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Ways and means for making the evidence of customary international law more readily available : report of the Sixth Committee (A/2089).

[Agenda item 53]

1. The PRESIDENT (*translated from Spanish*): I wish to draw the attention of representatives to the report of the Sixth Committee on item 53 of the agenda [A/2089].

2. If there are no representatives who wish to explain their votes, we shall proceed to vote on the draft resolution contained in this report.

The draft resolution was adopted by 34 votes to 5, with 1 abstention.

Designation of non-member States to which a certified copy of the Revised General Act for the Pacific Settlement of International Disputes shall be communicated by the Secretary-General for the purpose of accession to this Act : report of the Sixth Committee (A/2090).

[Agenda item 51]

3. The PRESIDENT (*translated from Spanish*): The report of the Sixth Committee on this item [A/2090] contains a draft resolution appearing at the end of that document.

4. If there are no representatives who wish to explain their votes before the vote is taken, we shall proceed to vote on the draft resolution.

The draft resolution was adopted by 32 votes to 6, with 1 abstention.

Regulations to give effect to article III, section 8, of the Headquarters Agreement between the United Nations and the United States of America : report of the Sixth Committee (A/2091).

[Agenda item 52]

5. The PRESIDENT (*translated from Spanish*): We shall proceed to vote on the draft resolution appearing in the report of the Sixth Committee [A/2091].

The draft resolution was adopted by 42 votes to none.

Request of the Government of China for revision of the Chinese text of the Convention on the Prevention and Punishment of the Crime of Genocide : report of the Sixth Committee (A/2092).

[Agenda item 56]

6. The PRESIDENT (*translated from Spanish*): The Sixth Committee recommends the adoption of the draft resolution which appears in the report on this question [A/2092].

7. If there are no representatives who wish to explain their votes before the vote is taken, we shall now proceed to vote on the draft resolution.

The draft resolution was adopted by 34 votes to none, with 5 abstentions.

Application of the Headquarters Agreement to representatives of non-governmental Organizations: report of the Sixth Committee (A/2093).

[Agenda item 59]

8. The PRESIDENT (*translated from Spanish*): We shall proceed to vote on the draft resolution submitted by the Sixth Committee in its report [A/2093].

The draft resolution was adopted by 40 votes to 5, with 1 abstention.

Threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations: report of the First Committee (A/2098).

[Agenda item 23]

9. The PRESIDENT (*translated from Spanish*): The next item is the report of the First Committee which appears in document A/2098 and which contains a draft resolution.

10. Does any representative wish to explain his vote before the vote is taken?

11. Mr. Y. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): In spite of its utter groundlessness and provocative character, this Kuomintang intrigue must once again be considered by the General Assembly, as a result of the efforts of the Kuomintang clique and its American patrons.

12. In the First Committee, the delegations of the Soviet Union and of a number of other countries demonstrated quite clearly, on the basis of documentary information, the unfounded and artificial character of this piece of chicanery, emanating from the slanderers who represent the non-existent Kuomintang Government and founded on a non-existent treaty. What lay behind this provocative intrigue inspired by the United States was fully disclosed in the First Committee.

13. United States ruling circles, in compelling the General Assembly to deal with this slander for a third time, are hoping to mislead public opinion by pretending that the collapse of the Kuomintang régime in China resulted from outside interference in the internal affairs of China and not from the bankruptcy of that thoroughly rotten régime which was overthrown by the Chinese people. At the same time, they are trying to divert public attention from the continuing American aggression in the Far East and from the plans recently elaborated in Washington for extending that aggression.

14. During the consideration of the Kuomintang slander in the First Committee the utter absurdity and groundlessness of the United States-Kuomintang libellous allegation of interference by the Soviet Union in the internal affairs of China were completely exposed. The USSR delegation adduced numerous facts, documents and the official statements of American political leaders—Marshall, Acheson, Senator MacMahon and others—who officially admitted that the Kuomintang régime suffered collapse and was overthrown by the Chinese people on account of its

complete political and moral bankruptcy and because it was utterly discredited in the eyes of the people. All the efforts of the United States Government could not save that régime and keep it in power.

15. The complete groundlessness was likewise demonstrated of the slanderous allegations made by the Kuomintang supporters and the United States representative to the effect that the Soviet Union had not fulfilled the Sino-Soviet Treaty of 1945, when in fact the Soviet Union, in strict accordance with the obligations it had assumed under the Yalta Agreement and the treaty with China, not only helped China to throw off the Japanese yoke, but also helped to hasten the end of the Second World War in the Far East by almost a year and a half and saved from destruction more than a million Americans in that war, as has been officially admitted in the United States of America.

16. Consequently, this provocative Kuomintang plot against the Soviet Union and the Chinese People's Republic has suffered failure. The majority of States Members of the United Nations did not support the slanderers on this question. The delegations of thirty-six out of sixty Members of the United Nations either abstained in the First Committee or voted against the slanderous draft resolution submitted by the Kuomintang group and actively supported by the United States delegation. The United States of America, trying to realize its mad dream of world hegemony and trying to suppress the growing national liberation movement in Asian and Eastern countries, has embarked on a policy of open aggression in the Far East, of hatred and aggression against the new free China. Continuing its aggression in Korea and against China, and having converted the Chinese island of Taiwan into its military base directed against the Chinese People's Republic, the United States of America is seeking pretexts to justify its illegal aggressive connexions with the Kuomintang clique entrenched on that island. This piece of chicanery against the Soviet Union and the Chinese People's Republic also serves the aim of supplying such a pretext.

17. During the consideration of this libel, it became apparent to everyone that the United States of America linked such consideration directly to the question of its military plans and preparations in south-east Asia against the Chinese People's Republic and the peoples of Asia.

18. Through Press despatches and official statements of Burmese political leaders it has become known that the United States Command is now occupied both in transferring Kuomintang troops from the Island of Taiwan to Thailand and Burma, and in actively preparing the six Kuomintang divisions already in Burma for purposes of aggression against the Chinese People's Republic and the countries of south-east Asia. Recently, in Burma leaders of political parties announced officially that there were nearly six Kuomintang divisions in Burma; Kuomintang troops are receiving arms and supplies from American bases on the Thai-Burmese border; American generals and officers are assigned to these divisions as instructors. The representative of Burma himself, U Myint Thein, also stated during the discussion of the Kuomintang libel in the First Committee that Kuomintang armed forces were on Burmese territory and represented a threat to the peace and security of nations. Yesterday, at the plenary meeting of the General Assembly, the Burmese delegation made a statement to the same effect.

19. It was none other than the United States representative who linked the consideration of the Kuomintang libel directly to these doings in Burma. He declared on behalf of the United States Government that any communist aggression in south-east Asia would be viewed as a matter

of grave concern by the United States Government. Further, the representative of the United States, for obviously provocative purposes, tried to make out that the USSR delegation, in calling the attention of the First Committee on 3 January last to Press despatches reporting the transfer of Kuomintang troops by the Americans to Thailand and Burma, did so in order to prepare communist aggression. The provocative character of such a statement by the United States representative is obvious. The United States Government is trying to shift the blame from the guilty to the innocent party, to cover up the traces of the aggression it is preparing against the peaceful Chinese people, while using for that purpose the mercenary troops of the Kuomintang.

20. Reports are now appearing in the United States Press which show that these Kuomintang troops have already begun military operations in Burma on the borders of the Chinese People's Republic. The American newspaper the *New York Times* in its issue of 29 January reported as follows :

"Burmese Army units have launched a campaign against a strong force of Chinese Nationalists"—i.e., Kuomintang—"troops in the mountainous frontier country of northern Burma, the Government announced tonight... The statement charged that the Nationalist troops had 'trespassed into Burmese territory'".

21. Thus, military operations have begun on the territory of Burma ; in other words, a Kuomintang-United States military provocation has been started. It was started by Kuomintang troops supplied from United States military stocks and under the actual command of United States generals and officers. This military provocation on the territory of Burma may be exploited at any moment to broaden United States aggression against China. The responsibility for such actions lies entirely with the United States Government.

22. It is now surely clear to everyone that the slander against the Soviet Union and the Chinese People's Republic, which the General Assembly is now considering, was needed by the Kuomintang slanderers and American aggressors to divert the attention of the United Nations and of public opinion from the broadening of United States aggression in the Far East. To introduce this trickery into the United Nations, an agent of the Kuomintang clique was employed who does not represent China, is an American puppet and has no right to raise any question whatever in United Nations bodies. Consideration of this intrigue has demonstrated and fully revealed its provocative and aggressive character.

23. In consideration of all the foregoing, the USSR delegation again urges that its consideration should be discontinued and the Kuomintang-United States draft resolution connected therewith rejected.

24. Mr. HRSEL (Czechoslovakia) (*translated from Russian*) : At the close of the First Committee's work we have witnessed certain objectionable actions somewhat damaging to the prestige of the United Nations General Assembly.

25. The shameful repetition of the malicious Kuomintang slander against the Soviet Union for the third time has again proved the provocative nature of the inclusion of this slander in the agenda of the General Assembly's sixth session. Discussion of this slander has left no doubt that it was ordered by the United States which, with its mechanical majority, has been able to gain all it wanted. The United States' obedient servants have presented us with a mass of lies and slander. During the discussion of this slander, further United States plans for aggression in the Far East were outlined. The representatives of the bankrupt Chiang Kai-shek regime are present here only as private

individuals working against the interests of the Chinese people and the national and state interests of the great country of China which has finally freed itself from its former imperialist oppressors and their servants—the perfidious Kuomintang. It is and will remain a blot on this session of the General Assembly that thanks to the mechanical majority of the Anglo-American bloc this provocative slander was included in the agenda and dragged into the discussion, while the Korean question, which is of paramount importance to the peace of the world, was being cynically obstructed.

26. We are dealing here with a policy which is directed against free China, the purpose of which is to reinstate the corrupt régime and thus enable American monopolies to seize all the material, political and economic advantages in China. It is the criminal intention of the authors of this policy that China should be again enslaved and turned into an economic and political base of the imperialist bloc on the continent of Asia. This bloc is trying to put down, for economic reasons, the national-liberation movement of the peoples of Asia.

27. False accusations and slander are being maliciously launched against the Soviet Union ; these have already been proved convincingly to be base insinuations. It has been conclusively proved here that the Kuomintang Government is entirely bankrupt not because of outside interference but as a result of the great struggle for liberation of the Chinese people whose greatest ally and friend is the Soviet Union.

28. The Czechoslovak delegation rejects the Kuomintang slander and the draft resolution before us as being a question which has no place on the General Assembly's agenda.

29. The Czechoslovak delegation also condemns the shameful policy of the United States of America which, together with the bankrupt clique of adventurers who have no right to represent the Chinese people, wishes to fan the flames of new wars in the Far East, as the latest events in Burma show.

30. Mr. KOVALENKO (Ukrainian Soviet Socialist Republic) (*translated from Russian*) : The Ukrainian S.S.R. delegation made clear, in the First Committee, its attitude towards the Kuomintang slander and the draft resolution now before the plenary meeting. We have repeatedly pointed out that the submission and consideration of this slander in any of the United Nations bodies is artificial and illegal. Its only purpose is to stir up base slander and false insinuations against the Soviet Union.

31. The Kuomintang clique and its United States protectors need this malicious slander to deceive public opinion and to represent the matter in such a way as to suggest that the failure of the anti-popular Kuomintang régime and the collapse of the policy of its American protectors in China are due to interference by certain external forces in China's domestic affairs and not to the bankruptcy of the completely rotten regime which was rejected by the Chinese people themselves.

32. The Soviet delegations and those of a number of other countries have proved, both at earlier sessions of the General Assembly and in the First Committee, at the present session by means of irrefutable facts and official documents, that the Kuomintang régime collapsed not because of interference on the part of certain external forces but because it aroused the indignation of the entire Chinese people. This proof was not, and indeed could not be, refuted by those who inspired the Kuomintang slander and the so-called resolution which, if we may say so, was approved in the First Committee with the help of the delegations of the Latin American countries which are so obedient to the United States of America.

33. It is surprising that the delegations of those countries should, in spite of positive proof to the contrary, follow blindly the United States delegation and should accept the false assertions of the Kuomintang agent that the Soviet Union failed to fulfil its obligations under the treaty of 14 August 1945.

34. Meanwhile, we all know that this is no longer in force, since the Government with which it was entered into no longer exists in China. The Chinese people, having cast off the bankrupt Kuomintang régime and its Government, proclaimed in October 1949 the People's Republic of China and set up its own genuinely popular Government—the Central People's Government of the People's Republic of China—which governs the entire country and enjoys the full trust and regard of the whole population. This Government signed a treaty of friendship, alliance and mutual assistance with the Soviet Union in February 1950. It is abundantly clear that in view of this treaty, the treaty of 14 August 1945 has ceased to be operative.

35. Thus, all the assertions about the Soviet Union's failure to fulfil its obligations under this non-existent treaty are pure invention and malicious slander, needed by the United States ruling circles to cover up their own aggressive plans in regard to the People's Republic of China and the Soviet Union.

36. The Ukrainian delegation therefore vehemently objects to the adoption by the General Assembly of the lying and slanderous draft resolution before it and will vote against it.

37. Mr. KUSOV (Byelorussian Soviet Socialist Republic) (*translated from Russian*). The Byelorussian Soviet Socialist Republic has always held that the General Assembly was and still is unjustified in entertaining the provocative slander launched by a group of political bankrupts expelled by the Chinese people and in no way entitled to speak for China.

38. Yet this is the third time that this Kuomintang intrigue against the Soviet Union and the People's Republic of China has been imposed on the General Assembly. What is the purpose of all this? This intrigue of the Kuomintang slanderers and their Anglo-American patrons is no mere accident. By introducing this ridiculous slander before the United Nations they want to throw up a smoke-screen to hide the United States aggression in the Far East, to defame the Soviet Union, to conceal the bankruptcy of the Kuomintang régime and the defeat of American policy in China, and to distract world public opinion from the aggressive plans of the American imperialists to extend still further their aggression in this region of the world. But all these plans of the Kuomintang agents and their American patrons have been exposed long ago. Whenever the General Assembly is compelled to deal with this ludicrous intrigue it places itself in a ridiculous position.

39. This slander is completely unfounded. There are absolutely no grounds for placing it on the agenda of the United Nations. The whole world knows that the venal anti-democratic Kuomintang régime has been rejected by the Chinese people itself. What is more, even the treaty involved in the Kuomintang slander has gone out of existence. It has been annulled by the Chinese people itself, by China itself, as represented by the Central People's Government of the People's Republic of China.

40. Between the Soviet Union and the People's Republic of China the friendliest possible relations exist, relations strengthened by the treaty of friendship, alliance and mutual assistance signed on 14 February 1950. The warm friendship which exists between China and the Soviet Union exposes more than anything else the stupidity of the slanders launched by the Kuomintang and its Anglo-American

patrons to the effect that the Soviet Union threatens the political independence and territorial integrity of China. That friendship is a pledge of the maintenance and strengthening of peace in the Far East and throughout the world. No slanders or innuendos will shake that warm friendship between the Chinese and the Soviet peoples. There does indeed exist a threat to the political independence and territorial integrity of China and to peace in the Far East, but that threat proceeds not from the Soviet Union but from the United States of America.

41. For more than a year and a half the United States of America has been waging an aggressive war against Korea. It has seized the Chinese island of Taiwan, is violating the integrity of the air-space of the People's Republic of China, and is bombing Chinese territory.

42. The recent consultations between the United States, United Kingdom and French Chiefs of Staff, the Churchill-Truman conversations and the statements made by the representatives of the United States, the United Kingdom and France in the First Committee in the discussion on the Kuomintang slander show that the Anglo-American aggressors are planning to extend their aggression in Asia and the Far East. In these plans, a special part has been allotted to the Chiang Kai-shek clique, driven out by the Chinese people.

43. These facts make it perfectly clear that the object of the draft resolution which the Kuomintang representatives and their American patrons wish to impose on the General Assembly is to undermine peace and to extend still further United States aggression in Asia and the Far East.

44. The General Assembly must refuse to embark on this course, which constitutes a threat to the peace. Private persons like the Kuomintang representatives should be expelled from the United Nations and its organs. China is a great country. It should have its own lawful representatives in the United Nations, representatives of the people's power in China.

45. For these reasons the delegation of the Byelorussian Soviet Socialist Republic urges the United Nations to cease entertaining this provocative slander, and will vote against the draft resolution submitted in the report of the First Committee.

46. Mr. COOPER (United States of America): In the short time I shall speak I want to address myself first to part of the speech which has just been made by the representative of the Soviet Union. In their speeches this morning, that representative and representatives of other delegations charged the United States of America with planning an aggression in south-east Asia. Last Monday, in the First Committee [503rd meeting], I made a statement on behalf of the United States in response to the charges which Mr. Vyshinsky had made in the Committee [477th meeting] on 3 January that the United States was transporting Chinese Nationalist troops from Taiwan to Thailand and Burma in preparation for a so-called American "aggression". On behalf of my Government I denied categorically those baseless charges. In the debate today the USSR representative has twisted and distorted that denial and, with his colleagues, has repeated the false and baseless charges of Mr. Vyshinsky. Therefore, for their benefit and before this Assembly, I again deny categorically the charges that have been made. There are no personnel of the United States in Burma or at any other point with such troops as he has charged. There are no American generals, no colonels, no majors, no personnel.

47. In the First Committee the representative of Burma spoke of that situation. I shall quote what he said, because

it is a contradiction of the words of the USSR representative. He said :

"...it does not appear to be true that airlifts of troops have been resorted to to reinforce these elements. Neither does it appear to be true that these troops are being maintained by Governments of countries other than that of Formosa. In this connexion we have had various conversations with the American Embassy in Rangoon, and we accept their assurance that their Government has nothing to do with them. I am also glad to know that Mr. Cooper has reassured us again this morning".¹

48. In view of the repetition of these charges we have the right to ask again whether the Soviet Union is now trying to build a case in defence of aggression in that part of the world. I repeat that in the event of any such aggression the United States would view it as a matter of direct and grave concern which would require the most urgent and earnest consideration by the United Nations.

49. Now I return to the matter at hand. The draft resolution submitted by the Chinese delegation, which the General Assembly will vote upon, is clear and forthright in its terms. The draft resolution supports the charges made by the Republic of China against the Soviet Union, and the First Committee, in its decision, found those charges to be true. It found that the Soviet Union had obstructed the efforts of the National Government of China to re-establish Chinese Nationalist authority in Manchuria after the surrender of Japan. It found that the Soviet Union had given military and economic aid to the Chinese Communists against the National Government of China. Finally, it determined, as a result of those findings, that the Soviet Union has failed to carry out the solemn obligations of the Treaty of Friendship and Alliance signed between China and the Soviet Union on 14 August 1945. No diversions can change those findings and those determinations.

50. The United States supported this draft resolution, and took the position that the finding by the Assembly on this matter would not be simply an academic exercise in post-war history. The resolution will not roll back the calendar, nor give the people of China control over its great destiny. But we felt that a serious wrong had been done to the Chinese Republic by the Soviet violations of the Sino-Soviet Treaty and that the Assembly should take note of this wrong in a move to deter treaty violations in the future.

51. It was a most important treaty between the two countries, entered into between war allies immediately at the close of the war. It promised advantages to both parties. Whatever may be said, it is the fact that the National Government of China kept its promises to the Soviet Union.

52. It is curious that in the debate in the First Committee, and here, the Soviet Union has never offered a serious defence of its conduct in Manchuria. When the matter was being debated it never offered a serious defence to the charges made by the Government of China and sustained by the evidence which was placed before the First Committee. Rather, its defence centred around the frivolous contention that a Government which the Soviet Union does not recognize and which it does not want in the United Nations has no legal right to press a charge of this sort. It is a contention without morality and without ethics because, in effect, it says that the perpetrator of a crime cannot be condemned if he says that the victim is dead. Its defence consisted also of attacks upon the United

States and attacks upon the morality of the National Government. But none of these is a defence to the charges which were made against the Soviet Union. It is not a question of the morality of the Chinese National Government. It is rather a question of the morality of the Government of the Soviet Union. The United States is not charged with the violation of a treaty ; it is the Soviet Union which is charged with the violation of a treaty. The United States offered substantial evidence of the looting of Manchuria by the USSR authorities. The policy of the Soviet Union in Manchuria, on the basis of our observations on the spot, went beyond mere reparations, to which the Soviet Union was not entitled in any case without consultation with China and the other allies in the Pacific War. It appeared to us to have a long-term strategic objective, namely, to cripple Manchurian industry to a point where it could not be used for the reconstruction and rehabilitation of post-war China. It left the Chinese population of Manchuria hungry, cold and full of unrest. Furthermore, the USSR delegation did not answer another important point in the evidence ; that was, that large amounts of Japanese equipment surrendered to the USSR armed forces found their way into the hands of the Chinese Communists. Although there were no Communist armed units in Manchuria when Japan surrendered, they appeared in strength shortly afterwards and, with their new Japanese equipment acquired as USSR forces withdrew from the important cities, they were able to defy the authority of the National Government.

53. Considering the pledges of economic and moral assistance and friendship and alliance which the Government of the Soviet Union had given to the Chinese Republic, these acts were open violations of the Soviet Union's treaty commitments to the Republic of China. Indeed, it is because the United States could corroborate so much of the evidence placed before the Assembly by the Chinese delegation that it supported the determination and the findings contained in the draft resolution approved by the First Committee. The USSR Government did not give assistance to Nationalist China ; it denied assistance. It did not give economic assistance to the National Government ; but seized the property of Nationalist China. It did not act either as a friend or as an ally.

54. Finally, we have supported this draft resolution because we think it is important to emphasize again the sanctity of international obligations. In a speech which was made by my delegation in the First Committee, this was said :

"It is one of the great tragedies of our time that during these years when so many have made such great efforts for world order, we have seen many solemn international agreements casually violated by aggressive Powers. Treaties of non-aggression and non-interference have been used as deliberate camouflage for aggression by the modern total State. Treaties of friendship and alliance have been cynically ignored by aggressive Powers as they have attacked their treaty partners. Many countries which have placed their faith in the word of powerful States, have found the word was counterfeit, and have been casualties of this sinister business.

"When States cannot depend upon the written pledges of other States with which they have entered into treaties, especially Treaties of non-aggression, non-interference, friendship and alliance, there is a condition which can degenerate into international lawlessness and even into open warfare".²

¹ For the official summary of the speech from which this quotation is taken, see *Official Records of the General Assembly, Sixth Session, First Committee, 504th meeting.*

² *Ibid.*, 503rd meeting.

55. The adoption of this draft resolution will be a pronouncement by the United Nations of its insistence upon the solemnity of international obligations and its concern that they should be observed by great nations as well as by small nations. It is important that the General Assembly should express its moral judgment on the violation of this treaty, in the hope that it may deter other treaty violations in the future and underline the consequences of such violations.

56. In the largest sense, therefore, the General Assembly, in passing upon the charges submitted to it by the Chinese delegation, concerns itself with the future as well as with the past.

57. Mr. KATZ-SUCHY (Poland): The delegation of Poland will vote against the Kuomintang draft resolution which is now before the plenary meeting of the General Assembly. As the members of this Assembly remember, we voted against the inclusion of these slanderous charges in the agenda of the session. Those who asked for the inclusion of this item did it, in the opinion of my delegation, for no other reason than to sow discord and hatred among the Member States of the United Nations and to make difficult the fulfilment of the basic aims and purposes of the Organization.

58. The provocative character of the Kuomintang charges did not have to be proved; it was obvious to everybody from the very beginning when they were brought up in the General Assembly of the United Nations. The efforts of the United States representative to play up these provocative charges and, in so doing, to use the Kuomintang delegation for this purpose,—efforts which showed no hesitation at risking the prestige of the Organization in spite of the general consensus that such representatives have been deprived of the right to attack and to vilify other States—are clear.

59. The fact that for two years no action has been taken on these charges since the inclusion of the item in the agenda proves that the case was bad from the beginning. Everybody understood that the treaty which the Soviet Union is accused of violating had been superseded by a new treaty, broader in scope, and covering all the mutual interests of the peoples of China and of the USSR. For two years the Kuomintang representatives tried to keep this issue alive. The United States tried to help them in it but did not achieve much success. Even the illegally established Interim Committee did not know what to do with these unfounded charges; it merely pushed them along to the next session of the General Assembly. The question arises, therefore: what has happened during the last year to constitute a reason for the Assembly's proceeding with the draft resolution and deciding on some kind of action?

60. We know that the Kuomintang representative did not bring out anything new in the discussion during the consideration of this item by the First Committee at this session. In his long and haranguing statement he did not even concoct any new evidence; it was merely a repetition of the old and worn-out vocabulary of slander and hatred against the Chinese people, against the Central People's Government of China, and against the USSR. Every word spoken by the Kuomintang representative was just full of desire to take at least a verbal revenge for the defeat which the Kuomintang masters have suffered from the Chinese people. At the same time the Kuomintang was full of hope that some chance will come soon, as the United States ruling circles together with other colonial Powers may decide to launch a full-scale military operation against China. This hope of the Kuomintang clique must have been based on a knowledge of the United States Govern-

ment's aims in the Far East and in particular in China. These aims have been discussed lately in the United States in a more open and loud manner than ever before, and this is the reason why this draft resolution, in spite of the fact that no new evidence was produced, comes up today as based on certain evidence.

61. In the First Committee we were confronted with the frank admission, and at the same time a threat, by the United States representative to the effect that his Government is prepared to strike at China at any opportune moment. This threat was echoed by representatives of two other States, namely the United Kingdom and France. This conspiracy against peace in Asia came into the open during the debate, and served as an additional justification for the draft resolution now submitted. During the meetings of the First Committee certain representatives showed that various preparations are being made in this respect. As one of the threatening facts of these preparations, there has been shown the presence of the Kuomintang troops in western Burma, namely in the Keng-Tung area. Those remnants of Kuomintang troops are maintained there by American weapons and helped through American Constellation planes dropping supplies, ready to attack at any moment the order comes.

62. During the meetings of the First Committee we asked several questions. We addressed some questions to the representative of the United States. Instead of a full reply, a mere denial came. Today we have heard again a denial coupled with a threat. Of course the representative of the United States did not deny today that the Kuomintang troops in western Burma are being supplied with United States arms and that American planes are dropping by parachute further supplies of arms and ammunition. He merely denied the presence of American officers. I must confront this denial with the Press interview given by the American Chargé d'Affaires in Rangoon, in which he stated that he knows of the presence of American nationals with the Kuomintang 39th Division in Burma. He denied, however, that they are there with the official permission of the Government. He merely described them as private individuals. Of course we must treat such private individuals, bearing the rank of generals, colonels and majors, with a little care.

63. I believe that the debate in the First Committee has shown that the United States Government is preparing, through the adoption of this draft resolution, a further ground for action in south east Asia. It builds up forces there and, through channels operated by Chiang Kai-shek's agents, is continuing to supply these forces. In addition, the American Press is full of threats, full of information that at a joint meeting of the Chiefs of Staff an agreement was reached for a full-scale war in Asia. All this information cannot be dispelled simply by a denial based on words only.

64. At the previous session and during the previous meetings the Polish delegation has fully shown that the slanderous attacks of the Kuomintang against the Soviet Union are intended merely to cover up extensive preparations for a full-scale war in Asia. This fact is obvious, and proves why the United States Government representatives have increased their pressure this year. It is in order to create the willing majority required for the adoption of the Kuomintang draft resolution: they wanted to get at any price the stamp of the United Nations upon their aggressive plans against China. They hope for a new conflagration and seek the cover of a so-called United Nations action. They want to repeat the history of the year 1950.

65. Yet, as the Members know, in spite of that pressure it is evident from the result of the voting that the majority of the Members of the United Nations fully understood the intentions of the United States Government and in view of the great danger existing in that area did not yield to the pressure. Even a mere superficial study of the voting of the nations represented by the votes shows that only a small minority of nations, a small minority of the peoples of the world, is prepared to yield to the pressure of the United States and to give approval to its aggressive plans.

66. The world knows that the victory of the Chinese revolution was a historic act which changed the whole face of Asia. It was the greatest defeat ever suffered by United States policy in Asia or in any part of the world. The United States knows that, for the first time in the history of China, the Chinese people speaks with its own voice and that the Chinese Government represents the interest of China.

67. I am sure that, in the interests of peace, in the interests of stability in Asia, and in the interests of maintaining the aims and purposes of the United Nations, this Organization must reject once and for ever the Kuomintang representatives, deprive them of the possibility of sowing discord, and return the seat of China in the United Nations to those who alone have the right to represent that country, the great and victorious Central People's Government of the Peoples Republic of China.

68. Mr. TSIANG (China): The members of the Soviet bloc have introduced into this discussion here—as they did in the First Committee—an issue which has nothing to do with the question before us. They have tried to base a completely false charge on that issue. I refer to the charge in connexion with military action in Burma.

69. The Minister for Foreign Affairs of my Government has officially denied—and I wish to deny once again here—that my Government has sent any reinforcements to that region. My Government has no intention of using any part of Burma as a military base. Needless to say, no one in my Government has ever thought of committing aggression against a neighbouring country.

70. Since we are about to vote on the draft resolution approved by the First Committee, I would request that a vote by roll-call should be taken.

71. This question was debated at length in the Committee. I shall not repeat all, or any part, of what was said.

72. In 1945, my Government signed a Treaty of Friendship and Alliance with the Soviet Union. In that treaty, we made important and serious concessions to the Soviet Union. We granted the Soviet Union special rights in the large commercial port of Dairen. We granted the Soviet Union special rights and privileges in Port Arthur. We granted the Soviet Union half-ownership and management of the trunk railways of Manchuria. The Soviet Union, for its part, promised to respect Chinese sovereignty and territorial integrity in the Manchurian Provinces. With or without such a treaty, Soviet Union respect for Chinese sovereignty and territorial integrity ought to be taken for granted. That is an obligation under ordinary international law, as well as under the Charter. The Soviet Union promised not to interfere in China's domestic affairs. That, again, is an obligation under ordinary international law and the Charter. The Soviet Union promised economic co-operation. That was a mutual undertaking: we, for our part, also promised economic co-operation. Finally, according to the treaty, the Soviet Union promised to give my Government, as the Central Government of China, moral, material and military assistance.

73. The Soviet Union has not lived up to any of its obligations. In the First Committee, this year as well as in 1949, I have produced detailed evidence to show in what ways the Soviet Union has violated the terms of the treaty. The Soviet Union did everything possible to obstruct the effort of my Government to establish authority in the Provinces after the surrender of Japan. Instead of giving us economic co-operation, the Soviet Union, taking advantage of temporary military occupation, despoiled the factories and mining equipment of the region. Instead of giving my Government moral, material and military support, the Soviet Union transferred to the Communists the arms captured from or surrendered by the Japanese army. As I have said, I gave ample evidence in the Committee of these violations. It is unnecessary for me to go over that again.

74. I wish to call the Assembly's attention to only one fact. The violation of the treaty is the basic fact in the Far Eastern situation. This basic fact led to the sovietization of China. This basic fact led to the aggression in Korea. As a result of this basic fact, the free world is today faced with possible further aggression in south east Asia. With a free and independent China, all these problems would not have arisen. So long as China is not free and independent, so long as China is under communist control, there can be no permanent peace and security in south east Asia.

75. Delegations have properly pointed out the grave consequences of further aggression in south east Asia. I have been glad to notice that important governments have warned would-be aggressors against any such adventure. I have been glad to observe that, this time, the leading countries of this great Organization have given notice in advance that aggression against south east Asia would be considered as a serious and urgent matter for United Nations action. I cannot believe that any government of delegation which asserts that threats to south east Asia constitute an urgent matter would, at the same time, assert that threats against the political independence and territorial integrity of my country should be considered as an academic matter. If, in one case, the matter is urgent and serious, then, in the other case, it is even more urgent and serious.

76. The PRESIDENT (*translated from Spanish*): I now put to the vote the draft resolution which appears in document A/2098. A vote by roll-call has been requested.

A vote by roll-call was taken.

Thailand, having been drawn by lot by the President, voted first.

In favour: Thailand, Turkey, United States of America, Uruguay, Venezuela, Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Greece, Haiti, Honduras, Iraq, Lebanon, Liberia, Nicaragua, Panama, Paraguay, Peru, Philippines.

Against: Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, India, Indonesia, Israel, Poland.

Abstaining: United Kingdom of Great Britain and Northern Ireland, Yemen, Yugoslavia, Afghanistan, Argentina, Australia, Belgium, Canada, Denmark, Egypt, Ethiopia, France, Guatemala, Iceland, Iran, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, Saudi Arabia, Sweden, Syria.

The resolution was adopted by 25 votes to 9, with 24 abstentions.

Admission of new Members, including the right of candidate States to present proof of the conditions required under Article 4 of the Charter : report of the First Committee (A/2100).

[Agenda item 60]

Mr. Thors (Iceland), Rapporteur of the First Committee, presented the report of that Committee (A/2100) and then spoke as follows:

77. Mr. THORS (Iceland), Rapporteur of the First Committee : If there is any conclusion which can be drawn from the discussions in the Committee about the question of the admission of new Members, it is that there is a common sentiment in favour of the universality of the United Nations. The permanent members of the Security Council have been called upon to confer with one another so that the present deadlock does not become a permanent one. Most of the delegations have expressed the desire that the doors of the United Nations should be open to all States that are qualified in accordance with the Charter.

78. The PRESIDENT (*translated from Spanish*) : As the Rapporteur has just said, the First Committee recommends the adoption by the Assembly of three draft resolutions.

79. I would ask representatives wishing to explain their votes on one or more of these draft resolutions to do so, if possible, in a single statement.

80. Does any representative wish to explain his vote before draft resolution I is put to the vote ? As no one wishes to speak, we shall proceed to vote on that draft resolution.

Draft resolution I was adopted by 43 votes to 8, with 7 abstentions.

81. The PRESIDENT (*translated from Spanish*) : The United States representative has the floor.

82. Mr. GROSS (United States of America) : I should like to explain the vote of the United States delegation prior to the vote on draft resolution II which is now about to be taken—the USSR sponsored draft resolution. There is no doubt in our minds that membership in the United Nations is a good and valuable thing. It is favourable to the State which is a Member of the Organization since it brings the representatives of that State into close and continuous relationship with others who may have different or contrasting points of view. It is good from the standpoint of the international community because it provides an opportunity to States to demonstrate by their words and by their deeds their fundamental policies and intentions. States which loyally comply with the Charter thus have a forum in which to make that loyalty clear. Those which flout the Charter and are contemptuous of their Charter obligations reveal this before the world. To us the United Nations is a supreme forum for self-revelation.

83. These considerations suggest the importance which is properly to be attached to the principle of universality of membership. My Government does not underestimate the importance of that principle, but we are conscious of the fact that the United Nations Charter, our organic act, imposes a limitation on the application of the principle of automatic membership in the United Nations. One may agree or one may disagree with the wisdom of Article 4 of the Charter of the United Nations but, whether one agrees or whether one disagrees with it, no one can ignore its existence, or its clear language or its clearly expressed intention. The words of Article 4 are these :

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

It seems to me that loyalty to the Organization requires loyalty to the constitution of the Organization. If Article 4 were not contained in the Charter—and it may be that there are those who wish that it were not—we should not be confronted with the problem which arises today and which is posed by the USSR draft resolution which is before the Assembly. It is often pointed out that there are at present Members of the Organization who are guilty of the same faults which characterize the conduct of certain of the applicants for membership. It is said that this fact, for it is indeed a fact, makes it illogical, if not absurd, to reject any applicants ; that it is illogical to say that, because there are some among us who are contemptuous of the Charter's obligations, other applicants who may be judged on the basis of their conduct and policies to conduct themselves in the same way should, whatever their faults and demerits, be admitted in like manner. But in our view this argument ignores the fact of the Charter. It ignores the fact that the present Members whose conduct is objected to were founding Members of the Organization and not subject to the scrutiny required of us by Article 4 of the Charter. Article 4 does impose requirements and conditions of eligibility for membership. While that exists we believe it should not and cannot be ignored.

84. Moreover, what would be the consequences of admitting Members who do not, in the honest view and judgment of most of the Members of this Organization, qualify for membership under the terms of Article 4 ? My Government believes that some of the applicants are guilty of conduct which in most basic respects violates the Charter provisions. That is the honestly held view of my Government. Their conduct includes, as we see it, condoning aggression, violating treaties, organizing campaigns of pressure, intimidation and terror against their neighbours and ill-treating foreign nationals. All of us are familiar with these facts and these illustrations.

85. The admission of these applicants, it seems to us, would be heralded by them as an action of great political consequence. They could, and we know that they would, before their own people and before world opinion declare that they had received a certification that, in the judgment of this Organization, they are peace-loving and are willing and able to carry out the obligations of the Charter.

86. It is surely dangerous to set forth upon the path of ignoring provisions of the United Nations Charter. Article 4 of the Charter, in our view, is entitled to no less respect than other articles of our basic and organic legislation.

87. The Soviet Union's practice of vetoing applicants, who qualify for membership according to its own admission, unless its private candidates are admitted at the same time makes it all the more essential, in our view, that other Members observe scrupulously adherence to the law of the Charter. As Mr. Belaunde, the representative of Peru, said in the First Committee on a recent occasion, we must apply the law of the Charter. When a permanent member of the Security Council seeks to use its veto powers to coerce its fellow members into a violation of the Charter, they should resist it just as vigorously as they would resist any other form of coercion. The thwarting of the majority will by such methods cannot, we think, be called a deadlock ; it is a hold-up.

88. The USSR draft resolution upon which we are about to vote stands for what the United States Government considers to be a clear violation of Article 4. The USSR representative has told the First Committee that this draft resolution is intended to treat all applicants which he sees fit to include in his list on an equal basis. The USSR representative would have the General Assembly equate the unqualified with the qualified. He would have the Assembly

completely forget about the application of the Republic of Korea, which is not included in his list.

89. For the reasons I have stated, the United States strongly opposes the USSR draft resolution and will vote against it. Our reasons are precisely the reasons which have impelled us, in the vote just taken, to vote for the resolution sponsored by the delegation of Peru, which was approved by the Committee and adopted in this Assembly by such a resounding majority. It is our view that this resolution which has just been adopted provides a Charter method in keeping with Security Council practice by which States applicants for membership can present evidence of their fitness to the Security Council in such form as they desire.

90. Finally, my Government recognizes that the problem of membership in the United Nations has not been solved as we come to the end of this session. It has not been solved with such States as Italy, Libya and the Republic of Korea, to mention only three examples, remaining outside our Organization. We shall continue to seek a way, within the Charter, in which States conforming to the requirements of the Charter can be invited to come in and join us. That is our profound hope and expectation,

91. It is in this spirit that we shall vote in favour of draft resolution III which is before the Assembly, the draft resolution jointly sponsored by the Central American Powers, for in our view, by including this item on the provisional agenda of the next session, we shall have a means of careful examination, within the confines of the Charter, of methods of accomplishing an objective which all peace-loving States desire to achieve.

92. Mr. Y. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): The long discussion which took place in the First Committee on the admission of new Members to the United Nations is most significant, in so far as it shows that the position the United States adopted on the subject is causing increasing dissatisfaction. Dissatisfaction is felt not only by those countries whose admission to membership in the United Nations has for years been prevented by the United States, but by many States Members of the United Nations. The position the United States adopted in the First Committee has been subjected to serious criticism.

93. On the other hand, the position of the USSR regarding the admission of new Members is receiving steadily increasing support both among Member States and among all those who honestly desire to settle this long-standing question and to expedite the admission to the United Nations of all fourteen States, most of which have already been awaiting admission for years.

94. Another circumstance in the discussions on this question was that the opponents of application of the unanimity principle in the Security Council with regard to the admission of new Members suffered a fresh defeat. This took the form of sharp criticism of the Peruvian draft resolution, which laid down that the admission of new Members was to be regarded as an exclusively juridical question and that States applying for admission must provide some documentary proof or other that they were peace-loving and complied with the provisions of Article 4 of the Charter.

95. These requirements have nothing to do with the Charter, or with the rules of procedure either of the Security Council or of the General Assembly. They are directly contrary to the requirements of the Charter and the rules of procedure concerning States applying for admission to the United Nations.

96. This draft resolution is basically a direct attack on the unanimity principle in the Security Council. It also

aims at decreasing the role and importance of the Council in the admission of new Members. The authors of the draft resolution and those who actively support it do not conceal that fact. They openly declared so in the First Committee, saying that their draft resolution was directed against the Council, against its role in the admission of new Members and against the unanimity principle as applied in the Security Council to the admission of new Members. The aim of the Peruvian draft resolution is to discover loopholes through which to oblige the Council automatically and without discussion to admit to the United Nations States which will be acceptable to the United States and the American group in the United Nations, and likewise automatically to refuse requests for admission made by States which for one reason or another they do not want.

97. Although the draft resolution was basically altered, during the discussions in the First Committee, it cannot, even in its present form, expedite the solution of the problem of the admission of new Members and is therefore not acceptable. The USSR delegation objects to the adoption of this draft resolution.

98. The fact that the United States delegation stubbornly defended the Peruvian draft resolution both in its original and in its amended form, shows that the United States Government is continuing to maintain an inadmissible position, contrary to the principles of the Charter, regarding the admission of new Members, by granting some States protection and discriminating against others. Experience of discussing the question of the admission of new Members shows that the aim of the United States' policy is to keep out of the United Nations States it does not want. It is achieving this by making baseless and far-fetched objections to the admission of peace-loving democratic States like Albania, the Mongolian People's Republic, Bulgaria, Hungary and Romania. This position of the United States is inconsistent with the Charter and with the principle of equality of rights as between States. By objecting to the admission of those five States the United States is preventing the admission of the other nine, to the admission of which it does not, to all appearance, formally object.

99. In order to prevent the admission of Albania, the Mongolian People's Republic, Bulgaria, Hungary and Romania to membership in the United Nations, the United States delegation produces the most absurd arguments—witness the recent statements made by the United States representative in the First Committee, and his statement today in the plenary meeting of the Assembly. He touched on the most varied subjects. For example, he adduced as practically the main criterion for the admission of a country to the United Nations that country's so-called treatment of foreigners. This is a repetition of what he said in the First Committee. For example, the United States representative complained in the First Committee that Hungary had shown an unfriendly attitude to United States diplomats. But that complaint is unfounded. As we know from the Press, the matter concerns the attitude to American spies and intelligence agents, and not to diplomats in Hungary. American diplomats enjoy the same respect in Hungary as diplomats of every other country; but American nationals who are carrying into effect in Hungary the notorious Mutual Security Act of 1951, adopted by the United States Senate in violation of the most elementary principles of international law, are not respected either in Hungary or in any other self-respecting country. Such persons, sent over by the United States Government to carry out the Mutual Security Act of 1951 by engaging in diversionist activities, espionage and the creation of armed bands in the territory of other countries,

have never enjoyed and will never enjoy any respect. The United States Government has no grounds for adducing such arguments against the admission of Hungary to membership in the United Nations. This is an example of the incongruous and absurd "argument" adduced by the United States delegation against the admission of Hungary to membership of the United Nations. It is nothing less than a flagrant violation of the United Nations Charter in respect of the admission of new Members to the United Nations.

100. The United States representative in the First Committee touched on the question also of observance of human rights as a "criterion" of admission to the United Nations, although, as every one knows, the Charter lays down no requirements or conditions in this respect for States applying for admission. But to see how the United States delegation's deeds differ from its words one need only cite the following example. When the USSR delegation submitted a proposal in the Third Committee to include in the draft covenant on human rights an article to the effect that all nations and peoples should have the right of self-determination in accordance with the principles of the Charter, the United States delegation strongly opposed that proposal. Thus, while the United States delegation allegedly speaks in defence of human rights in the First Committee, in the Third Committee it argues and votes against giving all nations and peoples the right of self-determination. It is sufficient to compare these two facts to judge the falsity and hypocrisy of the attitude taken by the United States and its delegation regarding the admission of new Members.

101. The arguments adduced by the United States delegation against admitting the people's democracies to membership in the United Nations have nothing to do with the Charter, and have been dragged in here in order to excuse and mask the inadmissible attitude taken in regard to this question by the United States of America—an attitude which constitutes a breach of the United Nations Charter.

102. By arguing and voting against the USSR draft resolution for the simultaneous admission of all fourteen States, a proposal based on the principle of equality between States and fully consistent with the United Nations Charter, the United States is thereby preventing the admission of all these countries to membership in the United Nations. The serious objections felt by many States against this United States policy is shown by the approval in the First Committee of the USSR draft resolution, which calls upon the Security Council to reconsider the applications for membership already submitted by thirteen States and to consider Libya's application, with a view to adopting a positive recommendation for the simultaneous admission to membership in the United Nations of all these fourteen States.

103. As a pretext for opposing the USSR draft resolution the United States representative referred to the fact that the list of countries in that draft does not include the South Korean puppet régime; this pretext is completely unfounded and does not merit serious consideration. In this question also, the United States delegation and the United States Government have taken an illogical position. On the one hand, the United States delegation has been making every effort to prevent the Assembly from discussing the Korean question, to ensure that neither the Assembly nor its Committees should touch the question. The American aggressors fear a discussion of this question. Back-stage intrigues are now going on to prevent consideration of this question at this session of the Assembly. That is one attitude taken by the United States delegation. But at the present time the United

States delegation is insisting on the Assembly's considering the question of admission of the South Korean puppet régime to the United Nations. Is that logical? How can one discuss the admission to membership of the South Korean puppet régime, a régime created by United States occupation troops in South Korea and kept in power solely by the support of United States occupation troops, and not deal at the same time with the Korean question as a whole? But the United States representatives themselves are afraid to deal with that question here and now. They are sidetracking the General Assembly, and making it impossible for it to consider the Korean question fully and in all its aspects. They want to single out one aspect of this question, namely that of the admission to the United Nations of their puppet régime in South Korea, and to avoid touching on all the other aspects of the question. They are trying to arrange for their General Ridgway to do as he wishes in Korea. This attitude cannot be accepted. There are no grounds for believing that the General Assembly does not understand this false and hypocritical attitude. There is no need for the General Assembly to concern itself with the puppet régime in South Korea apart from the Korean question as a whole.

104. The United States delegation's references to the admission of Italy to the United Nations are equally unfounded. In insisting on Italy's admission to the United Nations out of turn and by special arrangement, the United States is being guided by its own military and strategic considerations, and not by the interests of the United Nations.

105. The Soviet Union delegation has already stated, and I repeat it again here on behalf of the delegation, that the Soviet Union, as is well known, has never objected, and does not object now, to the admission of Italy to the United Nations on the same footing as other States which have a legal right to admission.

106. The fact that Italy has not yet been admitted to membership in the United Nations is the fault solely of the Governments of the United States of America, the United Kingdom and France whose position regarding the admission of Italy is contrary to the principle of the equality of States, in that they are opposed to the admission to the United Nations of other States which were in exactly the same position during the war as Italy. So much for the admission of Italy to the United Nations.

107. During the First Committee's discussion on the question of admission of new Members to the United Nations, the United States delegation realized that, as a result of the First Committee's consideration of the Peruvian draft resolution, nothing remained but "little horns and hooves" as the Russian proverb has it, and that it would thus no longer serve to mask and protect the indefensible United States position with respect to the admission of new Members. It therefore came out in active support of a new draft resolution, submitted by the delegations of five Central American countries, actually after discussion of the question of the admission of new Members had been closed in the First Committee.

108. This draft resolution is equally unacceptable, since it is also absolutely contrary to the United Nations Charter. It proposes the consideration at the seventh session of the General Assembly of the question of asking the International Court of Justice to give an advisory opinion on the Security Council's role in connexion with the admission of new Members and on the voting procedure in the Security Council when such decisions are taken, although, as everyone knows, the Court is not competent to undertake an interpretation of the Charter. But this is not the only reason why this draft resolution is unacceptable.

109. Everyone knows that Articles 4, 18 and 27 of the Charter contain specific and clear provisions concerning both the part played by the Security Council in the admission of new Members and the voting procedure in such cases. The Security Council and the General Assembly have been guided by these provisions of the Charter for six years past, since the earliest days of the Organization. But now, suddenly, for some reason, this question is "not clear" to five Central American States and to the United States Government. It is obvious that such an artificial proposal has been submitted merely in order to confuse the issue in this matter and to try to delay for another year or more the adoption of a decision to admit all the fourteen States to membership of the United Nations.

110. The Soviet Union bases its attitude towards the question of the admission of new Members on the provisions of the Charter and is in favour of admitting to membership of the United Nations, on an equal footing, all the fourteen States listed in the USSR draft resolution which was approved by the First Committee. This attitude of the Soviet Union is objective, just and in full accordance with the provisions of the Charter and with the purposes and principles of the United Nations. This attitude is finding increasingly wide support both in the United Nations and outside the Organization, as may be seen, in the first place, from the approval of the USSR draft resolution by the First Committee, in spite of the stubborn opposition of the United States, and, in the second place, from the many favourable reports with which the world Press greeted the approval of this USSR draft resolution by the First Committee.

111. Those who genuinely value the interests of peace, international security and the development of friendly relations among nations will continue to support this just draft resolution, which opens the way to a speedy solution of the problem of the admission of new Members. The adoption of this draft resolution will expedite the admission to the United Nations of fourteen States with a population of over 112 million people.

112. By taking such action, the General Assembly will be taking a considerable step forward towards the positive solution, in the general interests of the United Nations, of such an important problem as that of the admission of new Members.

113. Mr. BELAUNDE (Peru) (*translated from Spanish*): The Peruvian delegation wishes to express its gratitude for the wide interest displayed in the draft resolution it felt bound to submit in view of the urgent need to state in legal and constitutional terms, and I repeat the words legal and constitutional, the problem of the admission of new Members, which the USSR had stated in terms not only heedless of the Charter, but even contrary to it.

114. I can fully understand the dislike, nay, the hatred, which the USSR delegation exhibited towards the Peruvian draft resolution and which reached the point where it not only fought against it with all its strength, but today described it as useless and alleged that it had been purged by amendments, as if it had had some original blemish. I can understand all this, because it was the purpose of this draft resolution to contest the position taken up by the USSR in the Security Council, where it sought to establish conditions for the admission of new Members other than those laid down by Article 4. The USSR went further: it pronounced an opinion on certain countries and maintained that its vote could be given in isolation from its opinion, against all principles of reason and law. If a country or a body is to vote on any subject, its vote must be based on an opinion. Only utter ignorance of every concept of law and equity, only a mentality completely in opposition to western civilization, could cause a country, after expres-

sing the opinion that another country is peace-loving, to say: in spite of this opinion I shall vote as I please, and by my vote state the opposite of what I have given as my opinion. Such an attitude constitutes the most flagrant, most open and most exasperating rebellion against the principles of the Charter.

115. As that attitude was displayed on several occasions, the Assembly was perfectly entitled under Article 10 to state in the most respectful manner that it was contrary to the Charter, recalling that the Charter laid down conditions for reaching an opinion and that these conditions are based upon facts, though admittedly these facts are very complex and cannot all be concretely stated.

116. In that sense, the Australian suggestion that the facts should not be exhaustively listed, but rather exemplified, improved on the original Peruvian draft. It is obvious that these facts have a legal basis and that a small margin of political discretion is needed for their application. But they are not simply political opinions. Hence, the interventions of Australia and the United Kingdom were timely, because it could not be said that Article 4 mechanically establishes conditions which can be mechanically applied. It lays down legal and political conditions, and the USSR representative is forgetting that I stated categorically that in any legal resolution and in any resolution giving a legal opinion, there was always a certain margin for discretion and discrimination to allow for the varying and complex facts of life, which amounts to the same thing as passing judgment on events as a whole and on the scope of the problem while applying arbitrary criteria.

117. The struggle to achieve the rule of law in the history of mankind has been carried on by means of the establishment of rules, the statement of rules as opposed to arbitrary judgments, and it is for that reason that the General Assembly, reflecting that principle so firmly embodied in the legal evolution of mankind, wished to define precisely and to interpret Article 4, though not arbitrarily, in the same spirit as it was interpreted by the International Court of Justice, after careful study, when it stated that Article 4 contained certain conditions on which the United Nations must be the judge, but that no State could make its decision dependent upon other conditions, that is, upon conditions other than love of peace and the fact that a country was able and willing to carry out its international obligations.

118. It is simply common sense that a country which does not commit acts of aggression and maintains international relations with other countries is a peace-loving country, that a country which has already fulfilled its international obligations is giving guarantees of its future fulfilment of the obligations imposed by the Charter. That is the rule of law and it was in that spirit that the Peruvian draft resolution was put forward, a draft resolution based on the advisory opinion of the International Court of Justice, which seeks to incorporate that simple opinion of the Court into a General Assembly resolution that will constitute an authentic, solemn interpretation of the highest moral force.

119. I can therefore fully understand the antipathy aroused in the USSR delegation when its own arbitrary propensities are confronted by this rule of law. Anyone who demands absolute freedom of action and an arbitrary standard must be disgusted and antagonized by the standards of morality, justice and law.

120. And that is precisely the merit of the Peruvian draft resolution. It is merely an emphatic statement of the principles of the Charter. It states firmly that the United Nations must base its judgment exclusively on the conditions laid down by the Charter.

121. That is all as regards the Peruvian draft resolution. Now, despite the reaction which I might reasonably feel, unmoved by personal feelings and much less by any sentiment of hostility to the USSR, in spite of what I have just said, I should be inclined to view sympathetically the draft resolution submitted by the USSR in committee which is now before us as draft resolution II. But I cannot do so, although I should wish to, because I should like nothing better than to give back, with compliments and courtesies, the clamorous hatred expressed by the USSR delegation for my own proposal. I cannot do so, for the following reasons.

122. The law has the advantage that it respects the sovereign equality of States, and also that it respects the personality of any legal entity. The Peruvian draft resolution request the Security Council to reconsider applications for admission, including, naturally, those of the five candidates favoured by the USSR. But it goes further. It requests it to consider future applications with the same legal criterion of fairness and high policy based on law, because there can be no high policy unless it is based on law, even where a margin of discretion and discrimination is allowed.

123. Accordingly Peru enunciated a legal rule placing all countries on an equal footing, giving all applicants for admission the same rights and privileges, and providing that the Security Council shall apply the same moral and legal criteria to these applicants.

124. That is the advantage of what we might call a position of law and policy based on law and morality. The substance of the Peruvian draft resolution is therefore fundamentally different from that of the USSR draft resolution. The latter does not want a qualified universality, qualified by some legal stipulation which is quite indispensable, such as that of the Charter—because we cannot dispense with the Charter and we cannot violate it; it calls for a mechanical universality, a “bloc” universality in the political sense of the word.

125. The USSR draft resolution therefore is based on entirely different considerations from those which prompted the Assembly to adopt the Peruvian draft resolution by a majority of 43. The spirit of the Peruvian resolution is that universality should exist subject to a single condition, which fully is in line with true universality, since every country can be peace-loving and every country should fulfil its international obligations. Thus we have here a kind of qualified universality attainable by all.

126. The principle of universality as interpreted by the USSR draft resolution on the other hand, is a principle of mechanical universality based on purely political considerations; and politics sometimes entail bargaining without regard to fairness and—to speak frankly—such bargaining can result in placing countries like Italy, Portugal, Ireland

and Finland on the same footing as other countries concerning which the United Nations has already received complaints or which it has formally accused or censured. Let us leave that aside, because these countries can defend themselves. The resolution just adopted gives them the right to submit any documents and any evidence which might prove that their attitude is absolutely correct. The door is not closed to such proofs.

127. But there is something more, and that is what is troubling me. The USSR disclosed its intention when it omitted Korea in its draft resolution. The omission of Korea is an affront to the dignity of the General Assembly. We have condemned the aggression of Northern Korea and the aggression of China against that small republic. We will not therefore, indirectly, with a complacency which would be truly criminal, go back on the attitude which the Assembly maintained throughout the year in demanding respect for the political and territorial integrity of the Republic of Korea.

128. Moreover, the USSR draft resolution is equivocal and I personally would rather vote for a mistaken resolution than for an equivocal one. What will happen when other countries apply for admission? What will the USSR's attitude be towards such countries? What will be the USSR's attitude when Germany and when Japan finally fulfil their international obligations? What would be the USSR's attitude to Spain, which is now fulfilling its international obligations? All this shows that this solution is unfair, because it puts on an equal footing countries which cannot be regarded as politically equal, whereas we are determined to ensure to all that legal equality which we respect; it is unfair because it omits Korea and then closes the door to other countries which are essential to the life of the United Nations.

129. For these reasons, the Peruvian delegation will vote against draft resolution II, originally submitted by the Soviet Union.

130. The PRESIDENT (*translated from Spanish*): I have on my list four speakers who wish to explain their votes. If no other representative wishes to speak, I shall now declare that the list of speakers who wish to explain their votes is closed...

131. I have eleven speakers on the list. In view of the time, we shall continue the debate on this question in the afternoon.

132. (*Continued in English*): I take pleasure in informing the Assembly that the Prime Minister of New Zealand, Mr. Holland, is present with us this morning with the delegation of New Zealand. On behalf of the Assembly I wish to extend to him our sincere welcome and good wishes.

The meeting rose at 1.10 p.m.