

# GENERAL ASSEMBLY

## SEVENTH SESSION

### Official Records



## PLENARY MEETING

Wednesday, 3 December 1952, at 3 p.m.

Headquarters, New York

### CONTENTS

	Page
Korea. Reports of the United Nations Commission for the Unification and Rehabilitation of Korea: reports of the First Committee (A/2278) and the Fifth Committee (A/2284) .....	295

**President: Mr. Lester B. PEARSON (Canada).**

#### **Korea. Reports of the United Nations Commission for the Unification and Rehabilitation of Korea: reports of the First Committee (A/2278) and the Fifth Committee (A/2284)**

[Agenda item 16 (a)]

*Pursuant to rule 67, it was decided not to discuss item 16 (a) of the agenda.*

*Mr. Thors (Iceland), Rapporteur of the First Committee, presented the report of that Committee (A/2278) and then spoke as follows.*

1. Mr. THORS (Iceland), Rapporteur of the First Committee: The First Committee has been concerned with this matter for five weeks. It has succeeded in reaching agreement by an overwhelming majority. I venture to state that it is the fervent desire of the United Nations that peace be brought to the suffering, devastated and war-torn country of Korea. The draft resolution submitted by the First Committee is a sincere endeavour towards that great aim. Let us hope that, despite the dark outlook, these measures may, in the course of time, prove fruitful. In the meantime, let us have patience. We all know that the whole world prays for peace and hopes that our deliberations and efforts will not have been in vain.

2. The PRESIDENT: I shall now ask the General Assembly to decide on the various questions before it under this item. While no discussion is permitted under our rules of procedure, some delegations have asked for the privilege of explaining their votes—and that privilege, of course, will be given to them. I would hope that, when possible, explanations of vote will be given after the voting has taken place.

3. I should also like to suggest to the General Assembly that, following the precedent which has now become pretty well established in connexion with explanations of vote—and also, indeed, the precedent which was followed in the First Committee on this subject when votes were explained—explanations of vote be limited to seven minutes. If that limit, which the President of the General Assembly is permitted to move under rule 88 of our rules of procedure, is

agreeable to the Assembly, then, in the event that the seven-minute limit is reached by any speaker, I shall flash the red light on the speaker's podium.

4. First, then, we shall take up the draft resolution submitted on this subject by the First Committee (A/2278). The USSR delegation has submitted certain amendments (A/L.117) to that draft resolution. Also, the delegation of India has just circulated a short clarification in the form of an amendment (A/L.120) to one of the paragraphs of the draft resolution. The members of the Assembly also have before them the report of the Fifth Committee (A/2284) on the financial implications of the draft resolution submitted by the First Committee. Following the usual order, we shall now proceed to a vote on the draft resolution proposed by the First Committee, beginning first with the amendments to that draft.

5. Does any representative wish to explain his vote, in respect of this draft resolution or amendments thereto, before the vote is taken?

6. Mr. VYSHINSKY (Union of Soviet Socialist Republics) (*translated from Russian*): The scope of the question of the reports of the Commission on the Rehabilitation and Unification of Korea [A/1881 and A/2187] was widened considerably in the course of its discussion in the First Committee, since that Committee dealt with the Korean question as a whole and laid special emphasis on the question of the cessation of hostilities in Korea and the repatriation of prisoners of war.

7. The USSR delegation fully realized even at that time that it would be wrong for the Committee to confine itself to the discussion of agenda item 16 (a), the UNCURK reports. It therefore strongly supported the Polish delegation's proposal that the first item of the First Committee's agenda should be the draft resolution [A/2229] submitted to the General Assembly on 17 October by the Polish delegation, on "measures to avert the threat of a new world war and to strengthen peace and friendship among the nations". Paragraph I of that draft resolution contained concrete and important proposals on the Korean

question, including a proposal for the immediate cessation of military operations on land, at sea and in the air, and for the return of all prisoners of war to their homeland in accordance with international standards and the Geneva Convention relative to the Treatment of Prisoners of War. That proposal, however, was not adopted, and the First Committee decided to take the UNCURK reports as its first agenda item. Nevertheless, the course of the debate obliged the First Committee to engage in the discussion, not of the Commission's reports, but of the Korean question as a whole.

8. During that debate, which lasted nearly one and a half months, the USSR delegation gave exhaustive and comprehensive explanations of its position on the question and submitted a draft resolution.

9. Although we are not now directly concerned with the United States draft resolution, it cannot be passed over in silence, since the Indian draft resolution was organically linked with it. We must point out that, in introducing its draft, the United States intended to secure the approval of the First Committee for the action taken by the United States Command on the question of repatriating Korean and Chinese prisoners of war, action which is known to have been accompanied by the gross violation of generally accepted principles of international law and the most important provisions of the 1949 Geneva Convention. The so-called "screening" or "interrogation" of prisoners of war carried out by the United States Command in its prisoner-of-war camps was accompanied by brutal pressure, the use of physical force and the mass shooting of Korean and Chinese prisoners. The torture and terrorism with which the United States Command had been and is conducting the "screening" or "interrogation" of Korean and Chinese prisoners have been confirmed by numerous facts, by the explanatory statements of Generals Coulson and Dodd, the United States commandants of the camps on Koje Island, and by the so-called International Committee of the Red Cross. Further corroboration was contained in dispatches published in the newspaper *Star Weekly*, which I read out in the First Committee, from a Canadian war correspondent, Mr. William Stevenson, who had visited those camps.

10. The United States draft resolution was so obviously aimed at prolonging the war of aggression against the Korean people that, as the debate on the draft in the First Committee showed, the United States delegation could not hope to succeed in securing its adoption. The draft resolutions submitted by Peru and Mexico, which were scarcely distinguishable from the United States draft, did not save the situation. Those were the circumstances in which the Indian delegation submitted its draft, which was based on the principles underlying the United States text, though presented in a somewhat modified form.

11. The Indian draft is in flagrant contradiction with the fundamental principles of the 1949 Geneva Convention and with the generally accepted elementary principles and standards of international law. As we have frequently pointed out, the second paragraph of the operative part of that draft resolution contains a formula on the question of measures for the repatriation of prisoners of war which is false and con-

trary to the Geneva Convention. At the same time, the draft resolution contains no reference to the barbarous and criminal methods of forcible "screening" or "interrogation" of Korean and Chinese prisoners which have been and are still being used in United States camps. Based on these false premises, the Indian draft resolution is not intended to compel the United States Command to refrain from the coercion and terrorism by means of which it is forcibly detaining Korean and Chinese prisoners of war. The Indian draft resolution does not ensure observance of the provisions of the 1949 Geneva Convention concerning the complete and unconditional repatriation of all prisoners of war, without any exclusions or exceptions not provided for in the Geneva Convention, which does not permit the forcible detention of prisoners of war under any pretext whatsoever. This important principle, laid down in the Convention, was emphasized in recent statements made by the Minister for Foreign Affairs of the People's Republic of China, Mr. Chou En-lai, and the Minister for Foreign Affairs of the People's Democratic Republic of Korea, Mr. Pak Hen-en. The Indian draft reduces the whole matter to the question of the repatriation of prisoners of war; in this respect, too, it is wholly incorrect, although this issue is extremely important.

12. The question of repatriation cannot be separated from the settlement of the Korean problem as a whole, with a view to the unification of Korea, to be effected by the Koreans themselves under the supervision of a commission whose membership must include the parties directly concerned and other States, including States which have not taken part in the Korean war. The necessary action to promote the repatriation of all prisoners of war by both sides should also be taken immediately under the supervision of this commission. The Indian draft, however, makes no reference to such an important question as the unification of Korea. It excludes from membership in the commission on the unification of Korea and the repatriation of prisoners of war, the parties directly concerned in the settlement of the Korean question. The establishment of such a commission would serve the interests of the United States Command and the ruling circles of the United States, which are trying to detain some of the prisoners of war under the pretext of "voluntary repatriation". It is also noteworthy that the draft resolution entrusts the final settlement of all the questions involved to an umpire and, in the last resort, to the United Nations, as is stated in the draft resolution, or to that part of the United Nations which uses the name of the Organization to mask the United States war of aggression in Korea.

13. In the First Committee, Mr. Menon, the Indian representative, said that the draft resolution pointed the way to peace and even alleged that it was a resolution to put an end to the war. That does not correspond to the facts, since it is obvious from a perusal of the Indian draft resolution that it contains no provision which could lead to the immediate cessation of bloodshed in Korea; it is consequently based on the assumption that military operations will continue.

14. Nothing is changed by the amendment [A/L.120] proposed today by the Indian delegation, since it makes a cease-fire conditional on an agreement being reached between the parties, instead of proposing an

immediate and complete cease-fire, that is, a cessation of hostilities in Korea, as provided in the USSR delegation's proposal. We are told that the cessation of hostilities in Korea is implied as the natural consequence of an armistice. Nevertheless, armistice talks were broken off for no reason by the United States, which refused to carry out the terms of the Geneva Convention concerning the exchange of prisoners of war and to hand over all prisoners without exception to the Koreans and Chinese.

15. It should be clear that there can be no question of any first step towards peace in Korea, to use Mr. Menon's words, without the immediate and complete cessation of hostilities in that country. Paragraph 12 of the draft armistice agreement, which has already been agreed on by the belligerents, indicates practical arrangements for the cease-fire. The paragraph reads as follows:

"The Commanders of the opposing sides shall order and enforce a complete cessation of all hostilities in Korea by all armed forces under their control, including all units and personnel of the ground, naval and air forces" [A/2228, article II].

Thus conditions for a cease-fire in Korea have already been agreed on. The only thing remaining to be done is to order a cease-fire, and this is precisely what the USSR delegation is proposing. It is opposed, however, by the authors of the Indian draft resolution and by other delegations which support this draft and refuse to include in it the necessary USSR amendments.

16. The USSR delegation also submitted a number of other amendments to the Indian draft resolution and proposed the deletion from it of the paragraphs relating to the membership and functions of the repatriation commission. It made this proposal on the ground that the membership of the commission was unacceptable and that it was a mistake to limit the commission's competence to the functions assigned to it under the Indian draft resolution.

17. In view of all these serious defects of the draft resolution originally submitted by India and now before the Assembly, and in the event of the rejection of the amendments proposed by the USSR in [A/L.117] in an endeavour to improve the draft and render it more acceptable, the USSR delegation will vote against that draft. The USSR delegation is firmly convinced that the draft resolution, which is designed, not to end, but to prolong and extend the war, cannot serve the cause of the peaceful settlement of the Korean question. The immediate cessation of hostilities in Korea, the unconditional repatriation of all Korean and Chinese prisoners of war detained in United States camps, and the repatriation of all prisoners of war belonging to the armed forces under United States command, open the door to a real and effective settlement of the Korean question and thus serve the vital interests of the Korean people and of all peace-loving peoples.

18. The PRESIDENT: I call on the representative of India in explanation of his vote.

19. Mr. MENON (India): In explanation of the vote that we are now about to cast, I should like to recall the statement that I made to the First Com-

mittee and the purposes for which we put forward this draft resolution.

20. Basically, those purposes are to obtain the termination of hostilities in Korea, the settlement of the Korean question and, with that settlement, the opening of great vistas of pacification, settlement and stability in the Far East and improvement in the nature of the relations of human society. We believe that this festering sore of trouble in Korea is standing in the way of the greater purposes for which this Organization was established. It is not my purpose, during the very brief time allowed to me, to reiterate these arguments.

21. However, in spite of what the representative of the Soviet Union has just now said, I want to continue to hope that the entire force of the world community—whatever the political views may be on other matters, and whatever the votes cast in the past—will, sooner rather than later, support the efforts that are being made towards peace, in spite of the limitations that one or the other side may see in them. It is quite obvious that when parties are in conflict, any attempt at peace must fail to satisfy entirely one side or the other. Our delegation has not sought to cover difficulties by forms of words, and I want to state here categorically that there is nothing in these proposals which is at all in contravention of international law or which asserts a new principle or a new interpretation of law as such. It is designed to deal with a specific complication that has arisen in a way that we, in our wisdom—limited as it may be—have conceived possible. Therefore there is no doubt that the objections that have come from one side or the other are founded on the knowledge, the fears, the doubts, the suspicions and the views held by the representatives who have put forward proposals.

22. It is perhaps worthwhile to recall that it is not beyond the scope of this resolution, given the conditions for a *rapprochement*, that some of these ideas that have been put forward, such as, for example, the alteration of the character of committees and perhaps the investigation of conditions in prison camps, can be pursued, provided that, once talks begin, there is the desire to get together. The present proposal is so drafted that there is sufficient elasticity in this matter. I again want to say categorically that paragraph 7 of the proposals annexed to the resolution does not provide either the opportunity or, indeed, the permission for any facility of any kind for the continuance of any of the evils to which reference has been made, because access to these prisoners, as explained here, is in order that each party to the conflict may be able "to explain to the prisoners of war 'depending upon them' their rights", which phrase is taken from the Geneva Convention relative to the Treatment of Prisoners of War.

23. I also want to emphasize the fact that paragraph 17 of the proposals provides that any problem in relation to repatriation that remains unsolved should be referred to the United Nations. It is not referred to the United Nations Command, it is referred to the United Nations, that is, to this world assembly as a whole, in which there are many points of view represented, to all its organs, for appropriate action when the time arises. It is not my desire, nor indeed is it

necessary for me, to cover this ground all over again, but I should like to say that at some time in the proceedings of this Assembly, since allegations have been made with regard to the treatment of prisoners of war by one side or the other, it is incumbent on us—all of us, no matter what side we take on this resolution—that we should have this matter examined in the way that the Assembly considers appropriate. But that does not necessarily follow from the purposes of this resolution.

24. The question has been raised in the course of this discussion as to whether this resolution calls for the termination of hostilities. I think I explained in the First Committee that that was its purpose. Its purpose is to bring about an armistice settlement and the termination of hostilities. All the other paragraphs and clauses and provisions in the armistice settlement are merely consequent upon the cessation of hostilities.

25. But in order that there may be no doubt at all on this matter, we have submitted today what I suppose, in terms of procedure, should be called an amendment; in fact it is a clarification of what we have said here. We suggest the insertion, after the words "an agreement" in the last paragraph of the operative part, of the words, "so that an immediate cease-fire would result and be effected; to invite . . ." [A/L.120] so that the peoples of the world would understand and have no doubt as to the purposes for which this resolution is intended. I therefore commend this to the attention of the President.

26. Once again, at this stage, we submit this draft resolution to the President in the belief and knowledge that the high office that he holds represents our aspirations and our hopes, and also the basic unity, with all its characteristics, which is inherent in the composition of our association. I want to say that, in submitting this draft to you, we rely upon the peoples and the public opinion of all our countries to grasp it in the spirit in which it is offered, not regarding it as the success or the defeat of one side or the other, for in justice, as in war, there are in the end no victors and no vanquished. In the approach to peace we are all victors. In that submission I commend this draft resolution to the General Assembly.

27. The PRESIDENT: I now call on the representative of Australia for an explanation of vote.

28. Sir Percy SPENDER (Australia): I only wish to detain the Assembly for a few moments in relation to the proposal now before us. I do not desire to do more than say what we said before, in the course of the debate in the First Committee; namely, that we had certain reservations about the method of approach which is indicated in these proposals and about the possible results which may come from them. But our desire was the same as that of the representative of India, whose efforts we applauded and continue to applaud.

29. I am, however, a little troubled about the words which, as indicated by the representative of India, should now be introduced. I have no doubt whatsoever that his purpose is the same as my own, but I am uncertain, if I may put it that way, whether it may not be open to misinterpretation when conveyed to the Chinese Communists and the North Korean Com-

munists. It is intended, as I understood the representative of India, to make it quite clear that these proposals are put forward so that the Chinese and North Korean Communists, when they receive them, might know—and the world might know—that we desire to achieve an immediate cease-fire and that that is the purpose of the proposals. I would have thought it advisable to make that quite clear in the terms of the resolution.

30. Before the amendment was put forward just now by the representative of India, the last paragraph of the operative part read as follows: "Accordingly requests the President of the General Assembly to communicate the following proposals to the Central People's Government of the People's Republic of China and to the North Korean authorities as forming a just and reasonable basis for an agreement . . .".

31. The words "basis for an agreement" are, of course, open to ambiguity, but in the original draft we did not place any force upon that because of the words which followed: "and to invite their acceptance of these proposals and to make a report . . .". It therefore seemed, in those circumstances, that the whole concept was that the proposals were put forward as a basis of agreement "and to invite their acceptance of these proposals". Now it is proposed that the following should be inserted after the words "just and reasonable basis for an agreement" . . . the words "so that an immediate cease-fire would result and be effected; to invite their acceptance of these proposals . . .".

32. It seems to us that it is possible—and that is the only force of my remarks—that the words "basis for an agreement so that an immediate cease-fire would result and be effected" could well be construed, not as an acceptance of the precise proposals, but in this way by those to whom it is communicated: "Yes, we are prepared to have an immediate cease-fire on the basis of these proposals, without any necessary commitment to accept the proposals contained in the resolution.

33. I suggest to the representative of India that the words "basis for an agreement so that an immediate cease-fire would result and be effected", inserted before the words "acceptance of these proposals and to make a report", might leave the matter open to ambiguity, and one does know—or if one does not know, one flies in the face of experience—that in dealing with the communist world it is not to be assumed that the way we put proposals forward is the way those proposals will present themselves to the Communists and be accepted by them. It seems to me, therefore, that the correct place for these words is at the end of the paragraph. Then there could be no doubt whatever that the immediate cease-fire is dependent upon the acceptance of the proposals by the authorities concerned, and the proposals could not be regarded merely as a basis of a cease-fire, with the result that certain aspects of the proposals could still be left over for further discussion.

34. If that suggestion recommends itself to the representative of India, the wording of the paragraph would be as follows:

"Accordingly requests the President of the General Assembly to communicate the following proposals to the Central People's Government of the

People's Republic of China and to the North Korean authorities as forming a just and reasonable basis for an agreement and to invite their acceptance of these proposals and to make a report to the General Assembly during its present session and as soon as appropriate, so that an immediate cease-fire would result and be effected".

I am simply using and transposing the same words as put forward by the representative of India. I suggest that if it is the intention of the General Assembly that a cease-fire should take place once these proposals are accepted, and only on that basis, then that is the direct way of putting it. If it is the intent of the General Assembly that it should not open to the Central People's Government of the People's Republic of China and the North Korean authorities to say, "We are prepared to accept the proposals as a basis for an immediate cease-fire", and leaving the details of the proposals themselves subsequently to be debated and departed from, then I urge that we should be very careful about the language we employ. If our only purpose is to make it clear to the world that we want an immediate cease-fire, I do not see why the words proposed by the representative of India should not be added to the end of the paragraph, so that it is made clear that we desire an immediate cease-fire, on the assumption that the proposals we have been debating in detail for weeks past are accepted by the North Korean and Chinese Communists.

35. Mr. HOPPENOT (France) (*translated from French*): In accordance with established practice in French assemblies, I would ask permission to explain my vote before casting it.

36. The French delegation gave warm and considered support to the Indian delegation's draft resolution which was approved by the First Committee and is now before the General Assembly.

37. This draft resolution commended itself to us because, by invoking the Geneva Convention of 1949, it reconciled at one and the same time the principles of compulsory repatriation of prisoners of war and of non-recourse to force and violence with respect to their persons. It laid down the procedure whereby the release and repatriation of prisoners could be ensured immediately upon the signing of the armistice. It provided for the disposition within a reasonable time of those whose repatriation could, for one reason or another, have been effected only by force.

38. At the outset of our discussions, it was unanimously agreed that the problem of the repatriation of prisoners was the sole obstacle to the cessation of hostilities. The USSR representative himself had formally acknowledged that. He concentrated all his arguments on historical and legal problems, avoiding any statement of his views on the question of forced repatriation and eluding the specific questions put to him by Mr. Selwyn Lloyd and myself. The delegations which usually echo him made more specific statements. Indeed, the Czechoslovak representative stated that the Chinese and Korean authorities had never pressed for the forcible repatriation of prisoners. The Polish representative specified that all prisoners were to return home as free men.

39. The Indian delegation's draft resolution simply embodied those two principles and for a moment we

were able to entertain the legitimate hope that they would receive the Assembly's unanimous endorsement. This hope has unfortunately been disappointed.

40. The USSR delegation, by a change in tactics, relegated the question of prisoners of war to second place among its concerns. In its view, this problem, having at first been fundamental, became secondary. By the introduction of draft resolutions and amendments, it asked the First Committee for a decision in favour of an immediate cessation of hostilities; the fate of the prisoners to be decided by a political commission and no limit being set on the duration of their detention.

41. It was impossible for the French delegation to accept such a proposal. No one desires more ardently than the French delegation to see an end to the hardships and calamities besetting the forces of the two sides and the unhappy Korean people both to the north and to the south of the front line. No one is more conscious of the dangerous threat to world peace represented by a prolongation of the conflict. But we cannot, unfortunately, admit the separation of the question of the prisoners from the remainder of the problems involved in the conclusion of an armistice; we cannot risk an indefinite continuance of their captivity or agree to their being left as virtual hostages in the hands of the two sides.

42. The new and unjustified demands of the delegation of the Soviet Union have destroyed all hopes of a unanimous recommendation from the Assembly. That adopted by an overwhelming majority in the First Committee seems to us to offer the only possible way out of the bitter deadlock which has held the negotiators for almost six months. We feel bound to express our most sincere gratitude to the Indian delegation for the intelligence, courage and perseverance that it has displayed throughout these discussions. Its draft resolution appears to us as the outcome of a rational and realistic attempt to serve the cause of peace. That draft will soon receive the support of all free peoples, of all men of goodwill, just as today it will gain the almost unanimous vote of this Assembly.

43. I trust that the Chinese and North Korean Governments will consider it in the spirit in which it was conceived and adopted, solely with the desire to reach a just and honourable settlement of the conflict.

44. The French delegation, for its part, will gladly give it its endorsement and vote.

45. Mr. ENTEZAM (Iran) (*translated from French*): I do not intend to explain my delegation's attitude towards the draft resolution submitted by the Indian delegation which has now become the First Committee's draft resolution. Indeed, I think that a draft which succeeded in obtaining 54 votes, is no longer the property of the State which submitted it: it has become the United Nations draft.

46. My delegation's attitude to this draft resolution is well known; we warmly support it, as well as the amendment submitted and explained just now by the representative of India.

47. I merely wanted to indicate how my delegation would vote on the amendments submitted by the USSR delegation [A/L.117]. My delegation will abstain on

amendments 1, 2 and 4. It will abstain because, although in agreement with the ideas expressed in those amendments, it is convinced that they are also stated in the draft resolution on which we are about to vote. My delegation will also abstain on amendment 3, concerning the membership of the commission, for although the original proposal seems better to us, we should be prepared to accept the membership proposed in the amendment if we knew that the two contending parties could reach agreement on that point. As regards amendments 5 and 6 of the USSR delegation, we shall have to vote against them, for they are calculated to render entirely nugatory the intention of the Indian draft resolution which has now received the approval of the First Committee.

48. The PRESIDENT: Since no other representative wishes to explain his vote, we shall proceed to the vote. We shall begin with the amendments which have been moved.

49. Mr. MENON (India): My delegation would like its amendment to remain in the form in which it was moved. The amendment has been moved to the proper part of the draft resolution, and its meaning is clear. The draft resolution speaks of a "just and reasonable basis for an agreement", and the amendment states that the agreement would bring about an immediate cease-fire.

50. As I stated in committee, it is always possible to redraft a proposal; I could do that myself. I should like to take this opportunity to say that we have an audience outside this Assembly, and the more we try to tear these proposals to pieces and speak of suspicions and fears, the more we defeat the purpose of negotiation. We cannot have one law for ourselves and another law for someone else. If we are putting forward proposals, we must offer them in good faith and we must expect their good faith in return.

51. It is in that spirit that the draft resolution is offered. I should like to repeat, on behalf of my delegation, that we should like our amendment to remain as it was submitted. I hope the General Assembly will endorse it in that form.

52. The PRESIDENT: I shall put the amendments to the vote in the order in which the paragraphs to which they apply appear in the draft resolution submitted by the First Committee.

53. We shall vote first on the Soviet Union amendment to the second paragraph of the operative part. This is the amendment numbered 1 in document A/L.117.

*The amendment was rejected by 43 votes to 5, with 7 abstentions.*

54. The PRESIDENT: I now put to the vote the Indian amendment [A/L.120] to the third paragraph of the operative part of the draft resolution.

*The amendment was adopted by 53 votes to none, with 5 abstentions.*

55. The PRESIDENT: We come now to the Soviet Union amendments [A/L.117] to the proposals attached to the draft resolution.

56. I put to the vote amendment 2. A vote by roll-call has been requested.

*A vote was taken by roll-call.*

*Pakistan, having been drawn by lot by the President, was called upon to vote first.*

*In favour: Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Byelorussian Soviet Socialist Republic, Czechoslovakia.*

*Against: Pakistan, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway.*

*Abstaining: Saudi Arabia, Syria, Yemen, Afghanistan, Burma, Egypt, India, Indonesia, Iran.*

*The amendment was rejected by 46 votes to 5, with 9 abstentions.*

57. The PRESIDENT: We shall vote now on amendment 3. A roll-call vote has been requested.

*A vote was taken by roll-call.*

*The United States of America, having been drawn by lot by the President, was called upon to vote first.*

*In favour: Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.*

*Against: United States of America, Uruguay, Venezuela, Yugoslavia, Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.*

*Abstaining: Yemen, Afghanistan, Burma, Egypt, India, Indonesia, Iran, Saudi Arabia, Syria.*

*The amendment was rejected by 46 votes to 5, with 9 abstentions.*

58. The PRESIDENT: We shall vote next on amendment 4. A roll-call vote has been requested.

*A vote was taken by roll-call.*

*Israel, having been drawn by lot by the President, was called upon to vote first.*

*In favour: Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Byelorussian Soviet Socialist Republic, Czechoslovakia.*

*Against: Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba,*

Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iraq.

*Abstaining:* Pakistan, Saudi Arabia, Syria, Yemen, Afghanistan, Burma, Egypt, Indonesia, Iran.

*The amendment was rejected by 46 votes to 5, with 9 abstentions.*

59. The PRESIDENT: We shall now vote on amendment 5.

*The amendment was rejected by 50 votes to 5, with 4 abstentions.*

60. The PRESIDENT: We shall not vote upon the last Soviet Union amendment, amendment 6, which calls for the deletion of paragraphs 7 to 17 inclusive of the proposals attached to the draft resolution submitted by the First Committee.

*The amendment was rejected by 52 votes to 5, with 1 abstention.*

61. The PRESIDENT: We shall now vote on the draft resolution of the First Committee as a whole, as amended this afternoon by the Indian delegation's amendment. A roll-call vote has been requested.

*A vote was taken by roll-call.*

*Burma, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Burma, Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Sweden, Syria, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Australia, Belgium, Bolivia, Brazil.

*Against:* Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Abstaining:* China.

*The draft resolution as amended was adopted by 54 votes to 5, with 1 abstention.*

62. The PRESIDENT: I call on the representative of the Ukrainian SSR for an explanation of his vote.

63. Mr. BARANOVSKY (Ukrainian Soviet Socialist Republic) (*translated from Russian*): The protracted discussion of the question of the unification and rehabilitation of Korea has ended today with the adoption of the draft resolution originally submitted by India, which does not contain a single word about either unification or the rehabilitation of Korea, and which therefore does not meet the requirements of the item on the General Assembly's agenda. The resolution deals only with the repatriation of prisoners of war. This issue, however, is closely connected with the problem of the peaceful settlement of the Korean question as a whole, and cannot of course be considered in isolation from the general problem of Korea.

64. The delegations of the Soviet Union and the peoples' democracies drew attention to that serious defect in the Indian draft resolution during the discussion on the Korean question in the First Committee. That, however, is not its fundamental weakness; its chief defect is that, contrary to the assertions of its sponsors and supporters, it is not at all a resolution calculated to bring the war in Korea to an end. It does not even mention an immediate cease-fire, while the explanations given today and on previous occasions by Mr. Menon, together with the statements made in the First Committee by the co-authors of the United States draft resolution, who have now adhered to the resolution originally sponsored by India, clearly show that a cease-fire is regarded as a remote prospect, as the last stage of the Korean armistice negotiations.

65. Nor is the resolution improved by the amendment submitted today by the Indian delegation. That amendment merely confirms what I have just said. Instead of reviewing the whole question of a peaceful settlement in Korea, the resolution gives priority to the question of the repatriation of prisoners of war, the Indian delegation having selected the United States method of dealing with this matter. Like the draft resolutions submitted by the United States, Mexico and Peru, this resolution, sponsored by India, is based on the principle of "voluntary repatriation" or "repatriation without the use of force", which, as was justly pointed out in his recent statement by Mr. Chou En-lai, Minister for Foreign Affairs of the People's Republic of China, is only a variant of one and the same idea—the forcible detention of prisoners of war. The resolution therefore runs directly counter to the fundamental principles of the 1949 Geneva Convention and is not in accordance with the generally recognized principles of international law. As we have already pointed out, this resolution is only a variant—another version—of the United States draft resolution, which was calculated to deceive public opinion and conceal the indisputable fact that the ruling circles of the United States intend to continue using the question of the repatriation of prisoners of war as a pretext for prolonging the war in Korea. By basing its draft resolution on these United States principles of repatriation, so called, which were rejected as unacceptable during the negotiations at Panmunjom by the representatives of the Korean People's Army and the Chinese volunteers, the Indian delegation has automatically aligned itself with those who are in favour of prolonging the war in Korea.

66. The only possible course the delegation of the Ukrainian SSR could adopt with regard to this resolution was, naturally, to attack its basic provisions. At the same time, in an attempt to reach a concerted decision on the peaceful settlement of the Korean question, the delegation of the Ukrainian SSR unhesitatingly supported the amendments of the Soviet Union delegation to the draft resolution, which, in our opinion, could have improved that text and made it an acceptable basis for the settlement of the Korean question.

67. The USSR amendments—and herein lies their tremendous importance—are aimed at the peaceful settlement of the whole Korean problem, including the question of the repatriation of prisoners of war.

Foremost among the amendments submitted by the USSR delegation is one dealing with a matter of the utmost importance at the present time—the immediate cessation of hostilities in Korea on land, at sea and in the air. We firmly maintain that the present position with regard to the question of the repatriation of prisoners of war can be used, as before, by the United States as a pretext for protracting the armistice negotiations and prolonging the war in Korea.

68. Without beating about the bush, therefore, we here declare directly to the representatives of the United States and their supporters in the United Nations that the belligerents must first cease all hostilities in accordance with the draft armistice agreement already approved by both sides. This must be done immediately. Then the question of the repatriation of prisoners of war must be considered by the commission for the peaceful settlement of the Korean question, as provided for in the third USSR amendment [A/L.117].

69. Instead of this, paragraph 1 of the proposals attached to the resolution provides for the establishment of a commission with narrowly defined terms of reference, reducing its functions to the repatriation of prisoners of war and thus ignoring all the most important issues in connexion with a peaceful settlement, and in particular the question of a cease-fire. At the same time, the parties concerned are wholly excluded from this commission. The establishment of such a commission, based on the principle of selection, can only be to the advantage of the ruling circles of the United States, which are striving to detain some of the prisoners of war under the pretext of so-called voluntary repatriation.

70. The Soviet Union amendment proposed the deletion of this paragraph of the resolution as absolutely unacceptable. We supported that amendment. In our opinion, a commission should be established not only to settle the question of the repatriation of prisoners of war, but also to deal with the peaceful settlement of the whole Korean question, of which, as I have already said, the prisoner-of-war issue is part. Such a commission should consist, above all, of the parties concerned, and also of other States, including States which have not taken part in the war in Korea.

71. The delegation of the Ukrainian SSR also gave its full support to the USSR amendment defining the composition and functions of the commission for the peaceful settlement of the Korean question. Under the supervision of that commission, the settlement of the Korean question on the basis of the unification of Korea was to have been effected by the Koreans themselves.

72. We also gave our unconditional support to the USSR amendment to the second paragraph of the operative part of the resolution. The delegation of the Ukrainian SSR considers it essential to delete from that paragraph the deceitful and hypocritical affirmation that force must not be used against prisoners of war. We advocate this in order to make it impossible for the United States military command to use such a wording to secure the forcible detention of prisoners of war. After all the violence, torture and killings—after all that the United States command has done to its prisoners of war, Korean and Chinese,

to break their will and make them agree not to go home—the second paragraph of the operative part of the resolution actually justifies and incites to the forcible detention of prisoners of war. We supported the USSR wording for this paragraph, as it emphasized sufficiently clearly the requirement that prisoners of war should be treated humanely, in full accordance with the provisions of the Geneva Convention, whereas the version of the paragraph proposed by India is contrary to the provisions of that convention.

73. With these same considerations in mind, the delegation of the Ukrainian SSR also supported the remaining amendments submitted by the Soviet Union, and in particular the amendment to paragraph 3 of the proposals attached to the resolution. Here also, as in the case of the second paragraph of the operative part, we urged the deletion of the hypocritical and spurious affirmation concerning the use of force, and, instead, supported the clear recommendation contained in the USSR amendment to the effect that a system should be devised for the treatment of prisoners of war whereby the use of violence against them would be absolutely excluded. It was particularly necessary to emphasize this in the resolution, in view of the fact that prisoners of war are still being brutally treated and murdered. In his protest of 25 November to General Harrison, General Nam Il, head of the Chinese and Korean delegations at the armistice negotiations in Korea, referred to a statement issued by the United States command to the effect that United States official sources alone reveal that in October and November, during the period of nearly six weeks which the General Assembly has already spent in discussing the Korean question, a further 542 Korean and Chinese prisoners of war were killed or wounded in American camps in Korea.

74. The delegation of the Ukrainian SSR also supported all the USSR delegation's other amendments, and that attitude is in accordance with the view we have expressed that all prisoners of war must be repatriated without exception.

75. Under the influence of the delegations which support the United States, the General Assembly has today rejected the USSR amendments and adopted the draft resolution originally submitted by India, which violates the Geneva Convention and standards of international law. In spite of the majority of votes it has secured today, that resolution, which is known to be unacceptable to the Koreans and Chinese, has no legal force and is without the necessary authority. Such a resolution can only prejudice the settlement of the Korean question, because it not only fails to bring the end of the Korean war any nearer, but on the contrary is likely to lead to its prolongation.

76. The delegation of the Ukrainian SSR voted against the draft resolution submitted to the Assembly, which is a cover for the policy of continuing and extending the United States aggression in Korea.

77. The PRESIDENT: The representative of the United States will address the General Assembly in explanation of his vote.

78. Mr. GROSS (United States of America): The views of my Government on the various aspects of the Korean question which have been before the Gen-



eral Assembly are set forth fully in the records of the First Committee. In explaining the vote of my delegation it will not be necessary, therefore, to dwell in detail on the general aspects of the Korean problem or to repeat the attitude of my Government towards the various paragraphs of the resolution which we have just adopted.

79. The resolution before us asserts the principle to be applied in solving the problem of the prisoners of war. It also proposes the machinery for carrying out that principle. There are, of course, details to be spelled out. This can be done, however, with effort and goodwill, if there is a will for peace.

80. My Government fully supports the resolution on which we have just voted. We pledge ourselves, as the Government responsible for the Unified Command in Korea, to exert every effort to carry out loyally and completely the provisions of this resolution. We shall co-operate in every possible way to speed an honourable peace in Korea. If the communists will do the same, an end to the fighting in Korea will not be long delayed.

81. The resolution which we have adopted shows the way to peace in Korea in accordance with United Nations principles. This way to peace indelibly records the respect of civilized men for the rights and dignity of the individual human being. In affirming that no force shall be used to effect or to impede the return of prisoners of war, we have summed up in one sentence man's long struggle to achieve respect for the human person.

82. In giving overwhelming support to the action which we have taken today, the members of the General Assembly have rallied round the proposal introduced by the Government of India. Fifty-four nations have in this way expressed their desire for peace and the terms on which they feel that such peace can and should be achieved. In this resolution we solemnly assert—in the words of the resolution itself—that we are “deeply conscious of the need to bring hostilities to a speedy end and of the need for a peaceful settlement of the Korean question”. Once again, as we have done unceasingly since 25 June 1950, the United Nations takes the initiative to seek to bring the fighting to an end to restore peace to Korea.

83. The action we have taken today recognizes, first, that there has been aggression in Korea; secondly, that United Nations forces have repelled that aggression; thirdly, that the fighting can end if the aggressors will agree to an honourable armistice, and, fourthly, that force shall not be used to return or to detain prisoners of war following a cessation of hostilities. These elements are reflected in the resolution which we have just adopted.

84. In the amendment which Mr. Menon has proposed today, and which the General Assembly has accepted, it is made clear beyond any possibility of doubt or of distortion that the whole purpose of this resolution and of all our actions is to restore conditions of peace and security in Korea on an honourable basis at the earliest possible time. A cease-fire would result from and follow immediately upon the signing and coming into effect of an armistice agreement. In making this clear, Mr. Menon's amendment stands in

contrast with the spurious and cynical attempts made by the Soviet Union representatives here to exploit the desire of the people of the world for peace. The people of the world, we believe, will not agree to an illegal and inhuman policy which would leave thousands of prisoners of war in indefinite captivity following the cessation of hostilities. They could not agree to allowing the communists to retain thousands of prisoners of war as hostages, as pawns which they could bargain off to extort concessions. The people of the world, we feel, do not agree that, as Mr. Vyshinsky has baldly asserted, human beings who are prisoners are the property of the State.

85. In 1950, the United Nations, with virtual unanimity, went into Korea to fight for a principle, the principle of peace through collective security. Today the United Nations reaffirms its desire for peace, as well as its determination to vindicate the principles of the United Nations for which we are fighting. In the words of the United States Secretary of State, Mr. Acheson [380th meeting, para. 73], we “demonstrate to the aggressor that we are united in purpose and firm in resolve; that we are as one in desire for a just peace and in determination to achieve it”.

86. When the debate began in the First Committee, the Secretary of State of the United States suggested that our deliberations here would have a twofold purpose. It is our purpose, he said, to do everything possible to bring about an honourable armistice in Korea; if that cannot be done, the United Nations should determine whether the communists want an armistice and, if not, let the record show that the communists do not want peace in Korea. The resolution which we have adopted, in our view, does achieve these purposes. We hope that what we have done will lead to an armistice, despite the feeling of despair inspired by Mr. Vyshinsky's peremptory and abrupt rejection of these proposals in the course of these debates. We believe that no nation can long withstand the moral force of the public opinion of the world. The people of the United States, who have played so great a part in the Korean struggle, are united with the other peoples of the world in a prayer that the communists will accept the proposals which we are making to them today.

87. If they do not, the resolution will have served that second purpose of which the Secretary of State spoke. It will make clear to all the world that the communists do not want peace in Korea, a peace acceptable to the conscience of all civilized men. That will be a disheartening conclusion, but if we are compelled to reach it, we shall do so with courage and determination.

88. I shall conclude by referring to the fact that the other day the author of the resolution, which has been adopted by fifty-four of our number, told the First Committee that he was not speaking for the people of China, but that he was speaking to the people of China. Today, the United Nations speaks to the Chinese people and to the North Korean people. The United Nations asks the people of China and the people of North Korea to join with the other peoples of the world represented here and to accept what we have done here as a basis for peace with honour and with dignity.

89. The PRESIDENT: The representative of the Philippines will address the General Assembly in explanation of his vote.

90. General ROMULO (Philippines): We have just adopted a resolution concerning peace in Korea, by far the most important question on the agenda of our present session. The First Committee spent six weeks debating this question. Nobody, I am sure, begrudges the time we have devoted to this problem, for beyond the six weeks of earnest debate in the United Nations lie sixteen months of deadlocked armistice negotiation at Panmunjom and thirty months of bitter warfare in Korea. These figures are not all. There are the figures on the mounting casualty lists of both sides, the rising figures on property destroyed, the incalculable damage to the civilization of a great people and the immeasurable risk of the expansion of the area of conflict. This is an enormous total when equated to the time and energy which the delegations of sixty States have spent in the search for a just and honourable way to end the war in Korea.

91. Now we have adopted this resolution which was originally sponsored by the delegation of India. I shall not defend the resolution; we have acted on it and the representative of India has performed this task more ably and effectively than anyone else could. But I feel I must explain why a country like the Philippines, which has troops fighting in Korea with the United Nations and which is a close neighbour of Korea, has given its support to this resolution. In accordance with its obligations under the Charter, my country has participated in the United Nations action in Korea in response to the decision of the Security Council<sup>1</sup> calling on Member States to help repel the aggression against the Republic of Korea. That objective has been achieved. Aggression has been stopped. We have complied with our obligation and we want to see peace restored in Korea.

92. After prolonged negotiations at Panmunjom, both sides have agreed on all the terms but one of the proposed armistice which would lead to the cessation of hostilities. This point concerns the repatriation of prisoners of war. The United Nations negotiators have held that war prisoners cannot be repatriated against their will, and this position, based on the letter and spirit of the Geneva Convention relative to the Treatment of Prisoners of War of 1949, has the support of the overwhelming majority of the Member States. On the other hand, the Chinese Communist and North Korean negotiators, supported here by the Soviet Union and four other Member States, have held that all war prisoners must be repatriated because, in the Convention already cited, the detaining Power cannot continue to detain them by force after the cessation of hostilities.

93. The present resolution as approved, taking account of both positions, declares that force shall not be used to prevent or to effect the repatriation of prisoners of war. In accordance with this just principle, the resolution makes certain that, from the moment the war prisoners are released from the control of the detaining Power, they shall enjoy not merely the nominal but the effective right of repatriation which

is guaranteed to them by the Geneva Convention. This, after all, is the one thing that the Geneva Convention seeks to do, to ensure that no prisoner of war shall be denied the right of repatriation. Under the terms of the resolution, all prisoners of war will have full freedom to exercise this right as of the moment they are delivered to the authority of the Repatriation Commission.

94. One must pay a tribute to the desire for conciliation which has animated the delegation of India in devising so just, reasonable and humane a formula as this one. But, far more than to the desire to conciliate differences in the interpretation of legal texts, we must pay homage to the genuine desire for peace in Asia and in the world which inspired the initiative taken by the Government of India at this crucial moment of history.

95. Those countries that are actively engaged in the Korean conflict have been accused of harbouring other motives in Korea. But surely no such accusation can be brought against India, which has stood apart from the actual conflict and whose friendly disposition toward the Chinese Communist Government is well known. And the fact that we have supported the proposals of India must, in turn, be regarded as proof that we too desire to see peace restored in Korea as earnestly as India does.

96. Beyond any desire to win a debating point or a vote, beyond any wish to stand unmoving on the cold texts of treaties and conventions, we sincerely desire peace in Korea. For who could more sincerely desire this peace than we of Asia, whose lands and peoples have suffered incalculable devastation arising from the overriding necessity of repelling aggression? This task has been accomplished, and we now ask, on behalf of the Korean people, the restoration of peace in their land in order that they can bind their wounds, discover some basis for the unification of their country, enjoy the freedom which they have bought so dearly and assume their rightful place among the nations of the world.

97. The PRESIDENT: The representative of China will address the General Assembly in explanation of his vote.

98. Mr. TSIANG (China): My delegation voted against the Soviet Union amendments. In that respect, there was nothing peculiar about the stand of my delegation. The vast majority of the delegations here took the same stand. Therefore I regard it as unnecessary to explain my vote in relation to the Soviet Union amendments. I should like to use the little time at my disposal to explain my vote on the resolution sponsored by India in the First Committee. In that vote, my delegation was the only one to abstain. That stand was unusual, and I owe this Assembly a brief and simple explanation.

99. That resolution is devoted to the one issue of the prisoners of war, on the assumption that that issue alone prevents the restoration of peace in Korea. I am not certain that the assumption is correct, but it is unnecessary to argue on that point. Whether or not the assumption is correct, the issue of prisoners of war is important in itself and deserves a whole resolution for its decision.

<sup>1</sup> See *Official Records of the Security Council, Fifth Year, No. 16.*

100. In considering the resolution, my delegation asks two questions. First, we ask: is that resolution based on correct principles? I am glad to say that my delegation is completely satisfied on that point. We believe that the resolution is based on sound principles, as expressed in paragraphs 2 and 3 of the proposals attached to the resolution. Those paragraphs are supplementary to each other, and both are necessary. In the debate in the First Committee, it was made clear that the principles embodied in paragraphs 2 and 3 of those proposals were the proper interpretations of the Geneva Convention relative to the Treatment of Prisoners of War as well as the only principles consistent with the Charter of the United Nations. We could not accept any principles other than those embodied in paragraphs 2 and 3. I should now like to go a bit further. The Unified Command in Korea promised these prisoners of war human treatment and human freedom. We must keep faith with these prisoners of war. It is only by remaining loyal to the principles embodied in paragraphs 2 and 3 of the proposals that the Unified Command can keep faith with the prisoners of war. Therefore, on the ground of principle, we have only praise for the initiative of the Indian delegation.

101. But we have a second question. We must ask: does this resolution provide the necessary and adequate means to implement these basic principles? In this respect, my delegation, after careful examination of the many clauses of the resolution, is very doubtful. The prisoners of war, according to the resolution, will be sent to a demilitarized zone and they will all be entrusted to the custody of the Repatriation Commission. The importance of this Repatriation Commission cannot be exaggerated. The fate of all these prisoners of war from both sides will be in the hands of the Repatriation Commission.

102. The resolution proposes that Czechoslovakia, Poland, Sweden and Switzerland shall constitute the Repatriation Commission. I have no doubt that Sweden and Switzerland will be impartial and fair members of the Commission. I have no doubt that Sweden and Switzerland will try to carry out the terms of reference embodied in this resolution, but can anyone in this Assembly believe that the Polish representative and the Czechoslovak representative will try to carry out the principles which they have denounced here? That is impossible.

103. After the debate here and the declaration of policy by Moscow, you cannot find a single Czech, you cannot find a single Pole, who will dare to say that he believes in the voluntary repatriation of prisoners. Even if the selection of this Polish representative and this Czech representative were left to the United Nations, we should not be able to discover such a Pole or such a Czech. If a miracle should happen and we should find somewhere a Pole and a Czech believing in the principle in which we believe, I am afraid that such Pole and such Czech would suffer the same fate that the eleven political offenders suffered in Prague yesterday.

104. There are four members proposed for this Repatriation Commission—two really fair and impartial, and two just the opposite. I fear that the composition of this Commission means a 50 per cent discount on our price for peace.

105. The Commission will be entrusted with heavy responsibilities. The care and maintenance of the prisoners of war in the camps has been an arduous task, a thankless task. Propagandists have seized upon the troubles in these camps to heap blame on the Unified Command. Any impartial student of the subject will have realized by this time that these prisoners of war are not ordinary prisoners of war. In the camps under the Unified Command, some of them resort to terror against their fellow prisoners; they assassinate, they murder, fellow prisoners. There is no guarantee that the same terroristic bands will not repeat their performances once they are in the demilitarized zone. And what instruments, what means, does this resolution confer upon the Repatriation Commission to prevent such incidents as occurred in the camps?

106. We are convinced that the machinery provided in this resolution is, in the first place, defective, and, in the second place, inadequate. We believe that the resolution is sound in principle, but in practice that principle cannot be implemented except to a limited degree. It is for these reasons that my delegation abstained on this whole important vote.

107. The PRESIDENT: Mr. Skrzyszewski, representative of Poland, will address the General Assembly in explanation of his vote.

108. Mr. SKRZESZEWSKI (Poland) (*translated from French*): In view of the seriousness of the question before us, the Polish delegation would like to explain its position on the draft resolution and amendments which were submitted to the General Assembly.

109. The Korean war affects all of us with equal force. It is a threat to international peace and security. To prolong it is to commit a crime against the Korean people, who are fighting for their freedom and independence. The war is being continued against the will of the peoples of the world, who want peace.

110. The debate in the First Committee has clearly shown who wants to put an end to the hostilities and who, on the contrary, wants to prevent a peaceful settlement of the Korean conflict at all costs; it has shown who it is who is trying in every way—by resorting to overt or concealed manoeuvres—to maintain that dangerous international trouble centre and increase the prevailing world tension.

111. The role of the United States delegation was clearly revealed, although it tried, especially during the final stage of the debate, to stand aside in the wings and push other delegations forward to act on its behalf. Nobody was deceived by those tactics. As it did during the Kaesong and Panmunjom negotiations, the United States, in the debate at the present session, has cynically blocked the adoption of all proposals designed to reach a peaceful settlement of the Korean conflict and to bring about the unification of Korea in accordance with the principle of the right of peoples to national independence.

112. The Polish delegation considers the draft resolution originally submitted by India unacceptable for the same reasons which previously led it to reject the so-called twenty-one-Power draft resolution. The Polish delegation sees no marked difference between the proposals contained in the two texts. Both the Indian draft resolution and the draft resolution of the United

States presented as a twenty-one-Power draft resolution, enable the United States to continue an inhuman war of aggression in Korea. The Indian draft resolution suggests no concrete action; none of its provisions calls for an immediate cessation of hostilities. The amendment submitted today by the representative of India in no way alters that fact. Thus not only does the resolution fail to further a peaceful settlement of the Korean problem, but it makes possible a continuation of the bloodshed.

113. For that reason, the Polish delegation feels that the position of the Governments of the People's Democratic Republic of Korea and of the People's Republic of China, as expressed in the declaration of 24 November rejecting all the proposals in the Indian draft resolution, is perfectly justified.

114. How could this resolution have been adopted when it violates the letter and spirit of the Geneva Convention in that it does not settle the question of the repatriation of prisoners of war in a manner compatible with international law, but rather furthers the intentions of the United States, which wants to detain some of those prisoners indefinitely? It represents a definite step backward in relation to the provisions already agreed upon in the draft armistice agreement. The Indian Government has utterly disregarded the position of the two Governments concerned. The majority in the Assembly adopted the draft resolution despite the fact that it cannot lead to a peaceful settlement of the Korean conflict.

115. This resolution means that the war will continue to be tolerated, and that is how the United States Government and its Korean puppet, Syngman Rhee, understand it. How else can the statement of Syngman Rhee, published today in *The New York Times*, be interpreted? He asserts that his objective remains the unification of Korea under his control by military force and that he is contemplating a prolongation of the war by preparing new offensives. In the same spirit, General Vandenberg, according to today's Press reports, after boasting of the extent of the destruction in Korea brought about by the United States Air Force, announces a new wave of terroristic bombing.

116. The resolution initiated by India has been adopted notwithstanding the fact that the concrete and constructive proposals of the USSR are before the General Assembly. That country, which has been working for a peaceful settlement since the outset of the Korean war and is still stubbornly striving to achieve that end, has once again taken the initiative to put an end to the fighting. Its proposals, whether in its amendments to the Indian draft resolution or in its own draft resolution, would make it possible for the General Assembly to adopt a decision in the interests of peace. They put the main emphasis on the need for an immediate cessation of hostilities. They specify the application of the principles of the Geneva Convention and of general international law with respect to the repatriation of prisoners of war. Finally, the USSR draft resolution provides for the establishment of a commission composed of a considerable number of members, which members would in themselves constitute a guarantee that the settlement of the Korean war would be approached in a spirit of justice. Despite these constructive proposals, the majority in the Gen-

eral Assembly has retreated and adopted the proposal put forward by the Government of India.

117. Those are the reasons why the Polish delegation voted against the Indian proposal. The Polish delegation fully supports the proposals of the Soviet Union and will vote for the draft resolution submitted by the USSR delegation.

118. The PRESIDENT: I recognize the representative of Czechoslovakia in explanation of her vote.

119. Mrs. SEKANINOVA-CAKARTOVA (Czechoslovakia): I should like to give an explanation of the vote which the Czechoslovak delegation will cast with respect to the draft resolution submitted by the delegation of the USSR [A/L.118], on which the General Assembly is now going to take a vote.

120. This draft resolution is the only proposal put before the General Assembly which aims at the solution of the Korean question in its entirety. It is based on the fact that the foremost task to be accomplished is the cessation of the bloodshed and suffering which the United States armed intervention has brought to the heroic Korean people. This primary aim is in complete accordance with the wishes not only of the Korean and Chinese peoples, who are most directly affected by American aggression and whose representatives are absent from our deliberations here, but of millions of people all over the world, including those whose governments are taking part in the United States war in Korea.

121. The Soviet Union meets these wishes when it proposes that the General Assembly should recommend an immediate and complete cease-fire to the belligerents, that is, a cessation of military operations by both sides on land, by sea and in the air. The Government of the Soviet Union and its representatives in the United Nations have consistently been putting forward this requirement from the very moment that the American interventionists unleashed the aggressive war in Korea.

122. The American imperialists, on the other hand, consistently reject these just solutions both in the United Nations and at Panmunjom; and, on the battlefield, they are doing everything to prevent the termination of hostilities and to continue their aggressive war.

123. The Soviet Union draft resolution forms an organic whole. It contains concrete proposals which are based on the given situation and offer a just solution of the Korean question in all its aspects. Besides the proposal for an immediate and complete cessation of hostilities, the USSR draft resolution equally solves the question of the repatriation of the prisoners of war, which has remained as a last pretext of the United States for frustrating the conclusion of an armistice. The United States uses this question in relation to the given concrete situation in which the prisoners find themselves in consequence of the terror, force and brutality used against them by the United States military command. The Soviet Union proposals are in full harmony with the interests of the prisoners, the principles of humanity and justice, and are in full accordance with the principles of international law and the spirit and the provisions of the Geneva Convention relative to the Treatment of Prisoners of War.

They are based on the guiding principles and the strict provisions of the convention—on the unconditional repatriation of all prisoners, the unconditional prohibition to detain prisoners of war upon the cessation of hostilities, and on the prohibition to demand or accept declarations from the prisoners as a renouncement of the right of repatriation.

124. The adoption of the Soviet Union draft resolution would lead to the return of thousands of human beings to their homes, to their wives and children and to peaceful work. It would put an end to the inhuman treatment of the prisoners of war, to all the violent acts and brutalities committed in the American prisoner-of-war camps and to the questioning and screening which have become an expression of all these barbarous acts. The adoption of these proposals would ensure respect for and observance of the Geneva Convention and international treaties, in general and respect for the fundamental principles of international law.

125. In distinction to all the other proposals submitted to the General Assembly, the Soviet Union draft resolution foresees the constitution of a United Nations commission composed not only of the parties directly concerned but also of other States, including those which have not taken part in the Korean war. It thus proposes the establishment of a real international organ which will not be dominated by any of the parties concerned or by any grouping of members. The tasks of the commission are not restricted to the question of repatriation. It is to be an effective instrument for the peaceful settlement of the Korean question on democratic principles and on the basis of the unification of Korea, which is the very issue on our agenda.

126. The Soviet Union Government, promoting the Stalinist policy with regard to nationalities, has been consistently defending the right of the Korean people to self-determination. In all the phases of the development of the Korean question, it has fought against the intervention of the United States in the internal affairs of Korea and the suppression of the right of the Korean people to freedom and independence. The Soviet Union proposals, in accordance with the principle of the self-determination of peoples, again stress that the unification of Korea is to be effected by the Koreans themselves. The adoption of this proposal would help the Korean people to accomplish this historic task. The proposed commission, under the authority of the United Nations, can effectively assist the Korean people in the restoration of a unified, independent, democratic Korea.

127. For the third year, now, the United Nations is being shamefully misused as an instrument of the aggressive United States war against the Korean people. For the third year, now, the name and the flag of the United Nations is being dishonoured by United States interventionists in Korea. All peace-loving mankind is ever more resolutely demanding that the United Nations leave this dangerous road, that it put an end to this shameful state of affairs in which it is a tool of the aggressive policy of the United States imperialists, and that it revert to the fulfilment of the tasks enjoined upon it by the Charter—the maintenance and strengthening of international peace and security, of peaceful co-operation among peoples. Only thus can

the United Nations secure the respect and the position which should be accorded to it as an international organization of sovereign and equal nations.

128. The adoption of the Soviet Union draft resolution now before us would enable the Organization to take up this new road. The Czechoslovak delegation extends its warmest support to the Soviet Union draft resolution and will vote in favour of it.

129. The PRESIDENT: Only one other delegation desires to explain its vote, and that delegation wishes to do so after the vote is taken on the other draft resolution which is before the General Assembly, namely, the draft resolution submitted by the USSR [A/L.118].

130. We shall now vote on the Soviet Union draft resolution. A roll-call vote has been requested.

*A vote was taken by roll-call.*

*The Byelorussian SSR, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Against:* Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Honduras, Iceland, Iraq, Israel, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Australia, Belgium, Bolivia, Brazil.

*Abstaining:* Egypt, India, Indonesia, Iran, Pakistan, Saudi Arabia, Syria, Yemen, Afghanistan, Argentina, Burma.

*The draft resolution was rejected by 40 votes to 5, with 11 abstentions.*

131. The PRESIDENT: I call on the representative of the Byelorussian SSR for an explanation of his vote.

132. Mr. KISELYOV (Byelorussian Soviet Socialist Republic) (*translated from Russian*): The delegation of the Byelorussian SSR deems it necessary to explain its vote on the USSR draft resolution [A/L.118].

133. This text recommended to the belligerents in Korea "an immediate and complete cease-fire, i.e., the cessation of military operations by both sides on land, by sea and in the air, on the basis of the draft armistice agreement already approved by the belligerents, the question of the complete repatriation of prisoners of war to be referred for its solution to the commission for the peaceful settlement of the Korean question provided for in the USSR draft resolution, in which commission questions shall be decided by a two-thirds majority vote of its members".

134. We are told that the USSR demands that prisoners of war who do not wish to return to their country should be made to do so by force. We said in the First Committee and we say here, that this presentation of the issue is utterly wrong and hypocritical and that its purpose is to disguise with words

the worthlessness of the principle of voluntary repatriation, whose true nature has now been exposed.

135. The point at issue is not that prisoners of war are deprived of the opportunity to exercise their free will, but that they are placed in circumstances in which there can be no question of free will.

136. We are in favour of aording every prisoner of war a chance to go home and of putting a stop in prisoner-of-war camps to the practices of forcible screening and torture, of tattooing prisoners and of killing those among them who express a desire to return to their country. We want the forcible retention of prisoners of war by United States military authorities in Korea to be brought to an end. How can one speak of not using force when there are hundreds of thousands of cases where force has been and still is being used against prisoners of war, when hundreds of thousands of prisoners have been killed or tortured in the American death camps and on Koje Island? It is clear to everyone that in the circumstances to invoke the principles of freedom and democracy is to make mock of these principles.

137. The USSR draft resolution speaks of an immediate and complete cease-fire, i.e., the cessation of hostilities on land, by sea and in the air, on the basis of the draft armistice agreement already approved by the belligerents. Neither the resolution already adopted nor the Indian draft resolution has a word to say on that score. It must, I think, be obvious to any clear-headed person that the first point to be settled is an immediate cease-fire in Korea, an immediate and complete cessation of military operations on land, by sea and in the air. This is a primary and indispensable condition dictated by the present international situation and the state of the Korean war.

138. The right course, and one that would meet the wishes and aspirations of all peace-loving peoples, would be for the General Assembly at its seventh session to demand that the United States Command in Korea put an end immediately to mass murders and tortures, to experimentation on prisoners of war, to the extortion of signatures and to threats, and that human rights and the right to life be guaranteed to prisoners of war on the basis of international law. The right course would be for the General Assembly to demand that the United States Command in Korea, which is sheltering behind the United Nations flag, put an end to the dreadful bloodshed in martyred North Korea, where by day and by night the invaders are dropping thousands of bombs and shells on towns and villages, causing incessant fires, killing children, women and old people, and destroying schools, hospitals, places of worship and cultural institutions. We must remember that the peoples of the entire world look to the seventh session of the General Assembly to stop the war in Korea and to effect a just solution of the Korean question.

139. The USSR draft resolution also recommended the establishment of a commission for the peaceful settlement of the Korean question, with provision for the participation of the parties directly concerned and of other States, including States which have not taken part in the Korean war. This commission was to be given wide powers and was to be instructed to take immediate steps for the settlement of the Korean

question on the basis of the unification of Korea—to be effected by the Koreans themselves under the supervision of this competent commission—such steps to include extending all possible assistance in the repatriation of all prisoners of war by both sides. This fully representative commission was to decide all the questions connected with the Korean war. The reason why the USSR draft resolution calling for an immediate and complete cease-fire in Korea, the establishment of a commission, the repatriation of prisoners of war, and so forth, is of outstanding importance, since it reflects the aspirations and demands of all peace-loving peoples, who sincerely wish to stop the Korean war.

140. Mr. Gross, the United States representative, who preceded me on this rostrum, alleged that his Government wanted peace and that the Indian resolution opened the way to peace; but these are empty words. In reality, the United States has been prolonging the armistice negotiations in Korea for a year and a half. During this time, according to the statement made by Mr. Acheson, the United States Secretary of State, in the First Committee, 1,500,000 Koreans have perished in the war which was forced on the Korean people. The barbarous United States air raids and naval bombardments have destroyed thousands of peaceful Korean villages and towns. This is the bloody outcome of American intervention in Korea. On the other hand, the American monopolies are amassing profits totalling thousands of millions of dollars from the armaments race and military supplies.

141. That is the real reason for the United States opposition to the USSR proposal for an immediate and complete cease-fire. That is why the United States representatives so willingly supported the Indian draft resolution, which puts off the settlement of the Korean question and, instead of providing for a cease-fire, would open the way to an indefinite prolongation of the war. The peoples of the world are fully aware that the United States had made no sincere attempt to reach a settlement during the entire sixteen months or more of the truce talks. On the contrary, the ruling circles of the United States have done and are doing everything in their power to prevent the successful completion of the Panmunjom negotiations.

142. At this session too, the United States delegation, which abandoned its own draft resolution with such alacrity to support that of India, has done its utmost to obtain approval for the breaking off of negotiations and the prolongation and extension of the war in Korea.

143. As is known, on 28 November last, Mr. Pak Hen-en, Minister for Foreign Affairs of the People's Democratic Republic of Korea, and Mr. Chou En-lai, Minister for Foreign Affairs of the People's Republic of China, published statements whole-heartedly supporting the just proposals contained in the USSR draft resolution on the immediate cessation of the Korean war. The proposals submitted by the USSR representative, Mr. Vyshinsky, once again demonstrated to the world the justice of the stand taken by the Soviet Union, which seeks to ensure a peaceful settlement of the Korean problem and a prompt end to the Korean war. These proposals are in complete conformity with the interests of peace in Asia and

throughout the world. The Soviet Union proposals for peace were unanimously welcomed by the Korean and Chinese peoples and, indeed, by all progressive elements throughout the world. These proposals are an expression of the universal desire for a speedy termination of the Korean war and the establishment of a secure and lasting peace in the world. The USSR draft resolution offered every opportunity for a speedy

termination of the Korean war and opened the right way to the peaceful settlement of the entire Korean question.

144. That is why the delegation of the Byelorussian SSR voted for the USSR draft resolution.

*The meeting rose at 5.35 p.m.*