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President: Mr. Abdul Rahman PAZHWAK
(Afghanistan).

AGENDA ITEM 90

Restoration of the lawful rights of the People's Republic of China in the United Nations (continued)

1. Mr. KHATRI (Nepal): As in previous years since 1950, we are again seized of the question of the restoration of the lawful rights of the People's Republic of China in the United Nations. The voting at the twentieth session of the General Assembly showed a significant improvement towards a realistic approach to this question, and only one more vote would have brought about a revolutionary change in the situation. But, unfortunately, once again the attempts of the countries which want to keep eight hundred and twenty million Chinese people from being represented in the United Nations were successful. And thus this year we are again facing the same question.

2. There is no doubt, however, that the position of the countries which oppose restoration of the lawful rights of the People's Republic of China in the United Nations is weakening each day with the passage of time. It is a matter of history that these Powers were successful in blocking the discussion of this question in the General Assembly from 1951 to 1960. Because discussion of the question in the Assembly could no longer be blocked, these Powers have since then changed their tactics and introduced procedural wrangling to make the question one of importance within the meaning of Article 18, paragraph 2, which would require a two-thirds voting majority in the Assembly in order to restore the lawful rights of the People's Republic of China. We have time and again rejected this contention as being only a manoeuvre designed to keep the People's Republic of China out of the United Nations. We know that these countries would not hesitate to resort to other manoeuvres to gain further time if they had to.

3. So far as my delegation is concerned, the six-Power draft resolution [A/L.500] falls into the category of such futile procedural manoeuvres. However good may be the intentions of the co-sponsors—although, I regret to say, these good intentions seem to be decidedly misguided in this case—the proposal contained in the draft resolution is bound to meet with a fate

similar to the one that confronted the Canadian proposal in 1950 [277th meeting, paras. 181 and 184]. As several delegations have recalled, the study Committee formed under that proposal met only once and reported failure.

4. The six-Power draft resolution seeks to form a committee to study and inquire into the question of participation of the People's Republic of China in the United Nations. In our view, there is nothing to be studied and inquired into about this question. This proposal militates against common sense and is nothing but a procedural manoeuvre calculated to shelve the question for one year at the minimum. It is a retrograde step which, if adopted, would take us back to the days of 1950, when similar attempts were made by interested countries which do not want the restoration of the lawful rights of the People's Republic of China in the United Nations. The draft resolution containing this proposal is complementary to the one submitted in document A/L.494 and Add.1, declaring this question one of importance within the meaning of Article 18, paragraph 2. The question is simply the question of recognizing the representatives of a State which is already a Member and enabling them to occupy their seats in the United Nations to which they are entitled. This being so, I think it is incumbent upon me to let the Assembly know that my delegation would oppose the "study committee" resolution with as much vehemence as it would reject the "important issue" resolution.

5. There have been attempts, persistent attempts, to confuse the issue. So far as my delegation is concerned, we consider the question not as one of the admission of a new State but as one of its proper representation. China is a founding Member of the United Nations, entitled to a permanent seat in the Security Council. Since 1 October 1949, China has been governed by the Central People's Government of the People's Republic of China, which exercises effective authority in the great land mass of Chinese territory and enjoys the habitual obedience of the entire Chinese people. The Government of the People's Republic of China is the one and only legitimate Government of China. It is high time that the Assembly should recognize this fact and, instead of falling into the delaying tactics of the Powers opposing China's proper representation, it should immediately restore the lawful rights of the People's Republic of China in the United Nations.

6. The Assembly should immediately remedy a situation in which, by the irony of history, a Government, purely puppet in nature, situated on a slice of Chinese territory, unsupported by the people save for a misguided handful and bolstered by certain

foreign interests, can continue to usurp the legitimate Chinese rights in the United Nations.

7. The question which of the two Governments should represent China in the United Nations, the Government of the People's Republic of China or the scarecrow Government in Taiwan—one supported by the people and with effective control over the territory of China, and another supported only by foreign interests—is obvious. It is simple and straightforward. No study committee is needed now to seek an answer to this question. We shall only be flying in the face of reality if we persist in our pretense that the answer is not clear.

8. The reality of the whole situation is that the present Government of the People's Republic of China is there and has come to stay. The ideology and outlook this Government has adopted, or the cultural revolution that is going on at present in China have no relevance whatsoever to the question we are considering now, namely, the restoration of the lawful rights of the People's Republic of China in the United Nations.

9. Our Organization is an organization of sovereign, independent States as they are, whatever may be their differing policies, views and systems. Acceptance of a Government's policies has never been a precondition for its participation in this Organization. Even if we find that the policies of the Government of the People's Republic of China are not to our liking we have no right whatsoever to block China's proper representation in the United Nations. We are not here considering the question of admission of a new Member State. We need not inquire into whether the present Government of the People's Republic of China satisfies the qualifications set forth in Article 4 of the Charter for becoming a Member of the Organization.

10. China is already a Member State of the United Nations. The question is, therefore, how China can be properly represented in the Organization. This question is answered simply: by inviting the People's Republic of China to take its rightful place in the United Nations.

11. The eleven-Power draft resolution [A/L.496 and Add.1] would have the Assembly invite the representatives of the People's Republic of China to their rightful place. My delegation very strongly supports this draft resolution.

12. These considerations, although fundamental, are not however the only considerations that have led my delegation to support the eleven-Power draft resolution. As a nation which attaches the greatest importance to the United Nations, Nepal believes that the purposes of the United Nations will not be fulfilled unless the Organization becomes universal. My delegation refuses to believe that this goal of universality of the Organization will be attained so long as the Government of the People's Republic of China, representing over 700 million people, continues to be unrepresented in the United Nations. As the Foreign Minister of Nepal told this Assembly in the general debate on 3 October last:

"The United Nations will be a more effective instrument of peace with the People's Republic of China than without it." [1226th meeting, para. 121.]

13. Apart from the question of universality, which alone is a very compelling reason for the immediate restoration of the lawful rights of the People's Republic of China in the United Nations, my delegation fails to understand how, without the participation and co-operation of the People's Republic of China, the great questions facing the present-day world are going to be solved.

14. China, which until 1949 was a backward, exploited and weak country, has, in the course of the past seventeen years, become a Power to be reckoned with under the leadership of the present Government. Today, the People's Republic of China is a rapidly developing, a strong and, moreover, a nuclear Power. It is the anomaly of the situation that even the Powers which refuse to recognize the People's Republic of China and go all-out in their efforts to prevent the Assembly from restoring the lawful rights of that country in the United Nations have been forced to carry on a series of both secret and public negotiations with it on many international issues. This fact proves beyond doubt that these Powers accept the impact on international affairs of the People's Republic of China. But it seems indeed a pity that these Powers cannot reconcile their policy of negotiating with the People's Republic of China outside the United Nations with that of blocking by all means the restoration of its lawful rights in this Organization.

15. In view of the reality of the present world situation, it is imperative that the People's Republic of China should be actively associated in any negotiations designed to seek a lasting solution to any of the major problems facing mankind today. It is the considered view of my delegation that bypassing or ignoring the existence of the People's Republic of China as a world Power would not bring us closer to solution of any of these problems.

16. This assertion is borne out by historical facts. The participation and co-operation of the People's Republic of China ensured the success of the first Asian-African Conference held in Bandung in 1955. The People's Republic of China is a co-author of, and a party to, the historic Bandung Declaration of ten principles concerning promotion of world peace and co-operation. This Declaration gave new life and force to the principle of the self-determination of peoples in Asia, Africa and other parts of the world, as well as to those of economic co-operation among States, and, above all, it enshrined the principles of peaceful coexistence and co-operation among nations, which form the backbone of inter-State relationships today. The participation and co-operation of the People's Republic of China equally made possible the success of the Geneva Conferences on Indo-China.

17. It follows therefore that no meaningful negotiations on major problems of the world can be carried out without the participation and co-operation of the People's Republic of China. The twentieth session of the General Assembly has decided to convene, in 1967, a world disarmament conference in which are to participate all countries of the world, both Members and non-members of the United Nations. The voting on the resolution calling for such a conference has proved that the countries which have been consistently opposing the restoration of

the lawful rights of the People's Republic of China in the United Nations have also realized the importance and necessity of the participation of that country in a world disarmament parley. This has also shown a singular lack of any single policy standard on the part of many countries. We fail to understand how the countries that apparently believe that world disarmament talks cannot be successful without the participation of the People's Republic of China can still believe, or act as though they believe, that the United Nations can go on functioning effectively without this great country's being represented in the Organization.

18. Those countries that refuse to face the realities of the world situation as far as the question of China's proper representation in the United Nations is concerned have again been putting forward flimsy arguments against the restoration of the lawful rights of the People's Republic of China in the United Nations. They say that the People's Republic of China is arrogant and that it is aggressive. From our own experience with the People's Republic of China during the past few years, we have not found that this is the case. A happy relationship exists between the Kingdom of Nepal and the People's Republic of China on the basis of equality, non-interference, mutual respect and peaceful coexistence. Like all of China's small neighbouring States, Nepal was able to carry out negotiations with the People's Republic of China on the question of the border, which had remained unsolved for over a century. Border talks between the Chinese and Nepalese officials were held in an atmosphere of the utmost cordiality and in a spirit of equality, mutual respect and mutual accommodation. The Boundary Agreement which was eventually signed by His Majesty King Mahendra and His Excellency President Liu Shao-chi of China brought back to Nepal 300 square miles of territory which was formerly in dispute. This Boundary Agreement is a shining example of our relations with the People's Republic of China.

19. Nepal, a small neighbouring country, has so far received from the People's Republic of China complete equality of treatment, and has found China absolutely adhering to the principles of non-interference, equality and mutual respect.

20. The People's Republic of China has diplomatic and trade relations with about fifty countries of the world, including all the permanent members of the Security Council except one. As I said earlier, even that Power is forced to carry on negotiations with the People's Republic of China. It is a great misfortune for the world that a country such as China, which is older than history, a cradle of civilization and culture, a country containing one fourth of the human race and one which is also a nuclear Power, is still barred from the activities of the United Nations and its organs, particularly the Security Council, because of the machinations of certain interested Powers. To quote His Majesty King Mahendra in his address to the historic Belgrade Conference:

"... By refusing to accept China in the United Nations the world Organization has lost much of its effectiveness. Whether in the United Nations or outside China remains a world Power and not to

have this power in the world body is harmful to it ..." //

21. Article 28 of the Charter shows that the Security Council of the United Nations was intended to provide a means of serious negotiation at the highest level on a continuing basis. In other words, the Article meant the Security Council—in which China is entitled to a permanent seat—to be in fact a continuous "summit conference" in which basic issues dividing nations were to be discussed and settled. In the absence of the People's Republic of China, nothing has been done in the past, nor can anything be done in the future, to utilize the Security Council of the United Nations in such a useful and fruitful manner as envisaged in the Charter.

22. Under these circumstances, it is reasonable that we cannot expect the People's Republic of China to condone a situation in which the Chinese people are supposed to be represented by a group of exiles living on an island which itself is and has been recognized by international agreement as part of China. This situation has continued for a long time—far longer than we could have imagined—to the detriment of the effectiveness of our Organization and of world order. Let this Assembly redress the wrong now by inviting the People's Republic of China to occupy its rightful place in the United Nations. By falling into the manoeuvres engineered by certain interested countries, the Assembly has ignored the existence of China long enough. These manoeuvres have manifested themselves in various shapes. My delegation rejects the delaying tactics. We consider the "two Chinas" formula as particularly ridiculous and objectionable. This formula is nothing but an addition of insult to injury. Given good-will and a certain amount of political will, the question of the proper representation of China is an easily surmountable one. My delegation also deplores the attitude of certain interested Powers which, while favouring restoration of the lawful rights of the People's Republic of China in the United Nations, earnestly strive to prove that the question should be regarded as one falling within the meaning of Article 18, paragraph 2, thus trying to perpetuate the present situation of injustice and unreality.

23. In the interests of world peace and international morality, my delegation once again would like to urge this Assembly that the lawful rights of the People's Republic of China should be restored without further delay. My delegation addresses its appeal to those African and Asian countries which oppose restoration of the lawful rights of the People's Republic of China but which sat with the People's Republic of China at the Conference table in Bandung in 1955, in Djakarta in 1964, and were prepared to sit again in Algiers last year, to give this question very careful consideration.

24. Lastly, I should like to direct my appeal particularly to the participants in the Cairo Conference of non-aligned Heads of State and Government, who, with one voice, solemnly requested the Assembly "to restore the rights of the People's Republic of China

1/ Conference of Heads of State or Government of Non-Aligned Countries (Belgrade, "Jugoslaviya", 1961), p. 151.

and to recognize the representatives of its Government as the only legitimate representatives of China in the United Nations".^{2/} I appeal to the delegations of all the countries which participated in that Conference to honour the solemn commitment entered into by their Heads of State and Government. I am confident that, if all the delegations of the countries which participated in the Cairo Conference vote according to their commitment in regard to this question, draft resolution A/L.496 and Add.1 will easily receive the required majority of votes in the Assembly.

25. The PRESIDENT: We have two more speakers on the list in the general debate on this item. At this stage, I should like to inform the Members of the Assembly that, unless the Assembly decides otherwise, we shall proceed in accordance with the normal procedure.

26. The normal procedure is as follows: when the general debate has come to an end we shall proceed to a vote, but before we vote we shall hear representatives who have expressed their wish to speak before the voting. Then explanations of vote will be heard after the voting, following which rights of reply, if any, will be exercised.

27. I should like to add that one delegation has expressed the desire to speak on a point of clarification after the general debate has come to an end. I have agreed to give it that opportunity.

28. That, I repeat, unless the Assembly decides otherwise, will be the normal procedure.

29. Mr. ALARCON DE QUESADA (Cuba) (translated from Spanish): When he spoke in the general debate on 18 October last, the Minister for Foreign Affairs of Cuba, Mr. Raúl Roa, stated as follows:

"The aggressive policy of the United States Government in Asia is also reflected in connexion with the so-called question of the representation of China. Its obsessive opposition to discussion of this item despite the increasingly large vote in favour of consideration every year in the Assembly is reflected in the refusal to recognize the People's Republic of China and the foisting upon the Security Council, the General Assembly and all its organs of a handful of puppets whose existence and representative nature are the exclusive creation of the fire power of the United States Seventh Fleet. The Cuban delegation will as usual, insist upon the restoration of the legitimate rights of the People's Republic of China and the consequent expulsion of the Chiang Kai-shek clique from all the positions which they illegally occupy." [1446th meeting, para. 111.]

30. That is to say that my delegation will maintain the same position which it has held in this Assembly since Cuba won full national independence and the capacity to speak with its own voice in this Assembly through the revolution of January 1959.

31. This debate, repeated year after year for as long as the United Nations has been in existence, has served to demonstrate at least two things—first, that on this

question, the interests of the United Nations as a whole are pitted against the interests of a Member State, the United States of America, which seeks to manipulate this Organization as its own fief and to use it to achieve its aggressive policies of hegemony and world domination; second, that there is nothing new to add to this long-standing dispute. Those who refuse to restore its lawful rights to the People's Republic of China have exhausted all possible arguments. They can find no new formulas to invent and their imagination fails them in the sterile task of attempting to explain an illegal policy that has no justification or foundation. This Assembly seems condemned to repeat itself endlessly, *ad absurdum*, and each year to relive the mythical fate of Sisyphus.

32. With this in mind and in order to spare the patience of my listeners, I shall as briefly as possible summarize the position which we have reaffirmed on other occasions. China is a founding Member of this Organization and a permanent member of the Security Council. There is absolutely nothing new about such a statement; it is based on the Charter, a document to which all Member States subscribed and whose provisions are binding on all. Nevertheless this simple statement is worth repeating in view of the surprising attitude of some delegations which seem to advocate formulas that would cast doubt upon this assertion, or think it should be investigated or studied although they have not previously proposed an amendment of the Charter as would be at least legally required.

33. Nevertheless, if the Charter remains in force, so does Article 23. It would therefore be completely illegal to have any discussion which does not concentrate on the very simple procedural question: who are the authorities competent to represent China in this Organization?

34. The facts are well known to all. In China there was a people's revolution that liquidated the old régime which was obedient to imperialist interests. The clique which was ousted took refuge on the island of Taiwan, an integral part of the territory of China, where it continues to exist solely because the island is occupied by United States troops. The military occupation of Taiwan, perpetuated over a period of seventeen years, and its virtual conversion into a United States colony represents a gross violation of the principles set forth in the United Nations Charter, flagrant aggression against the Chinese people and a shameful violation of all the rules of international law which, for these reasons, cannot confer rights of any kind.

35. The so-called sovereignty and representative status of the Chiang Kai-shek clique is a product of the guns of the Seventh Fleet and thus its presence among sovereign States is an affront to all of us and a slur on the serious nature of this Organization. It can be remedied only by adopting now the decision which has been postponed so many times: restoring to their rightful place the legitimate representatives of the Chinese people and expelling, purely and simply, not a so-called State but rather a group of individuals who do not even represent themselves.

^{2/} A/5763, sect. IX.

36. Thus, it is neither a question of the admission of a new State nor of the expulsion of a Member State. Therefore my delegation regards as totally unacceptable any procedure to apply the two formulae referred to previously.

37. The fact is that China has always been and continues to be a member of this Assembly and a permanent member of the Security Council but since 1949, because of the illegal and arbitrary action of the United States, China's legitimate representatives have been absent from this hall and their place has been taken without any right whatsoever by a group of individuals who do not represent that State or any other. Nevertheless so straightforward a question has become complicated to the point of absurdity.

38. I do not think I will be guilty of indiscretion if I say that this is the case solely and exclusively because the United States Government, not content to interfere outright in the internal affairs of the People's Republic of China, has imposed upon this Organization, by manipulating votes and every conceivable kind of manoeuvre, a line of action which has made this Organization in fact an accomplice of the United States policy of aggression against the Chinese people.

39. Thus, for twelve years, the United States denied anyone the right to discuss this question. Then, when the presence of new independent African and Asian States made it more difficult to manipulate this Organization, the United States fabricated the so-called "important question" which, as has already been said, consists in committing an illegal act by a simple majority vote which thereafter can only be rectified by a two-thirds majority. A matter which they did not even want to discuss for twelve years, suddenly became a very important question and now the United States informs us that it is in favour of the establishment of a committee to study and investigate this question. That is to say that after seventeen years of interminable debate inside and outside the United Nations, there is something more to be investigated and studied.

40. Those who now propose this study committee which, moreover, is a proposal as old as this debate itself and which would produce results that are well known, should explain to the Member States what is the purpose of our discussions and what is the role of this Assembly if it has been incapable of even shedding light on a problem debated here as perhaps no other.

41. The Cuban delegation firmly believes that the approach to the discussion of the question today is precisely the same as in the past. The refusal for years to include this question in our agenda, the arbitrary imposition of a two-thirds majority, the proposal to set up a special committee and the suggestions that the theory of the two Chinas be introduced in our Organization are part of the same policy of dealing illegally with the question of the representation of China. They support the aggressive policy of the United States Government against China and against all the peoples of the world.

42. We know that some allies of the United States who understand the illegality and the absurdity of this

policy seek to dissociate themselves from it but in our opinion they are following the wrong course. It is not a matter of seeking nonexistent solutions which fall somewhere between justice and arbitrary action. It is rather a question of solving the problem or again closing the door to the only possible solution, namely, only the one proposed in draft resolution A/L.496 and Add.1 sponsored by the Cuban delegation and ten other States.

43. The fact that this question has not yet been settled is due exclusively to the stubborn opposition of the United States Government. Demonstrating that their country has a world monopoly of cynicism and hypocrisy, the United States imperialists attempt to lay down criteria for this Assembly and judge the conduct of States to decide whether or not they are deserving of recognition and of admission to this Organization.

44. In the first place, Cuba, which has stamped out Yankee rule, categorically rejects United States stewardship of this Organization. The States Members should show the Yankee imperialists that the era of colonialism is past, that Washington is not the capital of the world and that they are not the proprietors of this Organization. In the second place we do not recognize that the United States imperialists have any moral right to judge anyone or to lay down criteria for anyone.

45. It has been quite a long time now since the United States Government placed itself outside of international law. One by one the United States Government violates all the principles of international law. One by one the United States Government violates all the principles and purposes of the Charter which was signed in San Francisco. It is the United States Government which unleashed a barbarous and criminal war of aggression against the heroic people of Viet-Nam, which bombs cities, hospitals, villages, factories, schools, temples and means of communication in the Democratic Republic of Viet-Nam, which every day murders hundreds of women, children and old people, which uses against the Viet-Nameese poisonous substances, lethal gases, chemical bombs and napalm that destroy crops and cause death among the civilian population, which maintains an ever-increasing army of occupation in South Viet-Nam and undertakes the most shameful aggression against the people of South Viet-Nam.

46. It is the United States Government which interferes in the internal affairs of the people of Laos and bombs part of its territory, in violation of the Geneva Agreements of 1962. It is the United States Government which constantly threatens the independence of Cambodia and organizes repeated provocations and threats against that sovereign State. It is the United States Government which maintains thousands of military bases and soldiers throughout the world, everywhere threatening the integrity and independence of all peoples. It is the United States Government which supports the forces of racism and colonialism that are seeking to survive in Africa and which attempts to hold back the independent development of the new States. It is the United States Government which continues its occupation of the southern part of Korea, which it has virtually converted into a

The first part of the document discusses the general principles of the law of contract. It begins by defining a contract as an agreement between two or more parties, which is intended to be legally binding. The document then outlines the essential elements of a contract, which are offer, acceptance, and consideration. It also discusses the concept of privity of contract, which means that only the parties to a contract can enforce it. The document further explores the concept of breach of contract, which occurs when one party fails to perform its obligations under the contract. It also discusses the remedies available for breach of contract, such as damages and specific performance.

The second part of the document discusses the law of tort. It begins by defining a tort as a wrongful act or omission that causes harm to another person. The document then outlines the elements of a tort, which are duty, breach, and causation. It also discusses the concept of negligence, which is a type of tort that occurs when a person fails to exercise reasonable care. The document further explores the concept of strict liability, which is a type of tort that occurs when a person is held liable for harm caused by their actions, regardless of whether they were negligent. It also discusses the concept of vicarious liability, which is a type of tort that occurs when a person is held liable for the actions of another person.

The third part of the document discusses the law of property. It begins by defining property as a legal right in a thing. The document then outlines the elements of property, which are possession, control, and exclusion. It also discusses the concept of ownership, which is the right to use and dispose of property. The document further explores the concept of leasehold, which is a type of property interest that is granted to a tenant for a fixed period of time. It also discusses the concept of easement, which is a right to use another person's property for a specific purpose.

The fourth part of the document discusses the law of trusts. It begins by defining a trust as a legal arrangement in which one person (the settlor) transfers property to another person (the trustee) to hold for the benefit of a third person (the beneficiary). The document then outlines the elements of a trust, which are intention, certainty, and capacity. It also discusses the concept of fiduciary duty, which is a duty of loyalty and good faith that is owed by a trustee to a beneficiary. The document further explores the concept of breach of trust, which occurs when a trustee fails to perform its obligations under the trust. It also discusses the remedies available for breach of trust, such as damages and specific performance.

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The sixth part of the document discusses the law of evidence. It begins by defining evidence as any material that is used to prove or disprove a fact in a legal proceeding. The document then outlines the elements of evidence, which are relevance, materiality, and admissibility. It also discusses the concept of hearsay, which is a type of evidence that is not based on the witness's own knowledge. The document further explores the concept of direct evidence, which is evidence that is based on the witness's own knowledge. It also discusses the concept of circumstantial evidence, which is evidence that is based on the facts and circumstances of a case.

The seventh part of the document discusses the law of procedure. It begins by defining procedure as the set of rules that govern the conduct of a legal proceeding. The document then outlines the elements of procedure, which are jurisdiction, venue, and due diligence. It also discusses the concept of jurisdiction, which is the power of a court to hear and decide a case. The document further explores the concept of venue, which is the location where a case is heard. It also discusses the concept of due diligence, which is the duty to act with care and skill in a legal proceeding.

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are in flagrant contradiction with oft-repeated United States statements in this Assembly to the effect that the United States favours free expression of differences in the world so that those differences may more easily be resolved. All their actions, including the latest ones, prove the contrary.

59. However, if the United States is not interested in seeing all opinions represented in this Organization and at international conferences, those countries that are dedicated to the maintenance of peace and security most certainly are.

60. The participation of China and of all other countries in the United Nations and in all international conferences is a necessity for China and for the whole world.

61. On the basis of these considerations regarding the representation of China in the United Nations, the delegation of the People's Republic of Bulgaria will, on instructions from its Government, vote in favour of draft resolution A L.496 and Add.1 which seeks "to restore all its rights to the People's Republic of China ... and to expel forthwith the representatives of Chiang Kai-shek from the place which they unlawfully occupy at the United Nations".

62. We are convinced that the restoration of the lawful rights of China in the United Nations will have a beneficial effect on the work of the Organization.

63. The PRESIDENT: I now give the floor to the representative of Italy, who wishes to speak on a point of clarification.

64. Mr. FICCONI (Italy): I should like to clarify briefly certain points put forward in connection with the draft resolution submitted to the Assembly by Italy in conjunction with Belgium, Bolivia, Brazil, Chile and Trinidad and Tobago (A L.500). In my statement I propose to confine myself exclusively to refuting the arguments bearing especially on the draft resolution, which contains a few provisions without touching on the substance of the document.

65. The criticisms made can be summarized as follows: 1. It is a United States initiative in the problem as simply stated. 2. The draft resolution implies a predetermined solution in any instance falling outside the Charter of the United Nations. 3. The proposal would violate international agreements. 4. The consequences which this draft resolution would have in 1951 and during voting. 5. The proposal is nothing more than a delaying action.

66. These seven points which merely touch on the substance of my arguments in the original of the differences in my submission to the Assembly will be clarified one by one.

67. As for the first argument that it is a United States initiative, it should be pointed out that it is the United States which has introduced the draft resolution and that the other countries which voted in its favour show clearly the broad international nature of the initiative. It is not only the United States which has introduced the draft resolution but also the United States which has introduced the draft resolution.

* The original text of this statement is in Italian and is available in the English translation.

much closer to the truth to state flatly that the very opposite is the case—in other words, that, if there is a new and different approach to the problem, it is attributable to our proposal. However, the entire argument has no more than propagandist value. A proposal must be judged in and for itself, on its own objective merits and demands, not because it is allegedly inspired by this or that country. Although in the present instance the allegation is not true, Bulgaria will also not remember that would do well to read, after all, what the Italian delegation had to say in the August last year. It is precisely because of reports and news items concerning the draft resolution that the Government and Executive have decided to vote in favour.

68. As for the second argument—that the proposal is a purely United States initiative—it should be pointed out that the draft resolution was introduced by Italy in conjunction with Belgium, Bolivia, Brazil, Chile and Trinidad and Tobago (A L.500). In my statement I propose to confine myself exclusively to refuting the arguments bearing especially on the draft resolution, which contains a few provisions without touching on the substance of the document. The proposal would violate international agreements. The consequences which this draft resolution would have in 1951 and during voting. The proposal is nothing more than a delaying action.

69. As for the third argument—that the draft resolution implies a predetermined solution in any instance falling outside the Charter of the United Nations—it should be pointed out that the draft resolution is a proposal for the restoration of the lawful rights of China in the United Nations. It is not a proposal for the restoration of the lawful rights of China in the United Nations. It is not a proposal for the restoration of the lawful rights of China in the United Nations. It is not a proposal for the restoration of the lawful rights of China in the United Nations.

70. As for the fourth argument—that the draft resolution would violate international agreements—it should be pointed out that the draft resolution is a proposal for the restoration of the lawful rights of China in the United Nations. It is not a proposal for the restoration of the lawful rights of China in the United Nations. It is not a proposal for the restoration of the lawful rights of China in the United Nations.

71. As for the fifth argument—that the draft resolution would have consequences in 1951 and during voting—it should be pointed out that the draft resolution is a proposal for the restoration of the lawful rights of China in the United Nations. It is not a proposal for the restoration of the lawful rights of China in the United Nations. It is not a proposal for the restoration of the lawful rights of China in the United Nations.

matter, we are bound to reach the very opposite conclusions. Indeed, the very importance of the problem and its vast political implications suggested an *ad hoc* procedure, which, far from discriminating against them, is to the advantage of the interested parties in that it leaves the autonomous and responsible decision exclusively in their hands. Independently of any dispute concerning entitlement to the right to the permanent seat provided for in the Charter of San Francisco, the purpose is also to supersede the resolution of December 1950 concerning the People's Republic of China adopted by the fifth session of the General Assembly on the proposal of France, the United Kingdom, Norway, Ecuador and Cuba. We are prepared to do so, and the procedure we suggest is designed to eliminate, if need be, a particular state of affairs which, however awkward, is incontrovertible. Thus no question of discrimination arises, but rather the recourse to mutual understanding.

72. As to the sixth argument, according to which the committee idea was tried out unsuccessfully in 1950, this criticism is a matter of form rather than of substance. We have noted with interest the part of the statement by the Canadian Minister for Foreign Affairs, Mr. Martin, in which he recognizes that the mandate proposed in our draft resolution for the *ad hoc* committee constitutes a step forward in relation to 1950. But there is a further point. In 1950, volunteers from the People's Republic of China were taking part in the war in Korea, and this gave rise to the deliberations in the United Nations. This state of affairs is quite different from the position today, and for this reason we consider that the analogy is false and the precedent does not apply. Furthermore, I should like to emphasize that, in our opinion, the *ad hoc* committee should not confine itself merely to a theoretical study, but if it is to be in a position to submit to the twenty-second session of the General Assembly a report embodying an equitable and practical solution, it must also act as an organ for liaison and direct information.

73. As to the seventh argument, according to which the proposed resolution is merely a delaying action, this charge is easily disposed of. In our opinion, once the Albanian motion is rejected, failure to vote for our draft resolution is indeed an indication of a desire to go slow, inasmuch as it is tantamount to doing nothing to make preparations for a constructive decision at the next Assembly. We have been wasting our efforts far too long on a sterile debate which makes for wide differences of opinion. We must now extricate ourselves from the present impasse and approach the entire problem on a new basis. What we want is to avoid starting the coming year at the same point where we began this year. To this end I wish to affirm from this very moment that the understanding among the sponsors of draft resolution A/L.500 is that the report of the *ad hoc* committee shall be submitted two months before the beginning of the twenty-second session of the General Assembly so as to give the various delegations time to study it thoroughly. The question of the representation of China will not be resolved as a result of one vote more or one vote less; it will need a real consensus, and this can be achieved only when a number of unknown factors on which our views are divided and no concrete position has been

reached have been cleared up. If our draft resolution is adopted, we shall at long last have taken the first step in the right direction.

74. So far, I have tried to clarify some points put forward in connexion with the draft resolution submitted by Italy jointly with Belgium, Bolivia, Brazil, Chile and Trinidad and Tobago. May I now be allowed to make an earnest appeal to all delegations to give careful consideration to our arguments before they take a definite stand. For it is only through a common sense of United Nations responsibility in the face of the understandable temptation to try to make one particular point of view win an immediate victory that it will be possible to settle the present conflict, in the interest of all, and to the advantage of the United Nations. I trust that this appeal will be accepted in the dispassionate spirit in which it is made, and that it will be given favourable reception.

75. The PRESIDENT: I shall now call on members who wish to explain their vote before the voting.

76. Mr. KATENGA (Malawi): We have listened most attentively to the arguments both for and against the restoration of the lawful rights of the People's Republic of China in the United Nations. The Malawi delegation has asked for the opportunity to speak in order to explain the manner in which we shall vote. In doing so, I should like to quote what my President, Ngwanzi Dr. Kamuzu Banda, said on 2 December 1964, when addressing the General Assembly:

"Justice and fair play demand that the Government in Peking, presided over by Mao Tse-tung, be recognized as the legal and rightful government of [mainland] China." [1288th meeting, para. 81.]

77. This is what my President said then. But he qualified this statement with conditions. Consequently, Malawi is not opposed in principle to the admission of the People's Republic of China to membership of the United Nations on the same terms as any other nation. We hold this view because the Malawi Government feels unable to subscribe to a policy which denies all recognition to the People's Republic of China. The Malawi Government feels that a Government which is clearly in effective control of a country consisting of over 4 million square miles of land with a population of over 700 million people cannot be ignored and must be recognized as such. We recognize the fact that the Peking Government is the lawful Government of the territories comprising the People's Republic of China on the mainland of Asia. Therefore, in principle, we feel that the People's Republic of China has a right to a voice in the deliberations of the United Nations and to membership thereof.

78. However, the Malawi Government is firmly of the opinion that the admission of the People's Republic of China to membership in the United Nations must be conditional upon that Government's demonstrating convincingly to existing Member States that it has a genuine intention to observe the rules and the spirit of the United Nations Charter. The utterances and the actions of that Government's leaders have yet to convince us. Further, the admission of the Peking Government must not result from the eviction of the Government of Taiwan from the United Nations. To

expel a nation which was one of the founding Members of the Organization and which for the past twenty-one years has faithfully and responsibly upheld the principles of the United Nations and worked untiringly for its success as an instrument for maintaining world peace, would be utterly inequitable. In addition, to deny over 12 million people a voice in the United Nations would be equally inequitable.

79. For these reasons, my delegation will vote against draft resolution A/L.496 and Add.1, will vote in favour of draft resolution A/L.494 and Add.1, and will abstain in the vote on draft resolution A/L.500.

80. Lord CARADON (United Kingdom): I wish to make very clear the positive position of my Government on the draft resolutions on which we are about to vote. The necessity for plain speaking is enhanced by the importance and also by the urgency of the question which we have just debated. Surely no one can doubt that this is an issue of the utmost concern for Asia, for the United Nations and for the future of world peace.

81. The British Government believes that the seat of China in the United Nations, the seat of a founder Member of the United Nations and a permanent member of the Security Council, should be occupied by the Chinese People's Republic. That is the firm opinion of my Government and, as our voting record has shown, that conviction has long been maintained.

82. We believe that it is right and necessary and urgent that our endeavours should be directed not to keeping the Chinese People's Republic out of the world community, but to bringing it into this world Organization, the Organization created and dedicated to be a centre for harmonizing the actions of nations in the attainment of the purposes set out in the Charter.

83. Far from being less urgent, we believe that events since we debated this question last year make it much more urgent to end the international isolation of the People's Republic of China. We believe, moreover, that the risks and dangers of bringing the Chinese People's Republic into the United Nations are far less than those of continued exclusion. We believe that if the United Nations is to fulfil its destiny it must be a universal organization; and it will remain far short of that as long as the most populous country in the world is not here represented.

84. Speaking in the general debate on 11 October, the British Foreign Secretary used these words:

"I feel, too, with the deepest conviction that all the peoples of the world should be represented here. This is not a club solely for those who think alike. This is a place where all should meet, mix and exchange their ideas and bring them ultimately to some kind of harmony and agreement." [1436th meeting, para. 49.]

The British Foreign Secretary went on to say that a way must be found, and found urgently, to seat the representative of the People's Republic of China so that the voice of 700 million Chinese may be heard in our counsels.

85. Indeed it seems overwhelmingly plain to us that the facts of international life require the admission

of China into our counsels; for no one can contest the obvious fact that the problems which beset the world affect Asia and involve the Chinese people. If the United Nations is to make the contribution we all wish to see in the solution of the problems of the world, we cannot escape or evade the conclusion that the Chinese People's Government should have the opportunity and the responsibility to make its voice heard directly here. Nor should we delay. These are the views of my Government, and they are views which we have held now for a long time.

86. At the same time we believe, as my Foreign Secretary said in answer to a recent question in the House of Commons, that it is hard to declare that this question is not an important one under the Charter, and we shall cast our vote for the draft resolution on the important question.

87. We also have before us the draft resolution which proposes to establish a committee to explore the whole issue in all its aspects. We recognize the helpful intention of the sponsors of this draft resolution. We respect their motives and their wish to give delegations an opportunity to study the problem and arrive at definite conclusions. On the other hand, our clear and urgent purpose has long been plain, and it is because we do not think that this proposal will help to achieve that purpose that we cannot vote for it.

88. Many references have been made in this debate to the question of Taiwan or Formosa. It is well known that, in the view of the British Government, sovereignty over the island of Formosa is undetermined. It therefore follows, in our view, that the question of who should represent Formosa in the United Nations is also undetermined. The vote which I shall cast in favour of the substantive draft resolution does not prejudice the position of my Government on this point.

89. It will be recalled that, for many years now, whenever this Assembly has taken a vote on the substantive question of Chinese representation, a statement about Formosa similar to the one which I have just made has been made on behalf of the United Kingdom delegation. The position of the British Government on this point is thus so well known now that it appears superfluous to restate it. I wish to place on record, however, that the absence of such a statement on any future occasion must not be taken to imply that the views of the British Government on this issue have changed.

90. I come back to the central issue before us. For the reasons which I have given, it is my Government's wish that this Assembly should not be diverted or delayed from dealing now with this central issue. We hope that, by the required two-thirds majority, the Assembly will vote in favour of the seating of the representatives of the Chinese People's Republic; for we believe, as I have said, that the question of the representation of China has become not less urgent, but more urgent, and we believe that if this question is allowed to continue unsettled we shall do damage to the United Nations and fail in our duty to work for universal peace.

91. It is for these reasons that I shall vote in favour of the first two draft resolutions before us today.

92. Miss BROOKS (Liberia): I have listened with keen interest and attention to the arguments in favour of and against the draft resolution, calling for the application of the two-thirds majority rule [A/L.494 and Add.1] when the Assembly must resolve a controversy in which more than one authority claims to be the Government entitled to represent a Member State in the United Nations. The position of my Government on this procedural question is well known to the Members of this Assembly, but to clarify this position further I should like to add that to support objectively the principles contained in draft resolution A/L.494 and Add.1, one necessarily must read it in conjunction with draft resolution A/L.496 and Add.1.

93. Draft resolution A/L.496 and Add.1 contains two elements: (a) the principle of the right of the People's Republic of China to occupy the position now held by the Republic of China in the United Nations and its organizations; and (b) the principle of expelling the Republic of China, a Member State, from the United Nations and all its organizations. Even if the Assembly were to concede that the simple majority rule is applicable to principle (a), it is evident that it could not legally apply the simple majority rule to principle (b). A legal discourse is indeed unnecessary to establish what common sense should readily concede. It seems to me that expulsion of a Member from a universal Organization is of greater magnitude than admission of a Member. For, if a State meets the requirements laid down in the Charter, and considering that this is a universal Organization, it does not matter whether a two-thirds majority or a simple majority is applied to its admission. Conversely, if a Member State has upheld the principles and carried out its obligations under the Charter, there can be no valid reason for expelling that Member State by a simple majority.

94. My delegation considers that expulsion of any Member from the United Nations is a great and serious step to be taken by the Organization and as such falls within that category of issues considered important by this Assembly, to which the two-thirds majority rule must apply.

95. Perhaps the sponsors of draft resolution A/L.496 and Add.1 might argue that their intention is to expel a Government and not a Member State. My reply is that here the two are inter-related. The Republic of China is a signatory of the Charter. Whatever decision is reached by the Assembly on the substance of the matter, it must be done by a two-thirds majority vote.

96. It follows, therefore, that my delegation will vote in favour of draft resolution A/L.494 and Add.1. Because draft resolution A/L.496 and Add.1 includes the question of expulsion, and noting that draft resolution A/L.500 seeks to find a means of resolving the complexities of the question, my delegation did not think it necessary to speak on the substance of the matter and did not take part in the general debate.

97. We shall, under the circumstances, vote against draft resolution A/L.496 and Add.1. As may be deduced from the arguments presented in the general debate, there are certain defects in draft resolution A/L.500, but it must be acknowledged that, for the first time

since the question of the restoration of the lawful rights of the People's Republic of China in the United Nations has been under consideration, an attempt is being made to find a solution to this long-debated issue. Thus, the delegation of Liberia will have to support resolution A/L.500.

98. Mr. WONG (Singapore): I should like to state briefly the position of my delegation with regard to the question of the restoration of the lawful rights of the People's Republic of China in the United Nations, and particularly on the draft resolution contained in document A/L.496 and Add.1 that is before this Assembly.

99. Our stand on this question has been made clear ever since we became an independent and sovereign republic and a Member of this world Organization. As we enunciated in our statements in the general debate following our admission last year and during the current session, we are guided in the consideration of this question by the facts that are before us. We therefore fail to see how this Organization could continue time and again to ignore the essential facts of the case and seek solutions on the basis of what we consider to be unrealistic views. As we have stressed, my delegation fails to see how the United Nations can continue to ignore facts and deny 700 million people, one fifth of the world's population, their inherent right to representation in this Organization. Over the last fifteen years, the question of China's seating has been discussed and re-discussed both within this chamber and without. Each time the conclusions reached have been no different, except that less and less emphasis has been given to the fact that the Government of the People's Republic of China is the rightful and lawful representative of the people of China.

100. As such discussions in this Assembly year after year have largely been guided by one myth or another and considerable time and effort have been wasted without facing the realities of the case, I should like to state unequivocally that on this question of the restoration of the lawful rights of the People's Republic of China, my delegation supports fully the seating of the People's Republic of China in this Organization. Unfortunately, the draft resolution before us today does not deal solely with this one question but combines two parts, each of which, being distinct, should be considered separately.

101. The first part of the operative paragraph deals with the restoration of all rights to the People's Republic of China and the recognition of "the representatives of its Government as the only lawful representatives of China to the United Nations..." [A/L.496 and Add.1]. We fully support this and, if it is voted upon separately, we shall vote in favour.

102. Coming to the second part of the operative paragraph, we cannot but feel that the question is hypothetical at this stage and should arise only after the first part has been adopted and implemented. Before this Assembly even considers the steps to be taken, as the second part of the operative paragraph would suggest, my delegation considers it necessary that the first hurdle should be cleared and cleared conclusively. My delegation therefore considers that

voting on the second part of the operative paragraph at this stage is largely hypothetical and essentially a consequential matter, depending upon the implementation of the first part. As such, my delegation finds itself unable to support the draft resolution as a whole, particularly for the foregoing reasons.

103. My delegation wishes to stress that, in the event the first part—that is, the restoration of the lawful rights of the People's Republic of China in the United Nations—is voted upon separately, we shall most positively vote in favour of such a draft resolution. As I have already stated, my delegation wishes it to be known that we shall abstain from the voting on this draft resolution if it is voted upon as a whole.

104. With regard to the draft resolution contained in document A/L.500, it is my delegation's view that such a proposal is unrealistic and will further delay the determination of the seating of the People's Republic of China in the United Nations. For this reason, we shall vote against the proposal to set up a committee to explore and study the question of the representation of China.

105. Mr. DIACONESCU (Romania) (translated from French): The Romanian delegation wishes to explain its position with regard to the draft resolution presented by the United States and other States [A L.494 and Add.1].

106. The Romanian delegation considers that our Organization should see to it that all its organs strictly abide by its constitution, the United Nations Charter, both as regards its substantive rules and its rules of procedure, the latter designed to ensure that the Organization functions in a manner befitting its purpose.

107. Failure to observe the provisions of the Charter, including the rules of procedure, tends to disrupt the Organization's activities and, by justifying the maintenance of unconstitutional practices, creates a climate of insecurity that leads to the weakening of the effectiveness and the authority of the United Nations.

108. What, in the final analysis, is meant by the restoration of the lawful rights of the People's Republic of China in the United Nations? It is a recognition that China is one of the States Members of the United Nations, a founding Member of the Organization and a permanent member of the Security Council and that, in accordance with the norms of international law and of the Charter, China can only be represented in the United Nations by those with credentials from the Government which exercises effective control in that State, those with credentials from the Central Government of the People's Republic of China. In other words, it is a recognition that the true representatives of China should occupy their rightful seats in the United Nations and in the organs of the United Nations in conformity with the Charter. The refusal to allow the actual Government of China to occupy the seat in the United Nations belonging to China in accordance with the Charter leads in practice to the non-recognition of that great country as a Member State.

109. In this connexion, we should like to refer to the opinion of G. G. Fitzmaurice, a renowned British jurist who, in an article published in 1952, said:

"The State is nominally a Member, and consequently entitled to exercise its membership. But this it cannot do unless represented by its effective Government, nor can it do if its seat is occupied by a non-effective, non-representative Government. To deny representation to an effective Government is therefore to deny to the State the exercise of its right of membership."^{4/}

110. Accordingly, the restoration of the lawful rights of the People's Republic of China in the United Nations is thus the question of the representation of China, in conformity with the Charter, in order to be sure that the seat of China is occupied by persons who are actually representatives of the State represented. The credentials of representatives of Member States are subject to a procedure of verification established by rule 28 of the rules of procedure of the General Assembly, which takes decisions in the matter by a simple majority.

111. Well-known authors who have examined the question, for example, Professor Briggs, the United States jurist, in a book published in 1952,^{5/} have confirmed that the solution of the question of the representation of China in the United Nations can be achieved only by a vote on credentials, that is to say, on the basis of a simple majority.

112. The conclusion forced upon us by the weight of the evidence is that the settlement of the question before the General Assembly is subject to the general rule of procedure, that is to say, the simple majority rule.

113. In this connexion, allow me to note that in the matter of voting procedure in the General Assembly, the rule is that of a simple majority as set forth in Article 18 of the Charter. Those who maintain that the representation of China is an "important question" and should be settled by a two-thirds majority vote seek to find support in an erroneous interpretation of the Charter. That interpretation is based on the sophism of the fourth term. By that type of reasoning, the same term is used with two different meanings. The expression "important question" as it is used in the wording of Article 18, paragraph 2, of the Charter has a special technical meaning denoting the categories specified in the text, while the same expression contained in resolution 1668 (XVI) is construed to mean what it normally means in current usage.

114. Correct use of terms leads us to the following conclusion: it is true that all the questions brought to the General Assembly are important, in the broad sense of the word, but there are only certain categories of questions which are important in the technical sense given that word in paragraph 2. The rule of two-thirds majority applies only to those

^{4/} G. G. Fitzmaurice, "Chinese representation in the United Nations", *The Year Book of World Affairs 1952* (London, Stevens and Sons, Ltd., 1952), p. 54.

^{5/} H. W. Briggs, "Chinese representation in the United Nations", *International Organization* (World Peace Foundation, 1952), vol. VI, pp. 192-209.

categories. Indeed, who could enumerate all the resolutions on questions of great importance for which a two-thirds majority was not required?

115. According to the procedure established by Article 18 the questions debated in the General Assembly can be classified as follows:

(a) Questions that are decided by applying the simple majority rule;

(b) Categories of questions for which the Charter in Article 18, paragraph 2, by exception to the rule, has explicitly and exhaustively prescribed the procedure of a two-thirds majority;

(c) Additional categories of questions to be decided by a two-thirds majority which the General Assembly, again by exception to the rule, can determine in accordance with paragraph 3 of Article 18.

116. Accordingly, when the General Assembly is called upon to settle the specific and concrete question of the restoration of the lawful rights of China in the United Nations, there is no need to ask whether or not this question is important; we need only determine which category described in Article 18 of the Charter includes that question.

117. The question of restoration of the lawful rights of China does not fall within any of the categories established in paragraph 2. Neither does the question with which we are dealing fall within a category which the General Assembly, under Article 18, paragraph 3, may determine as requiring a two-thirds majority. There is no such category.

118. A cursory examination of Article 18 of the Charter also indicates that resolution 1668 (XVI) is not in conformity with the Charter but is contrary to the Charter.

119. By creating artificial obstacles to the restoration of the lawful rights of the People's Republic of China in the United Nations and thereby preventing the Organization from functioning in conformity with the principle of universality, by maintaining in the United Nations the abnormal situation of the representation of a great Chinese State by the emissaries of the phantom Government of Taiwan, resolution 1668 (XVI) is in flagrant contradiction of the purposes and principles of the United Nations as set forth in the Charter.

120. Moreover, the decision taken in resolution 1668 (XVI), far from being in conformity with Article 18 of the Charter, as stated in its operative part, is incompatible with the provisions of that Article.

121. We feel that the resolution can have no legal basis in the terms of Article 18 because, as we have just pointed out, the question with which we are dealing does not fall within any of the provisions of that Article.

122. Thus resolution 1668 (XVI) which the draft resolution of the United States and other sponsors would reaffirm violates the provisions of the Charter. To vote in favour of this draft would be to create, outside the Charter and contrary to its purposes and principles, an obstacle to the restoration of legality, which

moreover would certainly obstruct many other draft resolutions which we have or may have before us.

123. The Romanian delegation considers that the restoration of the lawful rights of China should take place without delay because delay merely weakens the effectiveness and prestige of the Organization by prolonging a situation which is inadmissible from every point of view and which seriously jeopardizes the interests of the international community.

124. These are, in summary form, the reasons why the Romanian delegation will vote against the draft resolution contained in document A/L.494 and Add.1.

125. Mr. ACHKAR (Guinea) (translated from French): My delegation is among those that requested inclusion in the agenda of the General Assembly of the question of the restoration of the lawful rights of the People's Republic of China in the United Nations [see A/6391]. Furthermore, we are one of the sponsors of the draft resolution which states the problem in the clearest possible terms, namely that the rights of China should be restored to it and that Taiwan should be expelled from this Assembly where it illegally occupies a seat.

126. I shall limit my statement to an explanation of vote with regard to the draft resolution inspired by the United States [A/L.494 and Add.1] and draft resolution A/L.500, known as the "Italian draft".

127. We have already had occasion to state that we regard the first draft resolution as a manoeuvre designed to circumvent both the Charter and the rules of procedure for the purpose of preventing the Assembly from taking a decision on a question which most delegations have recognized as a purely procedural matter, a question of credentials, of representation.

128. Moreover, the sponsors of the draft resolution inspired by the United States are fully aware of this fact. As a matter of fact, if this question fell within the categories of important questions provided in the Charter, there would have been no need to resort to adoption of a draft resolution to say so; the President, on the basis of the provisions of the Charter, would automatically have decided that a two-thirds majority was required.

129. Such is not the case. What we have here is therefore a procedural manoeuvre designed to achieve political ends. Accordingly, because of its illegal and dishonest character, we shall not hesitate to vote against this draft resolution.

130. I now turn to the draft resolution known as the "Italian draft". My delegation does not intend to question the good faith of the Italian delegation or of the co-sponsors of the draft resolution. We have listened attentively to the clarifications and the replies just given us by the head of the Italian delegation, but my delegation regrets to say that it has not been convinced, primarily because the Italian draft is based on highly debatable premises. It assumes that this Assembly does not know what the People's Republic of China wants, or the substance of Chinese policy on the international level.

131. It is possible that the Italian delegation is unaware of all this, but that is not the case of the dele-

gation of Guinea, which otherwise would not have co-sponsored a draft resolution [A/L.496 and Add.1] with Albania, Algeria, Mali and others. It is precisely because these delegations are aware of the necessity of rendering justice to the People's Republic of China and because they understand the aims of Chinese policy both with regard to the United Nations and the international community, that they have stated the true nature of the problem.

132. Thus, on the basis of the Italian assumption which we regard as erroneous, a draft resolution that is in our view a snare, a trap, has been prepared.

133. If I may be allowed briefly to dissect this draft resolution: it includes, after a first preambular paragraph for which my delegation would happily have voted, a second paragraph which reads as follows:

"Believing that the complexities of this question require the most searching consideration in order to pave the way to an appropriate solution, taking into account the existing situation and the political realities of the area."

134. We ask nothing better than to proceed to a "most searching consideration"; we have never questioned the need for such consideration. That is why our delegations have always had this question included in the General Assembly's agenda. During each session, we have set aside a great deal of time precisely in order that this examination could be carried out in the most searching manner. Unfortunately, we have always encountered opposition, if not ill-will based on the political interests of a majority which resists the inevitable.

135. For sixteen years, this searching examination has been carried on and we are still confronted with procedural manoeuvres inspired and sponsored by the United States of America and designed to delay as long as possible the recognition of the lawful rights of the People's Republic of China.

136. But our most serious objections are directed to paragraph 1 of the draft resolution. First of all, we consider this provision of the Italian draft a diversionary manoeuvre. I regret that the head of the Italian delegation, in answering that charge a short time ago, did not succeed in convincing us. We continue to believe that this manoeuvre tends to delay the inevitable coming of the day when we shall have here, among us, representatives of the great Chinese people, the spokesmen for one quarter of mankind. But we still have very serious misgivings. By this draft resolution, the Assembly would decide to establish a special committee. Assuming that this draft resolution were adopted, what would be the composition of this special committee? If the establishment of the special committee is decided by a majority, with those favouring restoration of the lawful rights of China voting against, so that the establishment of this special committee would be imposed against the will of those who have always fought here for the restoration to China of its lawful rights, what would be its membership?

137. My delegation is entitled to raise this question because it remembers that, as recently as the last session, the General Assembly had decided to enlarge

the Special Committee on the Policies of Apartheid of the Government of South Africa so as to include the principal trading partners of South Africa, namely the great Western Powers and the permanent members of the Security Council. Those countries, those Governments, refused to participate in the Special Committee. They gave any number of reasons but, basically, they did not wish—if I may be permitted this expression—to meddle in the work of the Committee. That was indeed an innovation and I should like it to be remembered that that innovation was not the work of the African delegations, which are being slandered in the Press these days for seeking innovations in all areas of the United Nations and for calling into question all the decent practices of the Organization. In general, the African delegations follow the example of those delegations which are supposed to have long experience in international affairs. It must therefore be clearly understood that a new procedure has been imposed on this Assembly by which groups of countries, when they consider that their presence in a committee might create difficulties for them, systematically refuse to co-operate. As I have just said, we have had the case of the Special Committee on the Policies of Apartheid and we have recently had the case of the Special Committee on South West Africa.

138. I would not want the Italian delegation or even the Canadian delegation to be accused of trying to satisfy public opinion in their own country which is more and more astonished that countries which have taken a step to the left—or which, in the case of Canada, have had Labour Governments, should hesitate to act in response to the will of the people. I would not want them to be accused of trying to mislead public opinion. But I ask the following question: when the draft resolution is adopted, if that should be the case, whom will you have on this committee if those on the other side, those in favour of restoring the lawful rights to China, refuse to participate in the Committee, following the example of the Western Powers? In effect, the Western Powers have shown us that it is possible, at will, to refuse to take part in the work of a committee of the United Nations. In that event, you would find yourselves in a club of your own. Your committee would be composed of delegations which have always opposed the restoration of the lawful rights of the People's Republic of China. You would find yourselves in the company perhaps of the United States of America and why not in the company of Taiwan, the island that a Frenchman recently described as America with slanted eyes. What a marvellous description! You would find yourselves in the company of those who proposed that the decision should be taken by a two-thirds majority. You would therefore be among like-minded people and your conclusions can be anticipated.

139. Better still: in the last paragraph of your draft resolution, you say: "Appeals to all Governments concerned to give assistance to the Committee in its search for such a solution." But to whom are you appealing? Are you appealing to the Government of Peking? Do you recognize that Government? How do you propose to appeal to a Government whose existence you ignore completely? As far as you are concerned—that is, Belgium, Bolivia, Brazil, Chile, Italy, Trinidad

and Tobago and those who subsequently joined those countries—Togo, I believe and other delegations—the People's Republic of China does not exist. Nevertheless you are asking it to give its assistance. If you recognize that Government, recognize it formally; then you will have a basis for addressing an appeal to it. But if the manoeuvre is designed to place upon the People's Republic of China the responsibility for an eventual refusal to co-operate with a committee whose purpose is, to say the least, questionable, my delegation and certainly a great number of others, is not ready to follow you.

140. I repeat, without wishing to question anyone's good will but above all because we have serious doubts and grave reservations regarding intentions, my delegation will, for the reasons I have explained, vigorously oppose the draft resolution inspired and sponsored by the Italian delegation [A/L.500] and will also oppose the procedural manoeuvre of the United States [A/L.494 and Add.1]. We hope that the draft resolution we have submitted [A/L.496 and Add.1] will obtain a substantial majority this year, thus proving to the world that the time has come when the States Members of the United Nations have accepted their responsibility without fear and without evasion.

141. Mr. RICHARDSON (Jamaica): The Jamaica delegation wishes to explain the votes it will cast on the three draft resolutions which are before the Assembly under item 90 of the agenda.

142. Taking first draft resolution A/L.500, which for convenience I will refer to as the Italian draft, Jamaica proposes to support it. It is consistent with the position which we took last year that Jamaica should now support a proposal for the establishment of a committee to study and explore this question. The proposal deserves our support because it represents, in our judgement, a positive change in the right direction in the method of handling this question of China's representation—a change which Jamaica advocated twelve months ago. I will quote from our explanation of vote at the 1379th meeting held on 16 November 1965, when the item was under discussion at last year's session of the Assembly. I said:

"As I have listened to the speeches on one side or another of this momentous controversy, I have been slowly moved to the conclusion that this issue ought not to be resolved by a margin of numbers, narrow or wide, in the hazards of a final vote taken after lengthy and acrimonious debate. Too much has been said during the past week which would make for bitterness and continuing ill-feeling between Member States of the United Nations ...". [1379th meeting, para. 55.]

143. I thought that some means should be found of putting a little salve on the wounded feelings. I went on:

"It seems to me that the time has come for the Member States of the United Nations to recognize that the prolongation of the exclusion of the People's Republic of China and the continued seating of the representatives of Nationalist China created or has aggravated the problems which now need to be resolved not in the polemics of open debate, but in quiet diplomacy." [Ibid., para. 56.]

144. The point of view which was expressed last year and quoted above is one which, in the view of my delegation, it is virtually impossible to over-emphasize. The risk is already very great that a legacy of bitterness towards the Organization or towards some section of its membership will be bequeathed to the United Nations by the long exclusion of the representatives of a permanent member of the Security Council from the enjoyment of the rights and the assumption of the duties which its Government properly regards as Charter rights and duties. Evidently the purpose of our deliberations and the proposed action now is to right past wrongs, or to correct an anomalous situation. But what is done now should be done with grace and delicacy. The Jamaica delegation is concerned not only for the present or for the immediate future, but for the long-term functioning of the United Nations Organization after the question of the representation of China has been settled. It would be contrary to the interests of the Organization that the method we adopt now of setting things right should simply result in aggravating the legacy of bitterness.

145. Varying degrees of doubt and suspicion have been cast by certain speakers in this debate upon the initiative which the Governments of Italy and its associates have undertaken. The Jamaica delegation prefers, however, to take the Italian proposal precisely at its face value. It is consistent with the respect and regard in which we hold the co-sponsors that we should do so. We do not believe that this draft resolution is designed to delay action in the Assembly. But even if it should transpire that one of the ultimate objectives of the proposal was to save some Member's face, the Jamaica delegation would still approach the proposal from this point of view. We would ask: can this proposal, in spite of this or because of this, make it easier for influential Members of the United Nations to adopt a correct attitude towards this question? Can it help to produce a realistic conciliatory posture on the part of any permanent member of the Security Council. If so, this objective would be a laudable one and the new initiative should be welcomed by the Assembly.

146. The Jamaican delegation will vote in favour of this draft resolution because its operative paragraph would entrust the Committee with a mandate to explore and study the situation in all its aspects and to make recommendations to us. In this respect, we regard all three elements of this mandate, the elements of study, of exploration and of recommendation, as essential to its usefulness.

147. Let me comment first on the mandate to study. Some delegations have said that the committee is not to be constituted in order to conduct a work of research. In my judgement, however, some amount of research is in fact needed if the Assembly is to be correctly informed about this situation. There ought to be some effort to dispel the misunderstanding, indeed, the confusion as to facts, which seem still to surround the past history and present status of the territory of Taiwan. My delegation would expect the committee to produce, for the assistance of the Assembly, a summary of Taiwan's history before and during the annexation by Japan; to explain, if this

was indeed the case, why the Japanese Peace Treaty which detached Taiwan from Japan did not attach it to any other State; to say on what legal grounds responsible Members of this Assembly, including two permanent members of the Security Council, allies of China's war against Japan, can continue to assert, as they do, that the legal status of the territory is still undetermined.

148. Having heard the remarkable legal exposition by the representative of Malaysia this morning, one is obliged to conclude that some research is needed also into the purposes which dictated the choice of language at San Francisco in 1945, when the permanent members of the Security Council were being identified. Another aspect of this question which is a cause of concern to many Member States and on which the committee would usefully enlighten us, is whether, having regard to the status of Taiwan, the rights enunciated in resolution 1514 of this Assembly have any applicability to the people of this particular territory.

149. The second essential element is that the committee should explore the situation. It should endeavour to provide the Assembly with authoritative statements, or at any rate with statements which may be taken as reliable, from the Governments most directly concerned as to what their reaction would be to particular arrangements which the Assembly might contemplate. A great deal has been said by spokesmen in Peking, in Washington and in Taipeh on this subject. The Assembly needs to know how much of what has been said is mere polemics, intended as an *ad hoc* response to a sudden turn of events at the United Nations, and how much reflects a basic position which is firmly held and which the Assembly is obliged to take into account if contemplated arrangements are to prove satisfactory.

150. Finally, the committee must make recommendations to the Assembly in the light of its studies and explorations—not recommendations as to whether particular representatives ought to be seated, but as to how the representatives of the people of China may or should be seated. In short, the committee has put forward recommendations or alternative recommendations as to the most effective means of correcting the anomalous situation which we recognize has persisted for some time, but of correcting that situation without compromising the dignity of the United Nations Organization.

Mr. Pazhwak (Afghanistan) resumed the Chair.

151. The above represents the understanding which my delegation holds about the purposes which the appointment of the committee would be intended to serve.

152. Seeing that my delegation supports the appointment of the committee, it follows that we would consider it necessary to ensure that the matters the committee is appointed to study and explore are not disposed of before the committee has had the opportunity to get down to work. My delegation will therefore abstain from voting on the draft resolution in document A/L.496 and Add.1.

153. As for the first of the three draft resolutions which are before us [A/L.494 and Add.1], it has been urged upon the Jamaican delegation that to persist in refusing to vote for or against a resolution on the importance of the question, simply because we believe the Assembly should stop voting altogether on the substantive issue, is to allow our position on the interpretation of Article 18 of the Charter to be misunderstood.

154. In Jamaica's view the question of the representation of China does not fall into the category of a "recommendation with respect to the maintenance of international peace and security", or into any of the other categories which are identified in paragraph 2 of Article 18 of the Charter. Accordingly, the only decision which can properly be made by the General Assembly under Article 18 in regard to the representation of China is whether the question falls within an additional category which has been determined by the Assembly under paragraph 3 of that Article. We are amongst those who consider that no such determination has yet been made. Neither resolution 396 (V) nor resolution 1668 (XVI) amounts to such a determination. Resolution 396 (V), which identified a category of questions, did not relate that category to Article 18, and resolution 1668 (XVI), which referred to Article 18, did not identify a category.

155. Those who would have the Assembly affirm that a certain question is important within the meaning of Article 18, have an obligation which they ought to discharge, either to point to the category of questions within which it falls, or first to put forward a proposal that a new category be determined within which it is intended to fall.

156. However, having regard to the powers which are conferred by the Charter on every permanent member of the Security Council, the Jamaican delegation does consider that questions of the representation of any permanent member of the Council in the various organs of the United Nations ought to be a category of questions to be determined by a two-thirds majority. If we had entertained any doubts about this, the strength of the reactions on one side and another which the proposals to seat the representatives of the People's Republic of China have stimulated would have removed those doubts.

157. In the circumstances, the Jamaican delegation will vote in favour of the draft resolution contained in document A/L.494 and Add.1. We will vote in favour somewhat reluctantly because we believe that it is lacking in a necessary element of tidiness.

158. Mr. MUDENGE (Rwanda) (translated from French): The delegation of the Republic of Rwanda has followed with great interest the general debate on item 90 of our agenda entitled "Restoration of the lawful rights of the People's Republic of China in the United Nations".

159. With the permission of the President, I should like in a few words to explain the position of my delegation on the various draft resolutions submitted to the General Assembly for consideration.

160. At the beginning of this session, the Foreign Minister of Rwanda, Mr. Bagaragaza, very clearly

stated the position of the Government of Rwanda regarding the problem of China. Allow me to quote certain passages from his speech. With regard to procedure, the head of our delegation said:

"I shall recall first of all that in recent years, the General Assembly has considered the question of the representation of China in the United Nations in all its aspects and has always held that if it is to be considered we must adhere to the principle of a two-thirds majority of the members present and voting in accordance with Article 18 of the Charter. The Government of Rwanda will support this position and my delegation will categorically oppose any attempt to change it." [1428th meeting, para. 28.]

161. Accordingly the delegation of the Republic of Rwanda will support draft resolution A/L.494 and Add.1 submitted by fifteen Powers. With regard to the substantive question, Mr. Bagaragaza further stated:

"As to the problem of China, the Government of Rwanda endorses the principle of one nation, one people, one China... my Government maintains friendly relations with the Government of the Republic of China, which has for a long time been providing its population with harmonious development and stability. Despite all kinds of difficulties, that country still manages to take part in the development programmes of a number of developing countries. Nevertheless the Government of Rwanda shares the regret that a part of great Chinese people cannot contribute to international peace and to security, the principal objectives of the United Nations." [Ibid., para. 29.]

162. Since last year, the international situation has changed completely. The whole world is witnessing a hardening of the position of the leaders of the People's Republic of China, both inside the country and in their policy towards the United Nations or other international problems.

163. The Government and the people of Rwanda wonder with deep concern what will be the outcome of this voluntary isolation. Recent statements by the leaders in Peking regarding the admission of their country to the United Nations are also not encouraging, especially since they were made at the very time that the Organization was considering this thorny problem.

164. The conditions which the Peking régime lays down for its admission are totally unacceptable to my delegation. Further, the bellicose attitude of the authorities of Communist China, and the subversion which is the most fundamental element of their foreign policy do not allay our fears; in our view they are a flagrant violation of our Charter.

165. Last year, although the Peking régime continued to arm a handful of Rwanda refugees with the goal of restoring a feudal monarchy in the country, a rather paradoxical situation since the monarchy was rejected by the overwhelming majority of our people in a referendum organized under the auspices of the United Nations—in spite of that, my Government made overtures to that régime but its response was thoroughly disappointing. Not very long ago, the same groups of refugees, armed by that very same régime, created disturbances on the frontiers of our national territory.

166. Let certain delegations which tell us that this régime is the most peaceful in the world, that it respects the independence and sovereignty of other States, let them open their eyes and read the world Press and other writings a little more objectively. Those delegations undoubtedly have other reasons for asserting what they themselves do not believe. We should only like to ask them to respect our point of view as we do theirs. This indeed is not the moment to hurl insults at each other. Besides, I think that no one here has a monopoly of the truth.

167. For the reasons I have just indicated, my delegation will vote against draft resolution A/L.496 and Add.1, sponsored by eleven States. We could not subscribe to a draft which calls on us to expel a Member State which has demonstrated its unswerving devotion to the purposes and principles of the United Nations Charter. Furthermore, that would be to go against the acknowledged right of all peoples to self-determination. We believe that the people of Taiwan has the right to choose the régime which suits it and to determine its own destiny. It is respect for that very principle which we seek for the people of Vietnam, for the people of Rhodesia and other peoples struggling for national liberation.

168. As for the so-called Italian draft contained in document A/L.500, my delegation understands fully the commendable motives of its authors. Unfortunately, for the reasons I have explained earlier and because in the view of my delegation this draft makes no constructive contribution and also in view of the position of the two parties concerned, the delegation of Rwanda cannot support that draft resolution.

169. Mr. PERGAOUI (Tunisia) (translated from French): For a number of years, the Tunisian delegation has consistently stated that it is wrong for the doors of the Organization to be closed to the People's Republic of China. Through the years and in view of the complexity, breadth and ever increasing gravity of the problems that arise, the solutions which the United Nations is so laboriously seeking might be beyond our reach because of the absence of a very great Power which our decisions cannot effectively reach as long as we refuse to admit that Power to our Organization.

170. More specifically, the absence of that country is felt very keenly by peoples who still are struggling against vestiges of outmoded colonialism. It deprives these peoples of a powerful ally within the Organization, one that would for them play the role which the Soviet Union played in regard to other peoples that today are emancipated, by hastening the process of decolonization.

171. While reaffirming our earnest desire to see the People's Republic of China admitted to membership, my delegation cannot agree to the expulsion of a Member which has always scrupulously fulfilled its obligations to the Organization while delegations of countries guilty of patent and repeated violations of the principles of the Charter and the decisions of the Assembly are serenely seated in our midst. In any case, we small countries would not agree to an exclusion based in part on the smallness of the territory or the limited number of inhabitants in that territory.

In doing so, we would establish a dangerous precedent and furthermore we would be defeating our own interest.

172. We therefore regret that the draft resolution of the eleven Powers [A/L.496 and Add.1] calls for such an expulsion, thus preventing us from voting, as we would have wished. If that proposal had been drafted in such a manner as to permit separate votes on various parts, and if a request for a separate vote had been accepted, we would without hesitation have voted in favour of the paragraph relating to the admission of the People's Republic of China. We are, however, among those who sincerely hope to see the Organization find a way out of the impasse and put an end to a highly injurious and dangerous stalemate.

173. Up to the present, there has been nothing to indicate a promising prospect. This year, we have before us an attempt in draft resolution A/L.500, which the authors hope may be an interesting initial step towards that goal. To the extent that the proposed committee would concentrate less on study as such but rather on direct and personal contact—and we believe in the virtues of personal contact—we might perhaps see the beginnings of something other than the current heartbreaking and sterile dialogue of the deaf. The twenty-second session might perhaps hold the key to the problem.

174. In the circumstances and in the absence of anything better, the Tunisian delegation wonders whether it might not be advisable to give a trial to the six-Power initiative as presented by the representative of Italy.

175. Our votes will naturally be based on the foregoing considerations.

176. The PRESIDENT: I call on the representative of Belgium, who wishes to speak on a point of order.

177. Mr. SCHUURMANS (Belgium) (translated from French): It is growing late and I think that a number of delegations would prefer not to have this debate prolonged unduly. Therefore I would suggest that the voting on the three draft resolutions before us should be postponed until tomorrow. To avoid any misunderstanding, I wish to make it clear that I am not formally requesting a postponement of the voting until tomorrow; I am merely making a suggestion to that effect.

178. The PRESIDENT: The Assembly has just heard the suggestion made by the representative of Belgium. In the light of that suggestion and in the light of the number of informal requests similar to that suggestion which I have received, I would suggest that we adjourn and reconvene tomorrow morning.

The meeting rose at 5.50 p.m.