thus, the Council has received an opportunity to redeem itself on this issue.

44. It is not, I believe, necessary to recount in full the heroic exertions of the Viet-Nameese people against



the forces of modern political enslavement. The severity of their suffering is as widely acknowledged as their well-deserved victory is universally acclaimed. The Vietnamese people have won the admiration of peoples throughout the world not only by the successful culmination of their struggles but also by the statesmanship and dignity of their leaders—and their people—in the hour of supreme victory. Now they are assiduously working for the reconstruction of their countries so wantonly ravaged and so ruthlessly despoiled. But the Vietnamese people are not blinkered. One political leader of the Republic of South Viet-Nam placed in proper perspective the world's debt to his people when he said that "a nation that has recorded such splendid exploits deserves to enjoy peace, freedom and happiness".

45. The people of Viet-Nam have pledged to contribute their distinctive talents and experience to the cause of world peace and international co-operation. And in this respect their stated goals include extending the hand of amity to their former adversaries once this process is founded on mutual respect and is in strict accordance with the other fundamental principles enshrined in General Assembly resolution 2625 (XXV), the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

46. No one denies—and this is significant—that the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam are fully qualified for membership in the United Nations. I repeat: no one denies that. The two States are peace-loving, they accept the obligations contained in the Charter, and there is no question of their ability and willingness to carry out the obligations contained therein. Indeed, it is really difficult, if not impossible, to find any one or two States not now enjoying the benefits and privileges of membership in the United Nations that are as eminently qualified for such membership as the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam. What, therefore, can now frustrate these applications? Starkly and simply put, it is the statement of intent to exercise again a Charter right—which some indeed call a privilege. I refer to the veto power held by the United States of America.

47. In the debate on this issue on 19 September,<sup>4</sup> at the current session of the General Assembly, my colleague from the sister republic of Mexico reminded us of the commitment made in the quadripartite statement<sup>5</sup> whereby the four original permanent members of the Security Council—and this includes the United States of America—pledged not to use their veto power with the deliberate intention of impeding the work of the Council. We were also reminded of this by my colleague from non-aligned Yugoslavia in his statement yesterday [1843rd meeting], which was excellent. Suffice it to say that the

Guyana delegation regrets that this understanding can still, at the present time, be susceptible to a breach.

48. That notwithstanding, let us look at the stated reasons for such an intimation. The representative of the United States of America, Mr. Moynihan, in his statement of Friday last, clearly expressed his Government's desire not to stand in the way of the admission to the United Nations of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam. Further, in his statement Mr. Moynihan affirmed his delegation's support for the ruling of the International Court of Justice given in 1948 relating to the "linkage" of applications for membership of the United Nations, and he asserted that: "each application should be considered on its merits, on the basis of established criteria" [1842nd meeting, para. 99]. Yet the delegation of the United States of America proceeded to proclaim that it would cast a veto—albeit with regret—thereby frustrating the applications currently before the Council.

49. Starting from a position of lofty principle against so-called "package deals", that delegation then referred to attitudes regarding North and South Korea, issues which are not on the agenda—and it is an agenda adopted by democratic means and in accordance with the provisional rules of procedure. Thus we are faced with a most curious situation. A strange logic is indeed at work. By the introduction of the question of Korea, the United States delegation has acted against the principle of non-linkage of applications, a principle which it espouses.

50. The situation is not, however, irreversible. My delegation joins others which have expressed the hope that it is not too late for the United States to change its position. If the United States does not, my delegation remains confident in its conviction that such action against the forces and the realities of history can only be temporary and that in time the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam will take their rightful places among us.

51. Mr. GURINOVICH (Byelorussian Soviet Socialist Republic) (*interpretation from Russian*): Mr. President, permit me firstly to congratulate you as President of the Security Council, to mention your great competence in guiding the work of the Council and also to thank you for the warm words of welcome you addressed to me in connexion with my participation in the work of the Council. The Council has met in response to the request of the General Assembly in resolution 3366 (XXX) that the Council immediately and favourably reconsider the applications of the Democratic Republic of Viet-Nam and of the Republic of South Viet-Nam to be admitted to membership in the United Nations in strict conformity with Article 4, paragraph 1, of the Charter of the United Nations.

52. In that resolution, which was sponsored by approximately 70 States, including the Byelorussian Soviet Socialist Republic, the General Assembly has reaffirmed the legitimate right of the Democratic Republic of Viet-Nam and of the Republic of South Viet-Nam to become Members of the United Nations. That resolution, against which no one voted, did not link the question of the admission of the two Vietnamese States to membership in the United Nations with the consideration of any other applications for membership in the Organization.

53. We are pleased that in its agenda the Security Council has confined itself solely to the request made by the General Assembly and that, in view of the present conditions of international détente, it has refrained from reviving attitudes born of the cold war that bar the way of the aspirations of the Korean people to unify their country on a peaceful, democratic basis.

54. To those speakers, who, for purely subjective and political motives, have now made some reference to the inadmissibility of discrimination or to the one-party nature of the United Nations, I should like to point out that it was precisely their countries which for many years supported the admission to the specialized agencies only of those countries which suited them, and did everything to bring it about. In a discriminatory way, they blocked the admission to the specialized agencies of the United Nations of the Democratic People's Republic of Korea and other socialist States.

55. It should also be recalled that at the Final Act of the Conference on Security and Co-operation in Europe, held at Helsinki in 1975, the States participants confirmed "that in the event of a conflict between the obligations of the Members of the United Nations under the Charter of the United Nations and their obligations under any treaty or other international agreement, their obligations under the Charter will prevail, in accordance with Article 103 of the Charter of the United Nations".

56. In the present specific case this signifies that when considering applications for admission to the United Nations we must necessarily be ruled by the provisions of Article 4, paragraph 1, of the Charter, and not by any other facts. The course of the debate in the General Assembly and the present discussion in the Security Council amply show that the applications of the Democratic Republic of Viet-Nam and of the Republic of South Viet-Nam for admission to membership in the United Nations enjoy the virtually universal support of States Members of the United Nations. Everyone, including the representative of the country which prevented the Security Council from taking a decision in August of this year, has declared that these two States meet the requirements stated in Article 4, paragraph 1, of the Charter applying to States seeking

admission to the United Nations, that is, that they are peace-loving States and are prepared to assume and to fulfil the obligations under the Charter.

57. Their right to become Members of the United Nations was won by the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam in the course of a long and relentless struggle for their liberty and independence and for the restoration and strengthening of peace in Indo-China. In that heroic struggle, the people of Viet-Nam relied on the constant support of the States of the socialist commonwealth and all anti-imperialist forces. The victory that crowned the just struggle waged by the people of Viet-Nam had a beneficial influence not only on the situation in South-East Asia but on the international situation as a whole. It created favourable circumstances for further improvement in the international climate.

58. Recently, the Vietnamese people solemnly celebrated an important anniversary: the thirtieth anniversary of the proclamation of the Democratic Republic of Viet-Nam. During the past 30 years, under difficult circumstances of virtually uninterrupted aggression, it has achieved considerable success in building socialism in the Democratic Republic of Viet-Nam. As a result of its heroic victories, the Vietnamese people fully liberated its land of Viet-Nam from the imperialists and their henchmen. The Democratic Republic of Viet-Nam and the Republic of South Viet-Nam have received wide international recognition. Their foreign policies are based on the strengthening of international peace and security and the extension of international détente to the entire world. They pursue a policy of developing friendship and good-neighbourly relations with all countries and of further deepening comprehensive international co-operation on the basis of mutual respect, independence, equality, common advantage and peaceful coexistence. This foreign policy is entirely in harmony with the requirements laid down by the Charter.

59. There can be no doubt that the admission of the two Vietnamese States to the United Nations would significantly contribute to enhancing the effectiveness and authority of the United Nations. It would represent a step forward towards genuine universality. It would enable it to benefit in full measure from the great experience of politics and of life that has been gained by the Vietnamese people.

60. The delegation of the Byelorussian SSR considers that the question of the admission of the Democratic Republic of Viet-Nam and of the Republic of South Viet-Nam to membership in the United Nations must be decided positively and without delay. It is particularly urgent in the light of the positive changes which are occurring in the international arena, broadening and deepening détente and ensuring its irreversible character.

61. Any further delay, any second refusal to admit the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to membership in the United Nations would run counter to the will of the majority of the States Members of the United Nations and would be irreconcilable with the purpose of enhancing the prestige and authority of the Organization. As a sponsor of draft resolutions S/11832 and S/11833, which have been submitted on behalf of nine States, containing recommendations from the Security Council to the General Assembly to admit the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam to United Nations membership, the Byelorussian SSR would appeal to all members of the Security Council to do their duty and to support those draft resolutions. We are convinced that, if not at the present series of meetings of the Security Council, then at least in the very near future, reason and common sense will prevail, that the just cause of the Vietnamese people will triumph and that both Vietnamese States, the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam, will become full Members of the United Nations.

62. Mr. de GUIRINGAUD (France) (*interpretation from French*): After an interval of some six weeks, here we are in the Security Council repeating a debate in which the arguments of each are known in advance. Like other delegations, the delegation of France can only reaffirm its position; we have nothing of substance to add to the considerations we put forward on 11 August [1835th meeting], nor do we wish to retract anything.

63. We have stated the reasons why we earnestly desire the admission of the two Viet-Nams to the United Nations. The trials of the Vietnamese people, which give them a moral right to assistance from the entire world community; the commitment which the two Republics of Viet-Nam undertook, in submitting their applications, to respect the Charter and to assume the obligations incumbent on every Member; our historical links with the people of Viet-Nam—these are some of the reasons in favour of the admission of these two States.

64. The recent adoption, by a very large majority, of General Assembly resolution 3366 (XXX), is a further argument of the same side. The delegation of France will therefore have no hesitation in voting again, as we did last month [1836th meeting], in favour of the admission of the Democratic Republic of Viet-Nam and of the Republic of South Viet-Nam.

65. It seems to us, furthermore, that the question on the agenda should be considered on its merits and not as dependent on any other. We have said and we would say again that we do not approve of the scheme of linking one vote to another. We are against the practice of the package deal, even though certain States which are indignant in the

present case readily accommodated themselves to it in other circumstances.

66. Having said this, the delegation of France can the more readily reaffirm its deep attachment to the quest for a universality that will symbolize our intention of putting an end to the cold war everywhere. The principle of universality is not divisible. We are in favour of the admission of the two Viet-Nams. We are also in favour of the admission of the Republic of Korea, since that State has submitted an application for membership which is still valid and still before the Council, and because we do not doubt that it has the necessary qualifications. Certainly we feel that it is not imperative to consider its case today, concurrently with those of the two Viet-Nams. But we regret that the other half of Korea, which is equally qualified to be one of us, refuses to join the United Nations and seems to consider the Organization as a place to be avoided. We regret that the result of this abstention should be that the Republic of Korea is kept out of the United Nations. This scorn surprises us all the more since the Assembly once again has on its agenda a major debate on the question of Korea, and since we have all to make great and sincere efforts, in this part of Asia as well as in the rest of the world, to achieve the agreements and the détente that are unanimously desired by our nations.

67. Mr. VINCI (Italy): I have carefully followed the statements made by the representatives, and Foreign Ministers of several countries, within and outside the Council, who have taken part in this debate. It is indeed an interesting and altogether a civilized exchange of views. But it would be rather difficult to try to draw any specific conclusions from so many speeches. However, if I was asked to single out a main feature of the debate, I would for my part say that what impressed me most was hearing the same argument used to support one thesis or the other, which shows how little logic counts whenever deep-rooted political differences exist and, consequently, how easy it is to fall into contradictions while defining positions on the grounds of principle. Of course, this is nothing new in the United Nations records or, for that matter, in international affairs in general.

68. Belonging to a country which has given no minor contribution to the development of law, I feel, of course, a rather strong temptation to follow the same line or approach of previous speakers. As the old Latin saying goes, *jus descendit a justitia sicut a natura sua*, which, translated, means that law descends from justice as from its own nature. But I will resist the temptation of referring to resounding legal and ethical values and speak plainly, since the whole debate has shown how much the issue is essentially of a political nature.

69. Now, with all the respect I have for the views put forward by several delegations, I will start by saying that they have failed to convince us that one of the three applications for United Nations membership which were before the Council could not be considered at present. Apart from the right of a State to have its application considered on its merit without any link or connexion with other parties directly or indirectly concerned, the existence in our midst of two Member States from the territory of a divided country cannot be ignored or discarded lightly, qualifying as it does the procedure once followed as a generally accepted practice. In our view it proves, *inter alia*, that differences of political or economic system do not hinder admission to the United Nations. This is, we feel, an example to follow, not one to refute with arguments that are not consonant with our main duty, which is to reconcile different positions and to harmonize the actions of nations.

70. That is why I believe that we should also encourage the Democratic Peoples Republic of Korea to join the Organization rather than take the opposite position. Such a move on the part of the United Nations would be in keeping with the ideal, which is unanimously supported, of universality and would in our view help the objective of unification which each of the two States of Korea has set as the basis of their policy.

71. Having made these general remarks, I do not think I have much to add to what was stated by Mr. Cavaglieri at the 1835th meeting of the Council on 11 August. In fact, the position of Italy was made clear through the votes its delegation cast at the meeting of the Security Council in August [*ibid.*], in the General Assembly in support of resolution 3366 (XXX), and in the Council on Friday last [1842nd meeting]. We regretted then, and we regret now, for the reasons I have just mentioned, that the application of the Republic of Korea was not included in the agenda. We are now prepared to vote in favour of draft resolutions S/11832 and S/11833 introduced by Mr. Salim of the United Republic of Tanzania.

72. As the Foreign Minister of Italy, Mariano Rumor, stated in the general debate in the General Assembly on 23 September: "Another region which for too many years has been a theatre of war is South-East Asia. Although armed conflict has now come to an end in Viet-Nam and Cambodia, there remains in those areas a number of problems related to reconstruction". Further on, he said: "In line with the growing interest of the countries of the [European] Community in the political and economic stability of South-East Asia, Italy will not fail to support all appropriate initiatives for the advancement of a region which has long sought to achieve its legitimate aspirations for progress in a new climate of peace".<sup>6</sup>

73. We are convinced that the active participation of the two Vietnamese States in our work would

accelerate the fulfilment of their plans for rehabilitation. At the same time, admission of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam would constitute a significant step towards the universality of the Organization and give momentum to the restoration of stable and peaceful conditions to an area which has gone through so many—too many—years of human suffering and material destruction.

74. Mr. ZAHAWIE (Iraq): The position of my delegation concerning the item on the agenda does not require any elaboration, as Iraq has already stated its position on the matter and is now listed among the sponsors of the two draft resolutions before the Council recommending the admission of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam to membership in the United Nations. I should, however, like to make a few remarks on the question of membership in general, on the mandate of the Security Council and the General Assembly according to the Charter, and on the possible outcome of the present debate in the Council.

75. The question of membership in the United Nations is replete with ironies and contradictions. In the name of universality, for instance, two States eminently eligible for membership are being prevented from enjoying that membership. Then, too, those who are so vociferously advocating the principle of universality, which is not a provision of the Charter, call for the strict observance of the Charter and at the same time adamantly oppose any implementation of clear and unequivocal provisions of the Charter concerning membership—namely, Articles 5 and 6. These two positions—the newly found total support for the principle of universality as an end in itself, on the one hand, and the categorical rejection, on the other, of even a consideration of the possibility of the implementation of Articles 5 and 6 of the Charter with regard to the most intransigent Members—are clear and deliberate attempts at distorting the purposes and principles of the Charter.

76. The refusal to contemplate the possibility of the application of those basic Articles is maintained in defence of the continued membership of the likes of South Africa and Israel, whose unparalleled records of violation of the Charter and contempt for and defiance of the resolutions of the United Nations have only served to erode the effectiveness, the position and the very foundations of the United Nations. I might add, in passing, that the case of the Israeli régime's membership in the United Nations is all the more incongruous, as that régime was established in contravention of General Assembly resolutions on the future status of Palestine. To this day it leaves its territorial boundaries undefined in the hope of acquiring or annexing further territory, and over the last two decades it has adamantly refused the fulfilment of the provisions upon which its admission was made conditional.

77. It appears that the Council is now heading towards another veto. It will be yet another demonstration of what has rightly been called the tyranny of the minority. That should not, however, necessarily mean that the whole debate was but an exercise in futility. It does not mean that the will of the great majority of the Members of the United Nations will be paralysed by the willfulness of the very small minority. The General Assembly will no doubt draw the proper conclusions from the votes cast in the Security Council, from the vetoes that kept South Africa in the United Nations and the vetoes that keep the two Republics of Viet-Nam out.

78. As long ago as 1950, the General Assembly adopted resolution 377 (V), which provided that if the Security Council, because of a lack of unanimity among its permanent members, failed to exercise its primary responsibility in the maintenance of peace, the Assembly would take up the matter immediately and make the necessary recommendations, including the use of armed force when necessary to maintain international peace and security. Now, the maintenance of international peace and security is, of course, the primary responsibility of the Council, and yet the Assembly, in accordance with the provisions of that resolution, which is known as the "Uniting for peace" resolution, assumed responsibilities which were, according to the Charter, entrusted solely to the Council.

79. With regard to the question of membership, the role of the Security Council is, however, limited to making recommendations only, as has already been pointed out by the representative of Yugoslavia in his statement to the Council [1843rd meeting]. Decisions on membership were, according to Article 4, 5 and 6 of the Charter, to be effected by the General Assembly.

80. In the face of the recent failures of the permanent members of the Security Council to arrive at unanimous decisions on questions of membership, the only logical step for the General Assembly would appear to be the adoption of a resolution similar to resolution 377 (V) on "Uniting for peace". The new resolution would of course concern itself with the question of the decisions on membership which the Charter entrusts to the General Assembly. Such a resolution might well be entitled the "uniting for justice" resolution. The General Assembly may indeed find in the adoption of such a resolution the only course of action left open to it in the face of the obstructive actions of a minority in the Security Council.

81. The PRESIDENT (*interpretation from French*): Before calling on the next speaker, I should like to inform members of the Council that I have received letters from the representatives of Mexico and Mozambique, asking to be invited, in accordance with Article 31 of the Charter and the provisional rules of procedure, to participate without the right to

vote in the Security Council debate on the item before it. If there is no objection, I intend, in accordance with our practice and with the provisions of rule 37 of the provisional rules of procedure, to invite the representatives of Mexico and Mozambique to take the seats reserved for them at the side of the Council chamber, it being understood that they will be invited to take a place at the Council table when it is their turn to speak.

*At the invitation of the President, Mr. García Robles (Mexico) and Mr. Chissano (Mozambique) took the places reserved for them at the side of the Council chamber.*

82. Mr. BOOH BOOH (United Republic of Cameroon) (*interpretation from French*): On 19 September last, the General Assembly, by an almost unanimous vote, adopted resolution 3366 (XXX) whereby it requested the Security Council to reconsider immediately and favourably the application for membership in the United Nations of the two Vietnamese States, in strict conformity with Article 4, paragraph 1, of the Charter.

83. It was therefore justifiable to think that this urgent request by the Assembly, together with the declaration of reconciliation and goodwill made by the representatives of the two Vietnamese States in respect of all countries of the world and particularly in respect of the United States of America, would have been considered by the Security Council with the calm and seriousness which this subject requires.

84. My delegation cannot but deplore the fact that certain Powers believed it appropriate to choose this occasion to revive once again the request for admission of the Republic of Korea which, while enjoying some sympathy in the Security Council, has always given rise to well-founded disputes. It seems to us mistaken to believe that the entry of the Republic of Korea into the United Nations would be a panacea for and lead to the solution of all its fundamental political problems.

85. The United Republic of Cameroon has excellent relations with both the Republic of Korea and the Democratic People's Republic of Korea, and we believe that a just outcome of the Korean question must be based on taking into account the fact that two Governments at present preside over the destinies of the Korean people, and that it is for them in the first place to determine, without foreign interference; the appropriate means for ensuring the peaceful and independent reunification of their country. The two Governments of Korea would therefore stand to gain by working tenaciously towards conciliation, dialogue and compromise. They can be assured of the sympathy and constant encouragement of my delegation.

86. In the case of the applications of the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam, I should like to reaffirm the position which my delegation stated last month in the Council [1835th meeting], namely, that Cameroon unreservedly supports the applications for admission of those two countries, for reasons connected both with the excellent relations between their respective countries and my own and our deep appreciation of the political realities in the new Indo-China. Indeed, since henceforth they will effectively exercise power over their territories, the two sovereign States of Viet-Nam simultaneously and freely accept the obligations which the Charter imposes on Members of the Organization, and solemnly undertake to comply with them.

87. Furthermore, by its long struggle against all foreign aggression and the indescribable sacrifices which it accepted in the name of freedom and justice, the Vietnamese people has indisputably proved to the entire world its unflinching devotion to peace and understanding among peoples and its ability to assume the responsibilities of a State Member of the Organization. Moreover, we cannot but express satisfaction that no member of the Council has expressed any doubts as to the merits of the two candidates in respect of the Charter. All delegations, including that of the United States, have declared that they have no reason to object to the entry of the two Vietnamese States to the United Nations. That is a just attitude in conformity with the Charter and with the advisory opinion of the International Court of Justice of 1948<sup>1</sup> on the subject, which should not be obscured either by a re-emergence of the questionable bargaining of the cold-war period, or by the persistence in an absurd resentment against the Vietnamese people.

88. The political realities of the Indo-China of today are irreversible; to accept them is surely to work for peace and reconciliation among States, as insistently proclaimed in the Charter. It would be unjust, indeed odious, for the Council to hold the Vietnamese people responsible for the misfortunes of the people of Korea and therefore to act in contravention of its just aspiration fully to assume its responsibilities within the community of free nations.

89. It is a well-established principle that applications for admission of new Members must be examined objectively and individually on the basis of Article 4, paragraph 1, of the Charter. One cannot therefore evoke artificial arguments to bar those requests without bearing the heavy responsibility of trampling underfoot the Charter of the United Nations. That is why my delegation appeals urgently and in a friendly manner to the delegation of the United States to reconsider its position and also support unconditionally draft resolutions S/11832 and S/11833, which the representative of the United Republic of Tanzania so eloquently introduced yesterday [1844th meeting] on behalf of the sponsors and which reflect the desire of the overwhelming majority of States throughout the world that the Republic of South Viet-Nam and the Democratic Republic of Viet-Nam should without delay become Members of the United Nations.

90. The obstinacy of a single Member of the Organization in opposing the admission of the two Vietnamese States to the United Nations, thus opposing the will of all countries of the world, is bound to be defeated and will in no way alter the determination of the Vietnamese people to defend today, with the same dignity and firmness as it did yesterday on the field of battle, the recognition of its legitimate rights by the international community. We are convinced that time is on the side of the Democratic Republic of Viet-Nam and the Republic of South Viet-Nam, which can always count on the sympathy and active support of all peoples throughout the world who love liberty in countering the sordid manoeuvres of imperialism and ensuring the triumph of their national rights, both in their homeland and in the United Nations.

*The meeting rose at 1 p.m.*

*Notes*

<sup>1</sup> *Admission of a State to the United Nations (Charter, Art. 4), Advisory Opinion: I.C.J. Reports 1948, p. 57.*

<sup>2</sup> *See Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 30, p. 24, item 41.*

<sup>3</sup> *Ibid., Twenty-seventh Session, Supplement No. 27, annex I.*

<sup>4</sup> *Ibid., Thirtieth Session, Plenary Meetings, 2354th meeting.*

<sup>5</sup> *United Nations Conference on International Organization, III/1/37.*

<sup>6</sup> *See Official Records of the General Assembly, Thirtieth Session, Plenary Meetings, 2357th meeting.*



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