



Thursday, 8 December 1955,  
at 10.30 a.m.

New York

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**President: Mr. José MAZA (Chile).**

**AGENDA ITEM 21**

**Admission of new Members to the United Nations**

**REPORT OF THE *Ad Hoc* POLITICAL COMMITTEE  
(A/3079)**

*Mr. King (Liberia), Rapporteur of the Ad Hoc Political Committee, presented the report of that Committee and then spoke as follows:*

1. Mr. KING (Liberia), Rapporteur of the *Ad Hoc* Political Committee: My country is indeed highly honoured on this history-making occasion that a member of its delegation should be the Rapporteur of the *Ad Hoc* Political Committee when that Committee's report on the admission of new Members to the United Nations is presented to the General Assembly. This item on the Assembly's agenda, which has aroused a wide-spread interest that continues unabated both within and without the halls of the United Nations, has become of major importance to our Organization as the result of the pressure of all shades of world opinion in favour of speedy action by the General Assembly.

2. The Committee's work in this respect was greatly facilitated by the statements of the fifty-one representatives who took part in the debate. The significance of the occasion was made the more manifest by the fact that the speakers who took the floor were the chairmen of all the delegations attending the present session. They could, therefore, with a greater degree of authority, express the will of their respective countries on the great and far-reaching decision ultimately to be made.

3. The Assembly will, in view of all the circumstances, realize why it is that the Committee hopes that action will be taken as early as possible by the Assembly on this question.

4. Before closing my remarks, I should like to mention one other point of outstanding significance. All the speeches made before the Committee were full of high but well-deserved praise and warm tributes to the eminent Chairman of the Committee of Good Offices on the admission of new Members, Mr. Belaúnde — tributes which came from all corners of the world and represented all shades of opinion on the substance of the question with which we were dealing. With these expressions of well-earned commendation were asso-

ciated his able colleagues on the Committee, the representatives of Egypt and the Netherlands. To all of them, as was pointed out by the representative of Burma, Mr. Barrington, we who are now in the United Nations, and those who we hope will be joining us, owe a deep debt of gratitude.

5. Nor could I resume my place without making special reference to the initiative taken and the high statesmanlike qualities displayed by two other eminent world statesmen, Mr. Martin of Canada and Mr. Menon of India, the former of whom brought to the Committee the sterling dynamism of the West and the latter the enriched wisdom and mature experience of the East in their brilliant, masterly and most convincing presentation of the substance of the draft resolution. May they see many, many more moons — as we Africans are wont to say.

6. I am confident that each one of us entertains the fervent hope that the vote to be taken today by the General Assembly will reflect the abiding faith of all the peoples of the world in the over-all objectives and purposes of the United Nations.

7. The PRESIDENT (*translated from Spanish*): I should like to congratulate the representative of Liberia, Mr. King, on the excellence of his report.

*Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Ad Hoc Political Committee.*

8. The PRESIDENT (*translated from Spanish*): I undertake to give speakers freedom to express their views and will allow them all the time they need to explain their votes on this delicate question, which is of such vital importance to the United Nations. I would, however, urge them to exercise the necessary moderation in the terms they use and in the length of their statements.

9. Mr. PALAMAS (Greece) (*translated from French*): My delegation wishes to explain why it abstained in the vote on the draft resolution [A/3079] submitted for the General Assembly's approval, as that abstention might give rise to a misunderstanding regarding my country's position on the eighteen applications which the Security Council is shortly to consider and on which it is to report to the General Assembly.

10. In the course of the discussion in the *Ad Hoc* Political Committee, I explained that we were anxious to have an opportunity of expressing our view and of voting separately on each individual application so that we could define our position clearly and simply, leaving no room for doubt. Unfortunately, we were not given this opportunity of voting on each individual application, as the consensus of opinion among delegations was in favour of a global vote embracing the whole "package" of eighteen applications without distinction, and precluding all possibility of differentiating between them. The majority thus prevented the delegations which

desired to avoid the all-or-nothing procedure from defining their attitude. They were presented with the "package deal", and had to take it or leave it. The Greek delegation abstained, because it did not wish to take all or to leave all.

11. We must now take this opportunity to define our position on the eighteen applicants, so that the Security Council can be in no possible doubt regarding the meaning and implications of our vote.

12. My delegation is glad to give its full support to the applications of Italy, Portugal, Spain, Austria, Ireland, Finland, Ceylon, Nepal, Jordan, Libya, Japan, Cambodia and Laos.

13. Greece and Italy are linked not only by their past but also by their present and future. After the tribulations of the Second World War, the peoples of Italy and Greece were drawn even more closely together, united in their will for freedom and democracy and in their efforts to meet the call of their common destiny in the area of the eastern Mediterranean. The admission of Italy to our family of nations would be of great advantage to us all.

14. My delegation is particularly favourable to the admission of the two members of the Arab family — Jordan and Libya. Its desire to see these two Arab countries seated in the United Nations is explained by the ties that existed between Greece and the Arab world in ancient times and by the active co-operation which is bringing them together at the present time.

15. We also warmly support the application of Spain, a country rich in history and religious tradition, the mother of Latin American civilizations; and also the application of Portugal. We are equally sympathetic to the admission of Ireland and of heroic Finland.

16. The United Nations would be enriched by the age-old wisdom of that great Asian country, Japan, and by the other Asian applicants, and should have the benefit of their co-operation as soon as possible.

17. My delegation's position on the admission of Albania is entirely different. I wish to make it clear that, in the opinion of the Greek Government, Albania does not fulfil the conditions laid down in Article 4 of the Charter. Albania's conduct and record in international affairs provide ample proof that its Government is neither able nor willing to carry out the obligations laid down in the Charter.

18. The Greek delegation would remind the Assembly that Albania has never complied with the General Assembly resolutions on threats to the political independence and territorial integrity of Greece, relating, *inter alia*, to the repatriation of Greek children still being held by the Albanian Government in violation of all rules of international law and ethics, and to the repatriation of hostages and members of the Greek armed forces captured in the course of operations against the rebels.

19. To this day, Albania is still promoting the infiltration of Greece by secret agents and subversives whose mission is the overthrow of the legal order. The state of belligerency arising during the last war as a result of the actions of the Albanian Government, armed forces and people, is to all intents and purposes still in existence, because it has not been terminated by any international instrument. Thus relations between the two countries can be normalized and a state of peace restored only by the conclusion of a freely negotiated

agreement eliminating and resolving all disputes and points of disagreement between the two countries.

20. For the foregoing reasons, the Greek delegation is opposed to Albania's admission to the United Nations. On behalf of my Government, I wish to make it clear that Albania's admission, if approved, cannot affect either the *de jure* or the *de facto* relations existing between that country and Greece.

21. The Greek delegation also deeply deplores the fact that Bulgaria, Romania and Hungary have not so far fulfilled the undertaking they assumed under the treaties of peace signed in Paris on 10 February 1947. It particularly regrets that, in the case of Bulgaria, the clauses providing for the payment of reparations to Greece have remained a dead letter despite the re-establishment of diplomatic relations between the two countries on the *chargé d'affaires* level, and that arduous negotiations with a view to the application of these clauses have achieved virtually nothing. The fulfilment by a State of the contractual obligations it has assumed is a touchstone both of its attitude and of its willingness as a Member of the United Nations to carry out the obligations prescribed by the Charter.

22. Despite these circumstances, however, my delegation does not intend to vote against the admission of these States. It will confine itself to abstaining in the hope that, if admitted, they will, as Members of the United Nations, give proof in the fulfilment of their undertakings of the goodwill that has so far been lacking.

23. My delegation will also abstain on the application of Outer Mongolia.

24. Mr. TSIANG (China): In opening this debate this morning, the President said that our interventions should be in the nature of explanations of votes, but at the same time he promised us that he would be liberal as regards both time and content. I can promise him that I will not abuse his liberality. I will not try to reopen this debate here, not because I think the subject is not important enough to justify a full debate, but because I think that the debate in the *Ad Hoc* Committee was both lengthy and recent. I have a personal reason for not trying to reopen this debate: I always find it distasteful to repeat myself, and I find it very difficult to repeat what I have said before. With these preliminary remarks, I will proceed to explain my vote.

25. In the *Ad Hoc* Political Committee, I voted against this draft resolution, and today, in the General Assembly, I shall again vote against it. This draft resolution requests the Security Council to consider the admission of eighteen States, but two questions must be answered. The first is: are all the eighteen States qualified? The second question is: is it right to put all eighteen States in one package?

26. As to the first question, the qualifications for membership are clearly stated in Article 4 of the Charter. Applicants for membership must first of all be States; that means independent, sovereign States. The United Nations is an association of independent, sovereign States. That is the first qualification. Then the Charter stipulates that all applicants must be peace-loving. Since this institution was organized primarily to promote the peace of the world, that requirement is a minimum essential requirement. Then Article 4 goes on to require, in the third place, that all applicant States should be able and willing to fulfil the obligations of membership. That qualification is also obvious. I cannot

conscientiously agree with any representative that the Charter provisions in this respect are too stringent or too narrow-minded. Indeed, the qualifications for membership are in minimum terms.

27. In my judgement, and in the judgement of the vast majority of representatives here, thirteen of these applicant States are certainly qualified to be Members. Indeed, how can anyone question the qualifications for membership of such States as Italy, Spain, Portugal, Ireland, Austria, Japan, Ceylon, Jordan and Libya, to mention only a number of these thirteen States.

28. All these thirteen applications, with the exception of Spain, have been examined, discussed and voted upon in the Security Council. In every case these States have received large majority votes in the Security Council. The failure of the Security Council to make favourable recommendations was due to one reason, and one reason alone — the Soviet veto.

29. As to the application of Spain, I cannot imagine that any representative would say that Spain is not a peace-loving State. I cannot imagine that any representative would contend that Spain is not able or willing to fulfil the obligations of membership. The claims of Spain for membership are obvious.

30. Therefore, so far as these thirteen States are concerned, there is no difficulty, and there ought to be no difficulty. Any attempt on the part of any delegation to bar these thirteen States from membership would be a violation of the Charter and would be denying to these applicants their rights.

31. The draft resolution, however, includes five other applicants, the so-called peoples' democracies, namely, Albania, Bulgaria, Hungary, Romania and Outer Mongolia.

32. I do not think that the vast majority of the representatives here contend that these five so-called peoples' democracies are independent sovereign States. I think that, deep in their hearts and minds, they know that these five applicants are really just Soviet colonies — enslaved colonies at that. In the course of the debate, I did not in fact hear any representative trying to convince the world community that these so-called States are independent States.

33. As to Outer Mongolia, only six representatives tried to prove to us that Outer Mongolia was today an independent sovereign State. Those six representatives were the representatives of the Soviet Union, the Ukrainian SSR, the Byelorussian SSR, Czechoslovakia, Poland and India. Let us for argument's sake — and just for argument's sake — leave aside this point, this big question of whether they are really independent States. We still have the other qualification, namely "peace-loving". Are these so-called peoples' democracies peace-loving?

34. In answering that question, I do not ask the representatives to base their judgement on our guesses or estimations of the intentions of these régimes. I ask them to base their judgement on deeds. This body should know what the four European satellite States did in connexion with the aggression against Greece. That is a matter of record here. It is not a matter of intention, design or imagination. It is a fact, a deed, condemned by the United Nations.

35. As to Outer Mongolia, in 1947, Mongolian troops invaded my country to a depth of 100 kilometres up to a point called Peitaishan. When that aggression took

place, I duly reported it to the Security Council.<sup>1</sup> I did not fabricate that aggression for the sake of a debating point in the winter of 1955.

36. Then Mongolian forces participated in the war in Korea against the United Nations. There are today, as you all know, on the island of Taiwan, 14,000 ex-prisoners of war who chose to go to Taiwan after the armistice. Of these 14,000 prisoners of war, 5,000 have seen the Mongolian troops in action in North Korea, and in fact many of them fought side by side with Mongolian troops against the United Nations.

37. In the *Ad Hoc* Political Committee, I offered to welcome a commission of investigation to question these ex-prisoners of war. I also said that, if the Committee wished, we could send over as many of these men as the representatives desired, to come here and answer their questions as to the nature and the extent of Mongolian participation in the war against the United Nations.

38. Therefore I say, leaving aside the question whether Outer Mongolia is independent or not, that these acts of aggression disqualify it from membership in the United Nations.

39. All these five applicants have been considered, examined and voted upon in the Security Council in past years. Not one of them has ever received anything like a legal majority. The majority of the members of the Security Council, both permanent and non-permanent, have found these five applicant States to be disqualified from membership. That is the record. I see no new facts to change the nature of these five régimes.

40. The proposal before us puts the thirteen deserving and qualifying applicants in one package with the five undeserving and disqualified applicants. The device of a package is contrary to the opinion of the International Court of Justice.<sup>2</sup> It cannot be otherwise, for admission must be on individual merit. We cannot close our eyes and say: let us admit all. That is against the Charter as interpreted by the International Court of Justice.

41. So far as the argument goes up to this point, the sponsors of the draft resolution did not disagree with me. One of the sponsors, the representative of Australia, said openly in the Committee that although he was one of the sponsors, he considered the draft resolution to be contrary to the Charter, and he warned the Committee that, by adopting it, we were all officiating at the burial of Article 4 of the Charter. He said openly that this package deal was contrary to the advisory opinion of the International Court of Justice.

42. On these points, I think basically even the sponsors of the draft resolution agree with my delegation. However, they go on to say that the present draft resolution is a compromise, a political solution for a hard problem. Some of them, more frank than others, will admit that the draft resolution is really a deal.

43. I do not put myself up as being so righteous as to rule out compromises and deals in politics. I have been in politics for some years and I know that politics sometimes makes extraordinary demands on our consciences. But I will say that, while compromises are permissible to a certain extent, they are permissible only to the extent of the limits of the law. Within the terms of the Charter, let us arrange all sorts of compromises

<sup>1</sup> See *Official Records of the Security Council, Second Year, Special Supplement No. 3, appendix 6.*

<sup>2</sup> *Admission of a State to the United Nations (Charter, Art. 4), Advisory Opinion: I.C.J. Reports 1948, p. 57.*

to solve our problem. But I do not think it is right for the General Assembly to arrange a compromise which is expressly against the Charter of the United Nations. I accept compromises within the limits of the Charter. I will not accept compromises which go beyond the limits of the Charter.

44. The five so-called peoples' democracies are, as I said, really colonies of the Soviet Union. The people's democracy is a device for the realization of Soviet imperialism. Should the United Nations lend its influence and moral prestige to promote the designs of Soviet imperialism? Is that what the United Nations was founded for?

45. In these five countries — Albania, Bulgaria, Hungary, Romania and Outer Mongolia — the peoples are struggling for freedom. I wish that we in the United Nations could send them some form of aid or a message of encouragement. For reasons of prudence, hitherto we have shut our eyes and closed our ears to the appeals of these peoples. Now the struggle for freedom on their part is an integral part of our global struggle for peace. I do not think that I need argue for them that a genuine and lasting peace can be founded only on the freedom of the peoples.

46. To my mind, this draft resolution makes the chains of enslavement on these peoples heavier and stronger. My delegation cannot share in the responsibility for accepting these five so-called peoples' democracies into the United Nations. If it cannot help these peoples in their struggle for freedom, my delegation will certainly refrain from adding to their difficulties.

47. The PRESIDENT (*translated from Spanish*): I thank the representative of China for having interpreted my request in a way that the Assembly was able to appreciate.

48. Mr. NUÑEZ PORTUONDO (Cuba) (*translated from Spanish*): Like the representative of China, I wish to thank the President for his kindness in stating that he guarantees us the right freely to express our views for as long as we think necessary. However, in order to reassure him and other representatives, I wish to say that I shall not speak at as great a length as I did in the *Ad Hoc* Political Committee, when this item was discussed fully.

49. At that time I felt that it was necessary to speak for more than two hours in order to explain the Cuban delegation's views, and not in order to convince certain delegations, for, after three years in the United Nations, I know how little a speech can do to convince delegations. I stated our views at great length at that time because we wished Cuba's attitude to be placed on the record of history, and because we did not wish in any way to accept the responsibility for having contributed by our vote or by our silence to the admission to the United Nations of five States which not only do not fulfil the conditions laid down in Article 4 of the United Nations Charter, but which are States whose Governments do not respect any of the principles of international law; which even now are violating the Convention on the Prevention and Punishment of the Crime of Genocide; which do not respect human rights; which still maintain concentration camps by the hundred; which, in brief, are totally opposed to the principles of our Organization.

50. At that time — and I shall refer to this later — I explained Cuba's position. And now, in the General

Assembly, I must explain that position again, for the last time.

51. It might be appropriate to recall that this is not the first time that the problem of the admission of new Members has come before the General Assembly. This is, however, the first time that perfectly co-ordinated propaganda has been used, based on the methods the Soviet Union always employs when it seeks to ensure that the truth does not reach world public opinion. Applications for admission were submitted to the United Nations many years ago. The General Assembly then recommended to the Security Council, possibly by a greater majority than now, the admission of States like Italy, and like fifteen of the States whose applications are submitted today for our consideration. For years those States were excluded solely because of the Soviet veto. Yet the earth did not crumble away, nor did anything else happen except the natural and logical protest by the Governments and the peoples of the countries concerned, who considered, and rightly, that the normal rules of the United Nations had not been applied to them.

52. What has happened now? A draft resolution has now been submitted covering eighteen applicant States, and an effort is being made to prove that this is a new occurrence and that the vault of heaven will crumble if no agreement is reached on their admission. This is pure propaganda because, I repeat, it is not the first time that the Soviet veto has resulted in the rejection of States which had rightfully applied for admission. In order to hoodwink world public opinion, especially that of the Western world — we are going to speak the truth — this has been put in an apparently very simple way for public consumption, namely, that there are five Communist States on one side and thirteen non-Communist States on the other.

53. This is the "package" which is being presented to world public opinion. Naturally, to those who look at such matters in an over-simple way, to the great masses of the world who do not have to comprehend such matters or to investigate them, it appears that those of us who are opposed to this measure — this deal or transaction, whatever name it is given — are wrong and that we are even out of our minds. How can we reject, they ask, a deal in which there are five States on one side and thirteen on the other? This is the propaganda that is being made in order to deceive world public opinion.

54. The Cuban delegation wishes to make its position clear in order that everyone may know that what is being discussed here is a much more fundamental question. It is not a matter of trading thirteen nations against five. It is not a business deal which is being attempted here in the United Nations. For us there is something more fundamental, and it is on that that I am going to state our views.

55. The United Nations has a constitution, the Charter, Article 4, paragraph 1, of which says:

"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 judgement of the Organization, are able and willing to carry out these obligations."

56. We consider that, of the eighteen applicant States, there are five which do not fulfil the conditions set forth in the Charter. Not only do they not fulfil the conditions laid down in Article 4 of the Charter, but they do not

fulfil the conditions laid down in any Article or Principle of the Charter. They are neither peace-loving nor ready fully to comply with the obligations imposed on them by the Charter, and, as we all know, they respect none of the most elementary rights of man or the citizen.

57. Against this background, the twenty-eight Powers submitted a draft resolution in which a certain amount of fear, shame or difficulty — I do not know how to describe it — was apparent with regard to naming the States concerned, and thus the draft which we are now examining states that we should permit the entry of countries which have applied for membership in the United Nations "about which no problem of unification arises".

58. I called that a mysterious proposal, because it was the first time that the practice had been adopted in the General Assembly of not naming the States whose admission was being discussed. Then I carefully examined the draft resolution, bearing in mind the past history of the case, with the following result: I decided that what the sponsors were trying to do was to exclude Korea and Viet-Nam from this package admission and also, in the future, the Federal Republic of Germany.

59. In my opinion the United Nations is here faced with a fundamental problem. The Organization is a belligerent in the Korean war, which has been suspended only by an armistice. The United Nations is the ally of the Republic of Korea. The blood of the citizens and soldiers of fifteen Member States of the United Nations was shed for the Republic of Korea and in Korea. And now it appears that, since Korea is not unified because the Soviet Union does not want it unified, because Korea is divided because the Soviet Union wants it divided, it has been agreed that the Republic of Korea shall not be admitted. Yet the same Assembly which now says that the Republic of Korea does not qualify for membership declared on a previous occasion [*resolution 296 G (IV)*] that it did so qualify, whether divided or whole. We are told with great sorrow, as if a funeral was taking place: "We are so sorry, we shall see what happens later; when Korea is unified, then it will be able to enter the United Nations".

60. But how is Korea going to be unified if the Soviet Union does not want it unified? And when can Korea be admitted if it is not unified? This is a quibble, which sounds wonderful. It is the product of the great intelligence of some distinguished personalities here in the General Assembly, but in the end it cannot convince anyone.

61. The truth is that, if the General Assembly approves the draft resolution in its present form, it will know that it is inexorably condemning Korea to remain outside the United Nations, unless South Korea, feeling itself abandoned, unconditionally hands itself over to North Korea, for it would appear that the keys for admission to the United Nations are held by the delegation of the Soviet Union.

62. The same thing has happened in the case of Viet-Nam. Viet-Nam is a republic divided by violence, divided by Communist forces inspired by the Government of Moscow. Everyone knows that, no one is unaware of it. It is an open secret, which absolutely no one denies, and that is the most curious thing about this case. Nevertheless, the same thing is said: because Viet-Nam is divided, it cannot come in. Why? Because it has not allowed itself to be conquered by the Soviet

Union. If it had allowed itself to be conquered by the Soviet Union, it would have been unified and could have been included in the "package".

63. These are the fundamental considerations in regard to this aspect of the draft resolution, and that is why the Cuban delegation cannot approve it.

64. But we are faced also with this fact: the International Court of Justice is an organ of the United Nations; it is the supreme legal body of our Organization. As far as I know, legal problems between nations must be discussed before the Court, and it is also the practice to request the Court's advisory opinion in questions relating to the interpretation of the provisions of the Charter or of the rules of procedure.

65. The General Assembly consulted the International Court of Justice as to how this question of the admission of new Members should be handled [*resolution 113 B (II)*]. At the time, there were two conflicting theories, that of the Soviet Union, which considered that the Security Council should discuss applications *en bloc*, or as a "package", and the theory supported by 80 per cent of the representatives who are listening to me today, that each application should be discussed and voted on separately. I am referring to recent times, although they are now of the past.

66. The International Court of Justice gave its advisory opinion; it stated that each applicant must be voted on separately, on its merits, so that it could be decided whether it was a peace-loving nation and able to fulfil the provisions of the Charter. All the Court said was what almost all representatives, except the representative of the Soviet Union, had said here.

67. Nevertheless, the majority of the members of the *Ad Hoc* Political Committee did not wish to take account of the Court's opinion. Some delegations even maintained a view so absurd that I, in my twenty-five odd years of practice as a lawyer, and at times as a professor of law, had never heard of it, namely, that in a court of law the majority opinion and the minority opinion were of equal value. They even maintained that the advisory opinion of six members of the International Court of Justice had the same value as that of the three members who dissented from the majority opinion. A really serious discussion cannot take place when such extreme statements are made, nor is it worth while to continue the debate in this field. But, turning to the serious field of legal principles, it is a fact that an advisory opinion of the Court exists in which the majority — and therefore the Court itself — expressed the view that the applicant States should be admitted, not in a "package", but separately.

68. For the reasons which I have indicated, the Cuban delegation submitted a series of amendments to the joint draft resolution which simply provided that the terms of Article 4 of the Charter should be complied with and that the Court's advisory opinion should be respected. The Cuban amendments were rejected by the majority in the *Ad Hoc* Political Committee, from which it is to be inferred that Article 4 of the United Nations Charter should be disregarded, and that the advisory opinion of the International Court of Justice — our own International Court of Justice — should be simply set aside.

69. As this is a very serious matter, and something which so far has no precedent, the Cuban delegation did not wish to assume the responsibility of assenting by its vote to this way of thinking.

70. We do not believe — and I frankly confess this — that the General Assembly's vote in this case will have a very important effect, because our amendments were fortunately supported by four of the eleven members of the Security Council. Of the five permanent members, three voted in favour of the amendments, one abstained and only the Soviet Union voted against the amendments. Of the non-permanent members, Belgium voted for the Cuban amendments and Turkey abstained. This means that the majority of the Security Council, which is the organ which has to make the final decision, did not accept the responsibility of the rest of the General Assembly and did not reject the Cuban amendments, which merely insisted that the Charter and the advisory opinion of the International Court of Justice should be complied with.

71. In order to be brief and to leave no room for doubt — because the *Journal of the United Nations* will say that "the General Assembly approved the admission of eighteen States, with two votes against by China and Cuba", from which it will appear that neither China nor Cuba wished any State to be admitted, although we have twenty times reiterated our position for history, for the *Journal* and for the official records I wish to repeat that Cuba will vote in favour of Italy, Spain, Portugal, Finland, Nepal, Ireland, Ceylon, Libya, the Hashemite Kingdom of the Jordan, Japan, Austria, Laos and Cambodia. Cuba will not vote for the admission of Hungary, Albania, Romania, Bulgaria or Outer Mongolia.

72. I shall not trouble the General Assembly with a long explanation of the reasons which have led the Cuban delegation to announce its vote against these satellite States of the Soviet Union, which are claiming the right to enter our Organization. I refer representatives to the records of the meetings of the *Ad Hoc* Political Committee in which all the details and all the fundamental accusations made against these States appear.

73. But I also wish to say the following: the organs of the United Nations have themselves declared and recognized that slave labour exists in Hungary, Romania, Albania and Bulgaria as a legal institution. I indicated the relevant laws in my statement. Any inhabitant of these countries who does not think as the Government does is sent to a concentration camp or sentenced to forced labour. I have already said this, and the representatives know it themselves.

74. Very eloquent speeches were made; reference was made to philosophy, geography and history, but only the Soviet Union and its satellites picked up this accusation. I am going to repeat it in order that they may not forget it, in order that members may know that this is what they are voting for and not speak any more about principles. According to resolutions adopted within the Organization itself, slave labour exists in those countries, an institution which is contrary to human rights, to the Convention on genocide and to the principles of the Charter.

75. The most ferocious religious persecution has been unleashed in recent years in these four Communist States which are trying to enter the United Nations. I referred at length to this fact in my statement in the *Ad Hoc* Political Committee, giving the relevant statistical data. Catholics, Moslems, Jews and Protestants of all sects have been exterminated, and no Church has been left untouched. Hungary still keeps the Cardinal

Primate of the Catholic Church in prison, and the Cardinal Primate of Poland has been condemned to life imprisonment. Nevertheless, despite these deeds, against which the United Nations has protested, despite the trial of the Hungarian Cardinal, which appeared on films and which aroused the indignation of all the free peoples of the world, it is claimed that Hungary is a peace-loving State.

76. It seems to me that before Hungary is admitted, the Committee of Good Offices should at least insist that both Hungary and Poland allow the two princes of the Catholic Church whom they have imprisoned to go to Rome. If it is said that they are not prisoners, that they are not detained, that they are free, then they should have the right to go to Rome, where their superior, the Supreme Pontiff of the Catholic Church, resides. This is a suggestion which I make to the Committee of Good Offices, in order to see whether it will use its good offices in this case so that this act of reparation and justice may be done.

77. I shall not further tax the attention of representatives, because I am explaining my vote and have already expressed all aspects of my opinion. My delegation regrets its inability to vote for the draft resolution recommended by the *Ad Hoc* Political Committee, but we believe it to be contrary to all principles, and especially to the standards laid down by the United Nations Charter. If a majority admits all eighteen applicant States, it will bear the responsibility of that step. It will not be able to grieve tomorrow for what it did not prevent today.

78. I wish to tell the representatives who are listening to me that with each passing day the growing desire of the USSR for universal expansion becomes more apparent. Geneva and the "spirit of Geneva" are nothing more than an attempt to deceive the unwary. The USSR has given up nothing; neither before nor since Geneva. Anything that is of advantage to it, that makes its position stronger and enables it to destroy the ideals of freedom and democracy, will help to enslave the world. Cuba will not contribute to this. Cuba will not vote for the draft resolution.

79. Mr. NAJAR (Israel) (*translated from French*): I should like to explain briefly why the Israel delegation abstained from voting yesterday and why, in a few moments, it will abstain from voting today, even though it has been perfectly clear to us all that a draft resolution proposed by twenty-eight States belonging to all groups in the Assembly would obviously obtain the support of a massive majority, and even though the Israel delegation has always maintained that the importance and prestige of the United Nations would be decisively enhanced if admission to our Organization was really open to a large number of new States.

80. The present draft resolution [A/3079] placed the *Ad Hoc* Political Committee, and is now placing the General Assembly, before a difficult choice. We are told that we must either admit eighteen States all at once and *en bloc*, or that we must admit none; that we must either recognize that, under the provisions of the Charter, all the eighteen States are peace-loving States, that they accept the provisions of the Charter and that they are able and willing to carry out the obligations contained in the Charter, or that we must close the door of the United Nations on all eighteen States without exception.

81. Despite its ardent desire to co-operate in achieving a historic enlargement of the United Nations, my delegation has not thought it possible to accept the terms of such an ultimatum. In my speech in the *Ad Hoc* Political Committee, I stated, and I repeat here, that my Government was prepared to vote for the admission to the United Nations of almost all the eighteen applicant States.

82. The States whose applications my delegation was and is prepared to support are Albania, the Mongolian People's Republic, Ireland, Portugal, Hungary, Italy, Austria, Romania, Bulgaria, Finland, Ceylon, Nepal, Cambodia, Japan, Laos and Spain. My delegation would like to take this opportunity of expressing its sincere satisfaction that the time is now near when these new Members may be admitted to the United Nations.

83. However, my delegation could not and cannot in any way, even indirectly, express any opinion favourable to the admission to the United Nations of the Hashemite Kingdom of the Jordan. It also views with no enthusiasm the application of the United Kingdom of Libya.

84. It is scarcely my intention here to anticipate the discussions which must be held by our Assembly in connexion with the admission of any particular State, once its application has been approved by the Security Council. My delegation merely reserves, and has been intending to reserve, its right, should the occasion arise, to explain, at the appropriate stages of the process of admission, the reasons for its attitude towards these two applications.

85. Bearing always in mind, not our special interests, but those of our Organization, I shall say that our reasons have nothing to do with that forgotten past of which the Chairman of the Committee of Good Offices has so eloquently spoken, but are related to a very real present. My delegation is therefore unable to associate itself with a vote recommending that the Security Council consider favourably, and all together, the eighteen applications involved.

86. Mr. MONTERO DE VARGAS (Paraguay) (*translated from Spanish*): My delegation did not state its views during the general debate in the *Ad Hoc* Political Committee, for it was awaiting this opportunity to submit specific comments in connexion with five of the eighteen States mentioned in the draft resolution now under consideration [A/3079].

87. I should therefore now like to say that my delegation did not oppose the draft resolution; in fact, we voted in favour of it, in order to facilitate a solution of the problem in the Security Council. Our vote should not be construed, however, as being favourable to all the eighteen countries. We have many reservations to make, but as the President asked us to use common sense and co-operation in making our statements, I shall not go into the substance of the question in the light of the principles of the United Nations Charter.

88. I simply want to state, however, that we shall not support the admission of four of the countries, on which we shall abstain, and that we shall vote against the admission of one of the five countries which, in the opinion of my delegation, make up a "package" imposed on us as a condition for the admission of thirteen other countries which are qualified to become Members of the United Nations.

89. Mr. ALPHAND (France) (*translated from French*): The discussion which had been going on these

last few days in the *Ad Hoc* Political Committee was concluded yesterday with a vote on the draft resolution proposed by twenty-eight delegations. The French delegation abstained from taking part in that vote. Its attitude is directed less against the wording of the draft resolution than against the interpretation which had generally been placed upon it. We intended by that gesture to express our concern at the extraordinary turn taken this year by the debate on the question of the admission of new Members.

90. Let there be no mistake. My intention in acting thus is not to protest against the opinions that have been expressed on behalf of the States applying for membership in our Organization. Like all the other delegations, my delegation stated yesterday that it remained firmly attached to the principle of universality. It clearly stated that France keenly desired the admission of the greatest possible number of States to the United Nations, and I should like in all seriousness to reaffirm, from this rostrum, the statements I made yesterday.

91. I wish, however, to say, and I say this with full conviction, that no matter how desirable this result may be, to attempt to achieve it by violating the Charter would, we firmly believe, be a mistake fraught with fateful consequences for the United Nations.

92. During the debate in the *Ad Hoc* Political Committee, I heard expressions which sounded strange to me and recalled times which none of us wishes to see again. Here is something of what I mean, and I quote at random from the records:

"The real question is whether we do or do not support the 'package deal' to admit eighteen nations — all or none, irrespective of the terms of the Charter, for in truth it is not principle with which we are here concerned but expediency — the expediency of inexorable political circumstance..."

"In such cases, political considerations must override legal principles..."

"Legal arguments have no validity in the face of political considerations, which are paramount..."

"The juridical factors must be adjusted to political realities..."

93. Shall I be told that those are isolated interpretations, extreme opinions, rejected by the majority of those who voted for the twenty-eight Power draft resolution? I cannot think so. The fact is that, by a crushing majority, which was opposed only by Cuba, Belgium, the Netherlands, Luxembourg, Israel, China, the United States and France, the *Ad Hoc* Political Committee rejected a series of amendments submitted by the representative of Cuba with a view to ensuring that the twenty-eight Power draft resolution conformed to the rules of law derived from the Charter, rules which had been carefully omitted from that text. I shall read some of these amendments.

94. In the first paragraph of the preamble, replace the text following the word "occasions" by the words: "that the United Nations should have the widest possible membership of States possessing the qualifications required by Article 4 of the United Nations Charter".

95. In the fourth paragraph of the preamble, insert between the words "will" and "enable" the words: "provided that the Members possess the qualifications required by Article 4 of the Charter".

96. Replace paragraph 2 of the operative part by the following:

"Requests the Security Council, in the light of the general opinion that the United Nations should have the widest possible membership of States possessing the qualifications required by Article 4 of the Charter, to consider the pending applications for membership in accordance with the principles established by the advisory opinion of the International Court of Justice of 28 May 1948."

97. I need say no more, except that it is apparent to any impartial observer that the United Nations has deliberately chosen between the path of legality and the path of arbitrary action. No one in my country will understand that. We know only too well what it costs when treaties are torn up like scraps of paper. We know only too well that in such cases there is nothing left for the weak but to give way to the strong or perish. We believed, and I believed, that the purpose for which the United Nations had been established was, as expressed in the preamble of the Charter, "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained". The United Nations will not achieve that aim by violating its own Charter, even though it has the best practical reasons in the world for doing so.

98. I do not want to be a prophet of woe. I think there is still time for us to stop on the dangerous road we entered yesterday. I have confidence in the wisdom of the Security Council and in the wisdom which the Assembly will surely display in dealing with the Council's recommendations.

99. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): The *Ad Hoc* Political Committee gave careful consideration to this important question of the admission of new Members, to which the Organization has for nine years been unable to find a satisfactory solution.

100. The present circumstances of reduced international tension have given added impetus to the universal desire and striving to achieve a positive settlement of this question, to lend lustre to the tenth session of the General Assembly by this vital and historic decision to admit to the United Nations eighteen States with populations totalling upwards of 200 million souls, to invite them into the family of nations united in this international Organization founded for the preservation and maintenance of peace throughout the world.

101. It was made clear during the debate on this question that there was a general desire on the part of an overwhelming majority of delegations to settle this important and long outstanding international problem without further delay, at this very session of the General Assembly. To that end, twenty-eight delegations introduced a draft resolution providing for the admission of all eighteen applicant States to the Organization. A truly overwhelming majority of representatives, fifty-two out of fifty-nine, voted in favour of that draft. Unfortunately, however, it must be noted that two permanent members and one non-permanent member of the Security Council abstained in the vote on the draft resolution.

102. In view of the fact that the question of the admission of new Members is to be taken up by the Security Council, we cannot shut our eyes to those abstentions, particularly as the representative of one of the permanent members of the Council declared in the Committee that he would not support the applications

for admission to the United Nations of five of the applicant States, and would abstain in the vote on them.

103. For many years now the Soviet Union has tirelessly striven to ensure that the admission of new Members to the Organization should take place without discrimination or favouritism of any kind. Accordingly, the Soviet Union unreservedly supported the draft resolution on the admission of the eighteen applicant States to the United Nations, voted for it in committee and will vote for it in the General Assembly.

104. Many delegations appealed in committee to all members of the Security Council to respect the universal desire — both of the delegations to the Assembly and of the peoples throughout the world — and to do everything that depended on the Security Council to settle this important international issue at the current session of the Assembly, and thereby to make an important contribution towards the strengthening of peace and co-operation among peoples. It was also pointed out that over a period of many years the practice followed by certain States of entering reservations of various kinds — particularly where such reservations had been associated with abstentions in the voting on proposals for the admission of new Members — had led to highly undesirable results. In the many years during which the Security Council has been dealing with this question, it has become evident that abstentions in the voting have been used for specific political purposes which have nothing to do with the United Nations Charter, and that they have been the main obstacle to the admission of new Members.

105. In the course of the discussion, reference was also made to the great desirability and political importance of settling the question of the admission of new Members. It is the international duty of the members of the Security Council, both permanent and non-permanent, to respect the general desire and the appeals of the overwhelming majority of delegations, and to do everything necessary to ensure that the draft resolution on the admission of the eighteen States receives the full support of the majority in the Council. Only then will it be possible to bring about a successful settlement, both in the Council and in the Assembly, of the question of the admission of new Members.

106. Let me now make some comments on the statements we have heard once again here from certain representatives.

107. The observations made by the representative of Greece with regard to Albania for instance, were tendentious and obviously prejudiced. His assertion that Albania did not wish to establish normal relations with Greece is not borne out by the facts. It would appear from the latest Press reports that all the steps taken by Albania to re-establish normal relations with Greece, including its most recent proposal, have invariably been rejected by Greece. As for Albania itself, it continues to follow a peace-loving policy in its relations with all States which wish to maintain normal peaceful relations with it.

108. As for the old, slanderous fabrications which have been repeated here by the Kuomintang representative from Taipei and by the representative of Cuba about the peoples' democracies, their malice and falsity have long been a matter of common knowledge. Their purpose, as in the past, is to prevent the adoption of an agreed decision on the admission of new Members to the United Nations. These fabrications are not made



any more plausible or any more convincing by repetition. The *Ad Hoc* Political Committee ignored them, and rightly so. Nor is there any need to engage in polemics with these gentlemen in the General Assembly.

109. After the General Assembly has adopted the draft resolution submitted by the *Ad Hoc* Political Committee on this question, it will be vitally important, in the further consideration of this question both by the Security Council and by the General Assembly, to secure the requisite number of votes to ensure the admission to the United Nations of all eighteen States. Only then, and with the support of the overwhelming majority of delegations both in the Security Council and in the General Assembly, shall we be able to solve this important international problem.

110. Mr. KATZ-SUCHY (Poland): The delegation of Poland in the *Ad Hoc* Political Committee voted in favour of the draft resolution on the admission of new Members, being convinced that its adoption would break the existing dead-lock on this question. We consider that draft resolution as deriving from the conviction that the question of new Members can be solved only through agreement which would exclude all measures of a discriminatory nature with regard to some of the States which are candidates. Such a solution is undoubtedly in the interests of the whole Organization.

111. The discussion in the *Ad Hoc* Political Committee shows that a vast majority of representatives approached the problem with all the seriousness and the responsibility which it necessitates. In their statements the concern was visible that all the candidates should be given the possibility of entering the Organization. The fifty-two votes in favour of the draft resolution submitted by twenty-eight States show that the demand for the overcoming of the deadlock is becoming more and more overwhelming. This is shown also by the fact that those delegations which opposed such a trend, which tried to prevent agreement and bar admission to all the applicants, found themselves in total isolation.

112. The desire of the majority of the Assembly to enlarge the United Nations through the participation of new Members — States of various traditions, various stages of development, and various social and political systems — is an expression of goodwill, of a striving for understanding and of a striving for the further lessening of tension in international affairs.

113. The trend and the content of the discussion, as well as the results of the vote in the Committee, impose upon all the Members of our Organization a very serious moral and political obligation. This responsibility rests particularly on the members of the Security Council, which now have an important role to play in issuing the necessary recommendation for the admission of the applicant states. World public opinion expects that all Members of the United Nations, by an active approach to this question, will help to bring about a satisfactory solution of the problem, both in the Security Council and in the General Assembly.

114. Poland must once again reject the charges brought here by some — few indeed — against the people's democracies. Albania, Bulgaria, Hungary, the Mongolian People's Republic and Romania fulfil all the requirements of peace-loving States. They are willing and able to accept the duties deriving from the Charter. All the activities of these countries in the field of international relations are devoted to the cause of peace and

co-operation among nations. The slanderous charges brought here have been dictated only by hatred of them because of their social systems and by a desire to prevent understanding.

115. In addition, the representative of Cuba misused even this high rostrum in an attempt to slander some of the present Members of the United Nations also by accusing them of imposing restrictions on religious freedom. In reality, it is not freedom of religion or freedom of political rights which are of concern to the representative of Cuba. Were it so, he would find quite a wide field of activity in this respect in his own country. In reality he is not concerned for the principles of the Charter: his real aim is to spread here hatred against peace-loving countries. But Cuba, in common with some other hate-mongers, like the Kuomintang, is isolated here. The desire for understanding has proved tremendous. This prompted the adoption of the draft resolution in the Committee by such a large majority.

116. The Polish delegation, which for many years has asked for the removal of all obstacles of a discriminatory nature and for the admission of all those States whose international status corresponded to the requirements of membership as envisaged by the Charter, sees with satisfaction in this draft resolution a first step towards the solution of the membership question. That does not mean that we have no reservation on our part with regard to some of the candidates. However, in view of the possibility of reaching an acceptable agreement for the admission of all eighteen applicant States, we found it possible to refrain from raising our objections, and therefore were able to support the draft resolution.

117. The Polish delegation will continue to support this draft resolution and will vote in favour of it here in the Assembly. We wish to express our hope that all other Members here will approach the draft resolution in the same spirit of understanding, so that during the present session, without further delay, and without discrimination, it will be possible to open the door of our Organization to the eighteen States which are awaiting the Assembly's decision.

118. The PRESIDENT (*translated from Spanish*): The representative of Greece has asked for the floor in order to make a correction.

119. Mr. MELAS (Greece): I have taken the floor in order to make a brief reply to what the representative of the Soviet Union said just now with regard to the attitude of my country in relation to the question now under discussion. He said that we had displayed ill will in approaching the Albanian candidature as we had — that is to say, with reservation — and, in a few words, whether directly or implicitly, painted a poor figure of my country in its international stand on this important matter of admitting new Members in conformity to the principle of universality in which we sincerely believe.

120. I wish to say that the attitude of my country with regard to the recognition of Albania as a Member State of this august body is governed by nothing more than our respect of international law, of the Charter which is the constitution of the United Nations, and of the norms of decency and civilization. If we have opposed that candidature, it is because the behaviour of that small neighbouring country — regardless of its social and economic system, which is to us an uninteresting detail in matters of this sort and has no bearing whatsoever on our decisions in such problems — does not,

I am sorry to say, conform with Article 4 of our Charter, which governs the conditions upon which new Members are admissible to this body.

121. I am sad to have to remind the Assembly once again that the country in question has been disregarded of the most categorical injunctions of this body in the form of recommendations and resolutions on the subject of threats to the security and integrity of Greek territory, which had been the subject matter of long debates before this Assembly at consecutive sessions from the year 1947 onwards, and which ended only about the year 1950.

122. That small country is still holding thousands and thousands of innocent children who were abducted in the days when the sad attack was launched on my country through the territory and neighbouring frontier of Albania, and those children are still in the hands of that country, far from their homes and in a condition that the whole civilized world has condemned. Such a situation gives but little support to the qualifications of that particular State for election to this great body.

123. Furthermore, I must mention the detention of thousands of adult military and civilian persons. That deplorable fact was not even mentioned by my delegation in its former intervention, nor did we refer to the detention of numerous inhabitants, of Greek origin, in the southern region of Albania called Northern Epirus, who are rotting in concentration camps. Surely those are not conditions which militate in favour of the early admission of a State which continues to maintain such a situation in a territory bordering on Greece.

124. It was said by the representative of the Soviet Union that we had not examined as we should — therefore, some slight was cast upon us — the application for membership, although proposals have been made to Greece for the restoration of peaceful relations. We are ready at all times for the consideration of such proposals, but they must be based on certain prerequisites of decency and civilization which, in our opinion, are the basis of every kind of international relations between States, whether neighbours or not.

125. Those are the reasons for my country's reticence on this particular subject, and they have nothing to do — I repeat this — with the general principle of broadening the foundations of our great Organization and promoting its growth. We wish the entire world to be represented here, but a civilized world such as that defined in Article 4 of the Charter.

126. These are the remarks which I wished to make before the Assembly in order that there might be no misapprehension with regard to the attitude of my Government.

127. Mr. ORTEGA (Chile) (*translated from Spanish*): The chief representative in the United Nations is neither one of the Big Five nor one of those groups which only on occasion act as a unit. The leading role in the United Nations is played by public opinion — not the opinion prevailing in this or that geographical area, but world public opinion. Beyond doubt, it is this disembodied and intangible being which has the best right to make itself heard in this forum where we debate problems affecting the entire international community, and it has this right for the simple reason that these problems are of vital concern to it.

128. Consequently, we are neither legally nor morally entitled to adopt resolutions which do not reflect the thoughts or feelings of this or that politically organized

national community, in other words, the wishes of the majority.

129. This explains why the United Nations includes countries with opposed political ideals and economic systems, such as the Western democracies and the peoples' democracies. That is why the principle of universality is essential as the very basis of the international community.

130. It is therefore not surprising that the Canadian proposal, which was also supported by my delegation, should have commanded the decisive support of fifty-two votes in the *Ad Hoc* Political Committee, with only two votes against it. My Delegation will, of course, vote for the proposal in the General Assembly as it did in the Committee.

131. The PRESIDENT (*translated from Spanish*): I should like to make it clear that there will be no explanations of vote after the voting.

132. Mr. MARTIN (Canada): When my delegation came to this meeting this morning it had not considered it desirable to intervene in this important and final debate concerning the admission of new Members. However, my country has had a modest part in the initiation of the draft resolution now before the Assembly and, as head of the Canadian delegation and a member of the Government of my country, I think that I should make a few remarks in order that our motives may not be misunderstood.

133. I should like, first of all, to thank and to congratulate Mr. King, the representative of Liberia, for his succinct and appropriate report of the proceedings of the *Ad Hoc* Political Committee [A/3079]. Perhaps there is something significant in the fact that it should be the representative of Liberia who reported to us, and to the world, regarding the decision reached yesterday by such an overwhelming vote in an important Committee of the United Nations.

134. The President did not have the opportunity of participating in the work of the *Ad Hoc* Political Committee, but I am sure that he has heard — which is one of the privileges of the President — through the various mechanical devices, as well as from other sources, of the character of the debate which took place.

135. It is to be expected that, on a question of this nature, we should all have the greatest reservations. It is to be expected that we should all have the greatest difficulties; and certainly, my Government, in taking the initiative which it took, did so with the greatest care and the deepest cogitation, having in mind the implications for both good and evil in this whole matter.

136. My country believes in the United Nations. One of the corner-stones of the foreign policy of my country is the United Nations, and no other motive influenced our part in this particular matter. I suspect that what I have just said about my delegation I could say with equal certainty about practically every other delegation in the General Assembly at this time.

137. This is not a matter involving the recognition of any government. This is not a matter involving the recognition of any particular ideology. This is a matter of recognizing that we can extend the opportunities of the United Nations for greater service, and, because my country feels strongly on this part of the problem, I wish to say something.

138. What is the United Nations? Is it an organization based simply on the principle of an association that

recognizes one common ideal? The decision as to what would be the character of the United Nations was made in 1945. In this Organization we have a variety of opinions. In this Organization we have supporters of different forms of government and different ideologies. The decision in that particular is not being made today; it was made in 1945.

139. I cannot accept the suggestion that in the proposal that is now before us we are giving comfort to any nation that does not subscribe to what basically most people in my country subscribe. I cannot agree that the draft resolution now before us involves in any way the acceptance of any particular form of government. My country believes in responsible democratic government. My country does not believe in communism, nor does my Government, and by no legitimate or fair interpretation can it be suggested that men like Mr. Belaúnde — I have asked his permission — or the Reverend Benjamin Nuñez, the head of the Costa Rican delegation, or the heads of any of those great Latin American States and many of the European nations who have come together with us, have joined in this move for the purpose of giving encouragement to something in which they do not believe.

140. On one occasion in the history of this Organization, my country put forward a motion to discuss what it felt should be discussed, the discrimination against certain religious leaders, Protestant, Catholic and Jewish alike, and I well remember that occasion, for I was my country's spokesman. I remember how I was reminded by delegation after delegation how much more effective my plea would have been if I could have met at the same table those against whom my indictment was directed. I am sure that many of us have in mind the advantages of free debate and the value of confrontation under the canopy of freedom. That opportunity will be presented by the acceptance of this draft resolution.

141. I have said that we all have our reservations. I made that clear when I introduced this draft resolution in the *Ad Hoc* Political Committee. In that Committee, speaker after speaker indicated likewise that they, too, had their reservations. Given a free opportunity, my delegation would have done what it has done on a previous occasion for perfectly legitimate reasons that are not contrary, as we see it, to Article 4 of the Charter, and might have denied present opportunities to present States, but the only way before us of bringing in certain countries which play such a great part in the political and cultural life of the world is by the proposal which has been put forward by twenty-eight countries and which was supported yesterday by fifty-two countries.

142. How else can we bring in countries like Ireland, Italy and Austria, to mention only some of the countries which are included in the draft resolution? Are we going to let these nations stay outside in frustration for an indefinite period and deny them the opportunity of participating in our important deliberations?

143. This is an honest compromise. This is the only compromise that will bring about what I am sure we and all the peoples of the world want. It is not a compromise of principle. It provides an opportunity of putting forward with increasing and responsible vigour the ideas for which we stand, certainly many of us who have sponsored this draft resolution.

144. I think I can say that the United Nations has been at its best during these past days. Beginning with the speech of Mr. Tsiang, for whom I have nothing but the greatest admiration, both as to his character and as to his competence, the level of the debate has been high and responsible, and each of us has sought, in this very difficult problem, to find a synthesis that would lead us to what we regard as the final and the most desirable solution.

145. Once we have voted, the decision will be out of our hands. The decision will rest with another organ of the United Nations, and what that decision will be, no one can say. But this I think we can say. I think we can say that all of us in the General Assembly, on one side or another, have faced up to the opportunity of giving the United Nations in this, the first year of its second decade, an opportunity of playing a great role in the maintenance of the peace of the world. I think that yesterday the United States delegation gave a great lead. It said that it would not exercise the veto, and, as a result of that, it is open to others to make possible the realization now of the dream for which for such a long time so many of us have been working — the opportunity to give to countries — great nations — the right to take their place in the only existing parliament of man.

146. I believe that, under the President's direction, at this tenth session of the General Assembly, this constructive proposal will succeed.

147. Mr. BELAUNDE (Peru) (*translated from Spanish*): By their very nature, my remarks will be brief. They will be very brief; but I feel bound to thank the representative of Liberia for his generous references to the delegation of Peru, and at the same time to state my complete agreement with all that has been so eloquently said here by the representative of Canada. But I must not confine myself to matters of ceremony or protocol; I have to deal briefly with a more fundamental point.

148. There must be not the least suspicion that the omission of any reference to Article 4 of the Charter and to the advisory opinion of the Court from the draft resolution approved in the Committee by fifty-two votes implies forgetfulness, still less ignorance, of the inviolable character of Article 4, which will be effective as long as the United Nations exists, or of the supreme juridical significance of the Court's opinion.

149. When a reference which has been proposed for inclusion in a draft resolution is omitted from it, that omission does not necessarily signify disagreement with the purport of the reference. When a principle is set aside, that is done either because it is false, or because its practical application would be undesirable and inopportune. There would have been no purpose in reminding the Security Council, which is so jealous of its duties, of Article 4. It would have been equally pointless and incorrect to remind the Council of the opinion of the International Court of Justice, when the Assembly had already endorsed the Court's opinion and, at the suggestion of the Peruvian delegation, transmitted it to the Council. It must therefore be understood that, in supporting the Canadian proposal, the Peruvian delegation acted without prejudice to Article 4 and the advisory opinion of the Court.

150. Let me draw attention to a number of fundamental principles. Article 4 has to be interpreted not only in the literal sense but also, and primarily, in accordance

with its spirit. Article 4, in substance, lays down the principle of universality, since the only thing that can be opposed to that Article and to the principle of universality is the discretionary and arbitrary judgement of a member of the Security Council; and I have proved that such a judgement is contrary to the Charter, as also to the advisory opinion given by the Court in 1948. But there is a connexion between the principle of universality, inherent in nearly all the essential articles of the Charter, and the text of Article 4, for now more than ever before there is no country which is not animated not only by a love of peace but also by a horror of war.

151. In the second place, Article 4 refers to States, and thus primarily to nations; and its application in this sense in no way involves approval of the policy of a particular Government.

152. Lastly, Article 4 can be applied only in the light of the principle stated by the representative of China, Mr. Tsiang: that a country or applicant should be given the benefit of any reasonable doubt.

153. In concluding, I should like to draw attention at this point to two principles to demonstrate that the draft resolution before us is strictly in accordance with the Charter, which we small States consider sacrosanct. In accordance with the first of these principles, *favores ampliandi* and *odia restringenda*, innocence must be presumed failing proof to the contrary. The second principle was formulated by a specialist in international affairs, Professor Kelsen, in an authoritative work which I regard as one of his best; Professor Kelsen made the mistake, however, of accepting the power of discretionary judgement of the members of the Security Council. Treaties, Professor Kelsen says, are of two kinds: those which regulate interests, and those which establish rights, and may hence be regarded as law-making treaties. Treaties that do not regulate interests but create rights and establish rules which may be considered as rules of law must always be interpreted in the light of their objects. Thus if the object of the United Nations is universality, if all the Purposes and Principles of the Charter are universal, then the overriding principle in the interpretation of Article 4 must be universality.

154. It is in this spirit that the delegation of Peru expresses its hope that the Security Council, in view of the almost unanimous opinion of the General Assembly, of the trend of public opinion, to which the representative of Chile so eloquently referred, and of the five inviolable principles with respect to the application of Article 4 which I have just enunciated, will give us the deep gratification of concurring with the General Assembly and inaugurating, with this new decade, a new life for our Organization.

155. As I said yesterday, we are not acting in the false dawn of San Francisco, but in the shadows of tomorrow. And if we are to pass through and emerge from these shadows stainless, unharmed, valiant and triumphant, we need the help of our sister nations that are entitled to admission into this Organization; and we have no fear that the ideology we oppose will gain strength from new defenders. It would be absurd if, believing as we believe, and should believe, that our principles are sound,

and having the opportunity to bring to our side those who so gloriously share them, we should fear lest arguments on the other side should be strengthened.

156. In this spirit, the delegation of Peru expresses the hope that the Security Council will endorse the decision which the Assembly is about to take and which was approved with such extraordinary unanimity in committee.

157. The PRESIDENT (*translated from Spanish*): We shall now proceed to vote on the draft resolution submitted by the *Ad Hoc* Political Committee [A/3079].

*A vote was taken by roll-call.*

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

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

*Against:* China, Cuba.

*Abstaining:* France, Greece, Israel, United States of America, Belgium.

*The draft resolution was adopted by 52 votes to 2, with 5 abstentions.*

158. The PRESIDENT (*translated from Spanish*): The Assembly has just, by a majority eloquent in itself, approved a resolution which, for the first time in ten years, offers us some possibility of extricating the United Nations from the dead-lock which has prevented any progress over the admission of new Members.

159. In view of the importance of this decision and its significance for the future of the Organization, I venture to express my deep gratification at a result which reflects the feelings of so many different regions of the world. I feel compelled to take this opportunity to express also my hope that the Security Council will receive this indication of the Assembly's wishes with the deepest understanding, and that, in the discharge of its high functions, it will give its most serious attention to the Assembly's resolution as speedily as present circumstances require.

### **Completion of the work of the tenth session of the General Assembly**

#### THIRD REPORT OF THE GENERAL COMMITTEE (A/3078)

160. The PRESIDENT (*translated from Spanish*): The General Committee unanimously decided to recommend that the closing date of the General Assembly should be 16 December, instead of 10 December. If no representative asks for a vote, I shall take it that the General Committee's recommendation is adopted.

*The recommendation was adopted.*

*The meeting rose at 1.30 p.m.*