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Agenda item 97:

Restoration of the lawful rights of the People's Republic
of China in the United Nations (*continued*) 1

President: Mr. Edvard HAMBRO (Norway).

AGENDA ITEM 97

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

1. Mr. AMERASINGHE (Ceylon): The delegation of Ceylon heard with a profound sense of grief the harrowing news of the disaster that affected East Pakistan last week when a cyclone and a tidal wave swept through that area of the country. The death toll has not yet been accurately reckoned, but according to present estimates it exceeds anything that has occurred in the past.

2. We should like to extend to the Government of Pakistan our deepest sympathy in its hour of affliction.

3. The frequency with which these natural disasters have been occurring in recent times emphasizes the need for very urgent and effective action to be taken on the decision that was reached by the Economic and Social Council at its forty-ninth session in Geneva regarding the establishment of an emergency fund for disasters [*resolution 1533 (XLIX)*].

4. The occasion of the twenty-fifth anniversary of the establishment of the United Nations has served at least one purpose, that of reminding the Members of the need to infuse fresh vigour and vitality into the Organization so that the next phase of its existence may lead us progressively towards the attainment of its objectives. The abandonment of outworn shibboleths and old prejudices and the willingness to recognize realities, however distasteful they may be so far as the policies of certain nations are concerned, would be necessary if this new discipline for the future is to be assumed by us all. The reform of any organization requires a positive approach, and nowhere is this approach more urgently needed than in the treatment of the most acute controversy involving the United Nations—the question of the representation of China in the United Nations.

5. There are encouraging signs that the objections that have been sustained during the past 21 years to the seating of the representatives of the People's

Republic of China in this Organization as the sole and lawful representatives of China are gradually yielding to a more sober appreciation of political realities. The most heartening sign of all is the admission that China is a reality that cannot be any longer ignored. It is a mark of prudence and statesmanship to accept with equanimity what cannot be changed, and that was the verdict of the people of China in 1949 in deposing the corrupt and unrepresentative Government led by Chiang Kai-shek. It requires political courage to change what needs to be changed, and that is the existing arrangements for the representation of China in this Organization. The very admission that China is a reality that cannot be any longer ignored must logically dispose of the contention that its legitimate Government has been in exile for 21 years. It now requires a further act of statesmanship to desist from the procedural devices which have been adopted during the last nine years to give the appearance of legitimacy to a fiction.

6. There are compelling reasons for an immediate change in the representation of China in this Organization. For many years, if we examine the main objectives of the United Nations, we have been living on borrowed time. The attainment of the three objectives proclaimed for this twenty-fifth anniversary session—peace, justice and progress—makes it imperative that we recognize the Government of the People's Republic of China as the only lawful Government of China and its representatives as the only lawful representatives of the people of China on whose behalf the Charter was signed 25 years ago.

7. Those who refuse to recognize the lawful rights of the People's Republic of China to represent China in this Organization argue with some passion that the Chiang Kai-shek régime is a founder Member of the United Nations and as such cannot be denied its seat here and its right to represent the people of China. This argument assumes that the Chiang Kai-shek régime signed the Charter not on behalf of the people of China but on its own behalf.

8. No true believer in democracy can advance such an argument except in defiance of his faith and in repudiation of accepted principles of international law and practice. For 21 years the Government of the People's Republic of China has been the effective and legitimate Government of the people on whose behalf the Charter was signed. The admission, now reluctantly made, that China is a reality must, as I have already indicated, serve to demolish effectively the contention that Taiwan is China and that the Chiang Kai-shek régime in Taiwan is the Government of China.

9. Although political expediency has led certain countries to deny the lawful rights of the People's Republic of China in this Organization, the interests of peace and progress at this stage in the Organization's existence demand the immediate restoration of those rights.

10. International measures for the furtherance of peace and security, especially measures in the field of disarmament, such as the partial test-ban Treaty,¹ the Treaty on the Non-Proliferation of Nuclear Weapons [*resolution 2373 (XXII)*] and the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof² can never be of full effect without the participation of the People's Republic of China.

11. In the sphere of international economic co-operation, this session has approved an elaborate strategy for the Second United Nations Development Decade [*resolution 2626 (XXV)*]. The People's Republic of China, which has extended generous and substantial economic aid to many countries and continues to do so without the advantage of spectacular affluence, has a vital contribution to make towards the success of this strategy.

12. On every argument—legal, political or economic—the case for the restoration of the lawful rights of the People's Republic of China in the United Nations is unassailable.

13. The main obstacle to the just settlement of the present controversy remains today the procedural device, which was first adopted in 1961, of treating the question of the representation of China as an important question requiring a two-thirds majority. The provisions of Article 18 of the Charter have been employed, improperly and irresponsibly, to install this obstacle in the way of a just settlement.

14. It must be noted that while paragraph 2 of Article 18 specifies the important questions that require a two-thirds majority, paragraph 3 of that same Article provides that decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting. The precise language of paragraph 3 of Article 18 requires close attention, especially by those countries which are renowned for the wholesome respect in which they hold law and legality. Paragraph 3 of Article 18 refers to additional "categories of questions". It is, in our view, an abuse of the Charter to seek to make the single question of the representation of China an important question by resort to paragraph 3 of Article 18, especially as China is already represented here, but not in the correct and legal manner. That Article 18 was not designed to be used in the perverse manner in which it has been used in regard to the China question

is clear from the fact that only a simple majority is needed to decide on the addition of categories of questions to those which are to be regarded as important questions. My emphasis is on "categories of questions". Those individual questions which are to be treated as important have been listed already in Article 18, paragraph 2. For all other questions of an individual character, only a simple majority is needed.

15. The reason for requiring a simple majority for decisions on individual questions, other than those already specified in paragraph 2 of Article 18 as important questions requiring a two-thirds majority, seems to us fairly obvious. It was to divorce an examination of the merits of an individual question from a determination as to whether or not it was to be treated as important. Individual treatment was likely to succumb to political prejudice whereas if only "categories of questions" were to be added to the list of individual questions, there was less danger of the provisions of paragraph 3 of Article 18 being used in a highly invidious and undesirable manner.

16. The two-thirds majority requirement was first introduced in resolution 1668 (XVI) of 15 December 1961. The reasons for the decision that any proposal to change the representation of China be treated as an important question under Article 18 are given in the preambular paragraphs of that resolution. They are in brief: firstly, that a serious divergence of views exists among Member States concerning the representation of a founder Member which is named in the Charter of the United Nations; secondly, that on numerous occasions the inclusion of this item has been requested under rule 15 of the Assembly's rules of procedure as an item of an important and urgent character; thirdly, that whenever more than one authority claims to be the Government entitled to represent a Member State in the United Nations, the question should be considered in the light of the purposes and principles of the Charter.

17. The first reason assumes that the founder Member is the island of Taiwan over which Chiang Kai-shek alone exercises authority. The most difficult type of contention to rebut is one that is manifestly absurd. That proposition applies to the founder Member argument. That a responsible Organization such as the United Nations should even for a moment entertain the argument that the Chiang Kai-shek régime, as the Government representing China at the founding of the United Nations, has an inalienable right to continue to occupy China's seat, even after it has manifestly forfeited all claims to speak for those whom it purported to represent at San Francisco, is one of the greatest miracles of intellectual confusion in our time.

18. The second reason as contained in the second preambular paragraph of resolution 1668 (XVI) deserves even less attention than the first. Rule 15 establishes the procedure for introducing a new item into the agenda of the General Assembly. The importance and urgency of the item regarding China was the importance and urgency of the admission of the

¹ Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, signed in Moscow on 5 August 1963.

² *Official Records of the Disarmament Commission, Supplement for 1970*, document DC/233, annex A.

legitimate Government of China to the Organization and not its exclusion.

19. The third reason, contained in the third preambular paragraph of resolution 1668 (XVI), is the weakest of all.

20. If a simple majority could be secured for the draft resolution contained in document A/L.605, the same majority, provided it maintained its solidarity, could defeat the draft resolution contained in document A/L.599 and Add.1. There are, however, countries which support the restoration of the lawful rights of the People's Republic of China in the United Nations and the expulsion of the representatives of Chiang Kai-shek, but which are prepared to act in repudiation of their declared purpose by making it difficult of attainment through their support of draft resolution A/L.599 and Add.1. This is a unique example of the exercise of the right of vote, that those who use their vote in pursuance of an objective are prepared at the same time to defeat the attainment of that very objective by the exercise of that very vote. Genuine support for draft resolution A/L.605 would seem to us to require a rejection of draft resolution A/L.599 and Add.1. Even the supporters of draft resolution A/L.599 and Add.1 do not pretend to claim that the representatives of Chiang Kai-shek are the lawful representatives of the people of China. That is a significant fact.

21. As we have done in the past, we shall vote in favour of draft resolution A/L.605, which calls for the recognition of the representatives of the People's Republic of China as the only lawful representatives of China in the United Nations, and for the expulsion of the representatives of Chiang Kai-shek from the place which they have usurped with misguided support. We shall vote against draft resolution A/L.599 and Add.1, which seeks to make this single question an important question through an illegal use of Article 18 of the Charter.

22. Mr. TOURE (Guinea) (*interpretation from French*): For two decades the United Nations has been confronted with a problem of justice, fairness and commonsense the seriousness and gravity of which cannot and must not escape us. At issue here is the restoration of the lawful rights of the People's Republic of China in the United Nations. The delegation of the Republic of Guinea, for the 12 years during which it has been a Member of this Assembly, has regularly, at every session, associated itself with other peace- and justice-loving delegations in placing the Chinese question on the agenda of the Assembly.

23. My delegation believes that this is a question that everyone of conscience must urgently consider and that every day it confronts the United Nations with a fundamental contradiction which, in the final analysis, may be fatal unless we bring to it the just and equitable solution it deserves by restoring to the representatives of the Chinese people the seat usurped by the Taiwan clique. It is no longer a secret to any nation or to any people of our planet, wherever it may be, that the great people of China, numbering over

700 million, exists and continues to give our world new impetus. The attitude of attempting to ignore the most populous and undoubtedly most dynamic country in the world, whose Government has for over 20 years given the country unprecedented stability and unity, should be not only denounced but definitively condemned. Those who stubbornly persist in systematically ostracizing the People's Republic of China are themselves realizing that they cannot take refuge indefinitely in a comfortable and hostile ignorance vis-à-vis the giant of the twentieth century.

24. Is there any need to reply here to the threadbare arguments used by the enemies of the People's Republic of China—without conviction, let it be said for the sole purpose of making themselves heard? No one is any longer taken in by this ridiculous situation. The People's Republic of China maintains diplomatic relations with over fifty countries. That number is increasing from year to year. We are no longer far from the day when those who, for over 20 years, have desperately sought to keep the Government of over 700 million people outside this Assembly and its specialized agencies will themselves be isolated. It must be understood that the absence of the People's Republic of China from the international community does very serious harm to our Organization. The People's Republic of China is a nuclear and space Power. We must realize that we cannot meaningfully talk of a partial or total agreement in the atomic field if we exclude from our debates and our proceedings the significant partner and weighty interlocutor constituted by China. In the space field, scientists in all countries, and also people in towns and in the country, have harkened to the proud accents of the Chinese spaceship whose name and music alone constitute a slogan and a programme: "The East is red".

25. As the United Nations began the year of its twenty-fifth anniversary it set itself three essential objectives: first, to maintain peace; second to promote justice; and third and last, to develop progress.

26. On this twenty-fifth anniversary of the United Nations the absence of the People's Republic of China is a grave lacuna and a tragic contradiction to the themes of peace, justice and progress which we mention in the declaration [*resolution 2627 (XXV)*] adopted on the occasion of this important event.

27. What peace can we build in the absence of one quarter of mankind? Or should we rather build peace against a quarter of mankind, mankind to which we all belong? Peace is one and indivisible; it cannot be built by some in the absence of others.

28. We say "justice". The first negation of the spirit of justice of our Organization is to deny the authentic and sole representatives of the Chinese people the right to represent their people in the United Nations. By this attitude of injustice we betray the spirit of universality of the Charter. And when we think of "progress", we realize that our Organization can make no progress in the absence of the People's Republic of China, that country which has spectacularly over-

leaped all the stages of universal knowledge by breaking the barriers and monopolies maintained by the West.

29. As in previous years, my delegation continues to believe that the restoration of the lawful rights of the People's Republic of China in the United Nations comes down to a simple matter of correcting a mistake, a mistake made to the cost of the Chinese people. The seats that should be occupied by the authentic representatives of over 700 million people are held by a usurper clique, in contempt of law and justice. The United Nations must unseat them and restore these seats to the only representatives of the Chinese people. There are not two Chinas, still less one China and Formosa. There is the People's Republic of China and there are Mr. Chiang Kai-shek's men. By expelling the Formosa puppets from this Assembly we shall enable our Organization to receive in its midst the lawful representatives of almost 800 million Chinese whose natural rights are being arbitrarily frustrated. By expelling Mr. Chiang Kai-shek's men and by reintegrating the People's Republic of China, we shall once again give the United Nations more prestige. We shall give it a universal face as well as the balance it so badly needs.

30. It is in this spirit that the Republic of Guinea, with seventeen other Member States, has sponsored draft resolution A/L.605. We must put an end to the fiction that the puppet Government of Taiwan is another China. There is no possible confusion: on the one hand there is a man—Mr. Chiang Kai-shek—who represents no one but himself; on the other, a Government which represents almost 800 million men.

31. It is also in taking all that into account that we shall vote against draft resolution A/L.599 and Add.1. This draft resolution, through procedural devices and a misleading interpretation of Article 18 of the Charter, would require a majority of two thirds of the Members present and voting to enable our Assembly to make good an injustice. For the Republic of Guinea the whole question in the end comes down to a problem of credentials.

32. In conclusion, I would address an appeal to all representatives of the third world and to others who continue to oppose the course of history. The People's Republic of China will come to the United Nations one day. That day is no longer far off. When China is here among us, in those seats occupied by the usurpers of Taiwan, its presence will not be pitted against those who today resist its admission; rather will its presence be for them, to strengthen their individual and collective prestige, to restore their dignity, their personality and their respectability and, finally, to strengthen the prestige of our Organization. It is never too late to make good.

33. Mr. BENITES (Ecuador) (*interpretation from Spanish*): The Head of State of Ecuador, President Velasco Ibarra who, besides being an experienced statesman, has been a learned professor of international law, has instructed me to state that the Government

of Ecuador considers that it is absurd for the People's Republic of China not to be a Member of the United Nations.

34. My Government considers that the country with the largest number of inhabitants on earth, the country that is third in size in the world, has one of the most powerful armies and is one of the five nuclear States, should not remain outside an Organization which is called upon to solve the problems of peace and security and which bases its existence on peaceful co-operation among all States, without distinction because of political systems or social structures.

35. My delegation considers that this clear and logical purpose was not always sought with clear and logical methods. May I crave the indulgence of the Assembly to give the grounds for my affirmation, and I offer to do so without any rhetorical emphasis?

36. The problem of China has been presented in three different ways. Because of the triumphant revolution which compelled the Government presided over by General Chiang Kai-shek to take refuge in the Taiwan archipelago in 1949, the Prime Minister of the People's Republic of China, in a letter dated 18 November of that year,³ opposed the representation of the Government of the Republic of China with its headquarters in Taiwan, alleging that the only legitimate Government was the one established on the mainland on 1 October of that same year, 1949. This presentation then, was a question of recognizing the legitimate character of one of the two governments in the dispute. In the decade of the fifties the matter was presented differently. The Committee on Credentials was not to recognize the validity of the credentials of the representatives of the Republic of China with headquarters in Taiwan. The third presentation was made by the Soviet Union under the title—a title which it still has, although now without Soviet co-sponsorship—'Restoration of the lawful rights of the People's Republic of China in the United Nations'. Within this item the expulsion of the so-called Chiang Kai-shek clique was proposed. In 1962 the item was maintained without change by the Soviet Union. In 1963 the item was sponsored by Albania and Cambodia. In 1964 the General Assembly did not function regularly, and since 1965 the item and the draft resolution have invariably maintained their two parts: restoration of the lawful rights of the People's Republic of China and expulsion of the Chiang Kai-shek clique.

37. In these three stages there is one fact which is worth recalling. The only time when the People's Republic of China directly claimed its right was at the inception of its Government in 1949, and it was precisely at that stage that a presentation was made which my delegation considers to be legally correct, that is to say that it was a question not of the admission of China under Article 4 of the Charter because China is a State Member designated by name in Article 23, nor of the restoration to the People's Republic of China of a right it had never exercised, but of recognition

³ Document A/1123.

of one of the two Chinese Governments as being entitled to occupy the seat which the Charter assigns to the Republic of China as a founding Member and a permanent member of the Security Council.

38. Arguments repeated at length to the effect that the People's Republic of China is not a peace-loving State and therefore not able to comply with the obligations imposed by the Charter are not relevant, since Article 4 of the Charter imposes such requirements only for the admission of a new State as a Member of the Organization, and China, whatever its legal government, is a Member State which requires no admission procedures.

39. On the other hand there is authentic recognition by the Assembly that the case of China is a problem of deciding which is the legitimate government and it has also been recognized that the organ called upon to decide this is the General Assembly. At the fifth session the General Assembly on 14 December 1950 adopted resolution 396 (V) on the standards for recognizing a government. That resolution states in part that:

“it is in the interest of the proper functioning of the Organization that there should be uniformity in the procedure applicable whenever more than one authority claims to be the government entitled to represent a Member State in the United Nations, and this question becomes the subject of controversy in the United Nations”.

On the other hand, resolution 490 (V) established a link between the Chinese problem and the general problem of recognizing governments referred to in resolution 396 (V), because it requested a special committee to report, in the light of that resolution, on the problem of the representation of China. That report was never submitted.

40. As an illustration of the way in which the problem of China was understood initially, I venture to quote some of the assessments made by the former Secretary-General Trygve Lie in 1950:

“Where a revolutionary government presents itself as representing a State, in rivalry to an existing government, the question at issue should be which of these two governments in fact is in a position to employ the resources and direct the people of the State in fulfilment of the obligations of membership. In essence, this means an inquiry as to whether the new government exercises effective authority within the territory of the State and is habitually obeyed by the bulk of the population.”⁴

41. The second presentation of the question, namely that the Credentials Committee could ignore the credentials—and this was unsuccessfully attempted in several years in the decade of the fifties—is devoid of any legal validity. In accordance with rule 28 of the rules of procedure, which has to be read in connexion with rule 27, the only power vested in the Creden-

tials Committee is to examine the credentials and ascertain whether they have been granted to representatives to act on behalf of a Government, by a competent authority, in the form prescribed by rule 27.

42. Now I refer to the third presentation of the problem, the one contained in the draft resolution we are being discussing. Its operative part has two statements which are different although closely interconnected: restoration of what is considered to be the lawful rights of the People's Republic of China in the United Nations, and expulsion of what is called the Chiang Kai-shek clique—that is the name given to the Republic of China with its headquarters in Taiwan.

43. I shall not insist on what may appear to be a semantic question, namely that to restore means to return or to re-establish, and one can only return that which was held before and one can only re-establish that which was previously established. At the end of the Second World War the Government under the presidency of General Chiang Kai-shek was the one which participated in the peace negotiations and was entrusted to receive the Japanese surrender in Asia. At that time it was the majority government, but it must not be forgotten that parallel with it there was another Chinese Government and that without the formation of a single front in 1936 the outcome of the war would have been very doubtful. It must also be recalled that the civil war started before the surrender of Japan in 1945 and, therefore, was already in existence at the time when the United Nations was constituted. That civil war continued with ups and downs until 1948, when Mukden fell, after one of the most extraordinary military marches in history, advancing over 10 kilometres daily in combat, until 1949 when Canton fell. The government of Chiang Kai-shek had to seek refuge in Taiwan. In the same year, 1949, the first Prime Minister of the People's Republic of China claimed that he was the legitimate representative of China and that, as such, he should occupy its seat in the United Nations.

44. The fact that at the time when the United Nations was being created there were already two Chinese Governments, the Nationalist and the Communist, has some significance. The Government which was a signatory to the Charter occupied the territory that traditionally was and is called China. Even though a civil war was going on, that Government controlled the majority of the population. But four years later the traditional territory of China and the majority of the population of China were, as they still are, under the control of the People's Republic of China. The Government which was a signatory to the Charter has since then occupied only an archipelago which was not traditionally Chinese, with a population which is not Chinese in its majority.

45. Those are the facts which must be taken into account in the legal consideration of the problem. I insist that, even though this may appear to be a game of semantic subtleties, the problem is not one of restoring the rights of the People's Republic of China, but of recognizing the government which must legitimately

⁴ See *Official Records of the Security Council, Fifth Year, Supplement for 1 January through 31 May 1950*, document S/1466.

represent the State which the Charter calls the Republic of China and which is one of the permanent members of the Security Council. This approach is indissolubly linked to the status of Taiwan, which is the seat of the Government which at present represents the Republic of China in the United Nations.

46. The Taiwan archipelago, since its distant pre-historic times, has been inhabited by a group which is ethnically more closely linked to the people of South-East Asia than to Chinese ethnic groups. In 1498 it was incorporated by Portugal, by Vasco da Gama, into the Western heritage, and he called the principal island "Formosa"—meaning beautiful. After rapid changes among the Dutch and the Spaniards, it was colonized by a dissident Chinese group of the Fu-Manchu Monarchy in 1661, but it was not politically part of China until 1887, and eight years later it was ceded to Japan.

47. The problem of Taiwan arose in the political negotiations towards the end of the war, because at the conference held in Cairo in 1943, the problem was considered and it was decided that Taiwan was Chinese; and after the surrender of Japan, it was ceded to China, without taking into account the self-determination of the population of Taiwan, whose movement for independence is attacked equally by the Peking régime and by the Government of Formosa. It is interesting to note that some of the States which have established relations with the People's Republic of China have made an express exception regarding the territorial claims over Taiwan, and one of them maintained some time ago that Taiwan continues to be Japanese *de jure*. Perhaps the territorial claim of the People's Republic of China in regard to Taiwan is the key to the problem, because if we accept that it is a problem of the recognition of a government, in giving that recognition to the People's Republic of China this would inevitably mean that we would fail to recognize the Government of Taiwan—and failure to recognize the Government of Taiwan would bring about several questions.

48. The first is whether failure to recognize the Government of Taiwan as the legitimate representative of the Republic of China, to which Article 23 of the Charter refers, would mean the automatic incorporation of Taiwan into the Peking régime. This is the logical result foreseen by the People's Republic of China since it started claiming recognition of its right to occupy the place which the Charter assigns to China in the United Nations.

49. If we are to accept the survival of the Government in Taiwan, independently of the fact that the People's Republic of China would occupy its seat in the United Nations, this would be tantamount to the creation of a new State, with all the technical difficulties which that creation would entail, because in the United Nations there cannot be two Chinas without bringing about dangerous confusions, inasmuch as the Republic of China is designated by name in Article 23 of the Charter and there can only be one Republic of China. And to the obvious difficulties which that new

State—which could not be called China—would encounter in being admitted as a Member of the United Nations, we would have to add those which flow from the composition of the population of Taiwan.

50. It seems logical to conclude that for the problem of China no easy legal solution is available, and that in any case it is the political and diplomatic channels which must first find a negotiated solution.

51. The phrase "to expel . . . the representatives of Chiang Kai-shek", which appears in document A/L.605, is more than rhetoric. It identifies a Government with a people, which is not accurate. Taiwan is not only a Government; it is a human reality which must not be forgotten. And this way of simplifying the problem makes it impossible for my delegation to vote in favour of the draft resolution contained in document A/L.605.

52. Now, I should like to refer to the draft resolution contained in document A/L.599 and Add.1, submitted by 19 States, which, since the adoption of resolution 1668 (XVI) of 1961, is the same one that has been repeated every year with regard to the application of Article 18 of the Charter. Since that time the draft resolution has had two parts. In the first part, it recalls operative paragraph 1 of resolution 396 (V), to which I referred earlier. The second part refers to the application of Article 18 of the Charter.

53. I think it is necessary to emphasize that the reference to paragraph 1 of resolution 396 (V), instead of quoting the resolution as a whole, introduces an element of confusion in the text. Resolution 396 (V), which has five points regarding the recognition of governments, says: "whenever more than one authority claims to be the government entitled to represent a Member State in the United Nations and this question becomes the subject of controversy in the United Nations . . .". The problem as now presented does not coincide with the situation provided for in resolution 396 (V). Paragraph 1 of that resolution, to which the present draft resolutions refers, means that when there is a dispute about the recognition of the legitimacy of a government and its right to represent a State in the United Nations, "the question should be considered in the light of the purposes and principles of the Charter of the United Nations and the circumstances of each case". This appears to have no connexion with the problem as presented.

54. Article 18 of the Charter has three parts, in our opinion. Paragraph 2 says that "Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the Members present and voting". Then it goes on to say, in paragraph 2: "These questions shall include", and then there is a list of what is to be included, but this does not mean that the questions listed are the only ones considered to be important.

55. The non-limiting character in the enunciation of the questions is further clarified in paragraph 3 of Article 18, which states:

“Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.”

56. It is obvious that the Assembly, by a majority of Members present and voting, may decide that other questions are important, and that this capacity to decide by a simple majority extends even to a decision on other categories that are to be settled by a two-thirds majority. The United Nations practice on the subject covers a broad range since the very inception, as is recorded in the *Repertory of the Practice of United Nations Organs*, which has continued since the date when the *Repertory* ended.

57. The draft resolution contained in document A/L.605 links the restoration of rights, which would affect the composition of the Security Council, to the expulsion of a Government which is exercising rights on behalf of a State Member. Both questions are of obvious importance to my delegation and must be decided by a two-thirds majority.

58. For the reasons stated above, my delegation will vote in favour of the draft resolution contained in A/L.599 and Add.1, which requests that the question be considered important under Article 18, and we shall abstain in the vote on draft resolution A/L.605 because of the manner in which it is presented.

59. Mr. SIKIVOU (Fiji): I am grateful for the opportunity which has been given to my delegation to explain the position of the Fiji Government on the important question of the representation of China in the United Nations. I use the word “important” advisedly in the context, because by any standard this is an important question within the meaning of Article 18, paragraph 2, of the Charter. My delegation will therefore vote in favour of the draft resolution contained in document A/L.599 and Add.1.

60. Before I explain our position on the draft resolution contained in document A/L.605, I should like to assure representatives that, although Fiji is a very new Member of this august body, the question of China’s representation and, indeed, the events in China generally are neither new to nor remote from us, China being a Pacific country and there being a significant number of Fiji citizens who are of Chinese origin.

61. My delegation would like to make it plain that the Government of Fiji would like to see the People’s Republic of China represented in the United Nations. Unfortunately, however, the draft resolution in document A/L.605, if approved, not only would have that laudable effect but would also have the effect of expelling the representatives of the Republic of China. Fiji, having a population of more than half a million and having been only recently admitted to membership of the United Nations, cannot and will not support any draft resolution that would have the effect of expelling from the United Nations a Member State representing some 13 million people, or any State Member of the United Nations for that matter, whose Government

has shown itself able and willing to carry out its obligations under the Charter of the United Nations. My delegation will therefore abstain from the vote on the draft resolution in document A/L.605.

62. Mr. KOSCIUSKO-MORIZET (France) (*interpretation from French*): What is surprising about this debate is that it is taking place and that from year to year the United Nations shies away from what General de Gaulle called “the growing weight of evidence and reason”.

63. The weight of evidence, because it is futile to ignore a great people, the most numerous of the earth, a country with a civilization dating back thousands of years which covers a vast part of the Asian continent, a Power whose growing role in world affairs, because of its size, its ambitions, its dynamism, is in fact being recognized; the weight of reason, because there is almost no major problem of the world that we can resolve, or even seriously approach, without the presence of that State.

64. How right Mr. Hambro was when, speaking personally and as a lawyer, regarding this same question, he said at his press conference of 16 September:

“ . . . it is impossible to base good international collaboration on fictions . . . if there is any kind of contradiction between international law, on the one hand, and common sense, on the other, it is, generally speaking, common sense that is right; but in this particular case there is no contradiction between those principles”.

65. A large number of countries have already understood that; they have established relations with the People’s Republic of China on the normal level of diplomatic relations. That number grows each year; we are happy about that. But these bilateral problems are different from those of our Organization, which, paradoxically, risks—if things continue thus—being the last to recognize reality.

66. The French Minister for Foreign Affairs, Maurice Schumann, during the general debate [*1842nd meeting*] forcefully reaffirmed that the primary weakness of our Organization was the emptiness in our midst caused by the absence of a large part of mankind. With him, several Heads of State and Government called attention to how illusory it was to believe that our Organization could assume its functions while remaining mutilated. The same conviction recently led the delegations of 53 States assembled in Lusaka⁵ to stress the urgent need to allow the People’s Republic of China to exercise the legitimate responsibilities which it is prepared to assume. There is probably no one among us who is not in truth convinced that China will inevitably recover the place reserved for it by the Charter in the Security Council, in our Assembly and in all the institutions of the United Nations.

⁵ Third Conference of the Heads of State and Government of Non-Aligned Countries, held from 8 to 10 September 1970.

67. Why, therefore, delay again that inevitable outcome? Why condemn ourselves to paralysis and ineffectiveness? Does anyone really believe that so many unresolved problems can wait indefinitely, without serious risks for the whole of mankind? What sort of inhibition, what sort of powerlessness to take a decision strikes us? No, our Organization cannot, without seriously damaging itself and without disappointing the hopes placed in it, maintain an attitude which is both legally ill-founded and politically unrealistic in respect of the People's Republic of China. Where, then, is the difficulty?

68. The question is not that of admitting a new State, and is therefore not covered by the intent of Article 18 of the Charter. The rights and responsibilities incumbent on China as a founding Member of the United Nations and a permanent member of the Security Council were conferred by the Charter upon the State which is genuinely capable of exercising them. That that State is the People's Republic of China cannot be seriously questioned.

69. We are therefore requested to recognize, pronouncing ourselves by a simple majority—the only majority required in this case—that China is the People's Republic of China, which is alone qualified in this capacity to occupy the seat that for 25 years has been reserved for this State.

70. The procedural draft resolution [*A/L.599 and Add.1*] requiring a two-thirds majority, therefore, seems to us ill-founded in the case in point. It only tends to defer again the only just and realistic decision worthy of our Organization. We shall therefore vote against this draft.

71. We shall vote in favour of the draft resolution [*A/L.605*] recommending the restoration of the rights of the People's Republic of China in the United Nations.

72. The accession of China is more than ever an absolute necessity. And because it is important that China should co-operate toward general well-being, because peace requires that the relations between peoples should grow, because only such contacts—especially within our international community—can relieve, then resolve, the conflicts which divide nations, we ask that our Organization, if it wishes to transform the world, decide first to see it as it is.

73. Mr. MBEKEANI (Malawi): Once again the General Assembly is asked to discuss the question of the representation of China in the United Nations.

74. I should first like to say a word about the title of the present item. The title is clearly tendentious, since it implies that the Government of the Republic of China has usurped the right to represent China in the United Nations and that this right should now be restored to its lawful owner, the Government based in Peking. Yet, it was the Government of the Republic of China which represented that country as a founding

Member of our Organization. This Government, whose representatives sit among us today, still functions on Chinese soil and is the same Government which signed the Charter on behalf of China 25 years ago. Its right to represent China in the United Nations is therefore undeniable and unchallengeable. Furthermore, it has faithfully upheld the purposes and principles of our Organization and fulfilled all its obligations under the Charter.

75. My delegation has listened attentively to this year's arguments that have been adduced in support of the admission of the People's Republic of China to this Organization. They have, however, failed to convince us that there are any new elements in the situation which would warrant a change in the stand that my delegation has always taken on this matter since we were admitted to membership of this Organization in 1964.

76. In approaching this question, we continue to be guided by General Assembly resolution 396 (V) of 14 December 1950, which declares that if the question of representation of a Member State becomes the subject of controversy in the United Nations it should be considered in the light of the purposes and principles of the Charter of the United Nations and the circumstances of the case. The question to be asked here, then, is: will the admission of the People's Republic of China be in conformity with the purposes and principles of our Organization?

77. As we are all aware, the primary purpose of our Organization is the maintenance of international peace and security. Moreover, Article 4 of the Charter clearly provides that only peace-loving countries which accept the obligations embodied in the Charter can be admitted to membership of our Organization.

78. In urging the General Assembly to admit the People's Republic of China, the sponsors of this present item on our agenda have tried very hard to describe the authorities of that country as peace-loving and full of peaceful intentions. But in fact the evidence is all to the contrary. Twenty years ago the Peking régime was branded an aggressor by our Organization for its participation in the Korean war, and since that time it has given no sign, either in its pronouncements or in its actions, that it has renounced or intends to renounce war and aggression as an instrument of its national policy.

79. That policy is aimed at transforming the world in its own image. To this end, the People's Republic of China has been persistently aiding and abetting subversive activities in other countries, with a view to overthrowing their lawful governments. My own country, Malawi, has been on several occasions a victim of this subversion by the People's Republic of China. Even the most casual listener to Peking radio cannot help but be appalled by the torrent of broadcasts urging peoples of various Asian, African and Latin American countries to rise in rebellion against what the authorities of Peking deem the reactionary régimes of those sovereign nations. And everybody should by

now be familiar with the Mao Tse-tung dictum, "Political power grows out of the barrel of a gun",⁶ which is being faithfully followed by those in power in Peking today.

80. In the face of these facts, then, how can anyone in good conscience say that the People's Republic of China is a peace-loving country and is therefore qualified for membership of our Organization? Indeed, given the innumerable acts of aggression and subversion which the People's Republic of China has committed in the name of world communist revolution, my delegation is afraid that if it is ever admitted to the United Nations it may become even bolder and more adventurous and militant in its future conduct. For this reason, we maintain that for it to be given a seat in the United Nations it must first demonstrate a genuine change of heart in its attitude towards war, in its open interference in the affairs of other nations, and in its hostile attitude towards the United Nations itself. In short, it must first show its willingness to respect and abide by the basic principles of the United Nations.

81. What the sponsors of draft resolution A/L.605 are asking us to do, in effect, is to shut our eyes to the militant, expansionist policy of the People's Republic of China and to admit it to our Organization at all costs, even to the extent of scrapping the principles of our Charter and jettisoning a faithful Member of our Organization. We should all pause to think of the serious consequences which this course would have for the future of our Organization. And on these grounds, there can be, in the view of my delegation, no doubt that the question of the representation of China is an important question within the meaning of Article 18 of the Charter and should be decided accordingly.

82. My delegation will, therefore, vote in favour of draft resolution A/L.599 and Add.1 and against draft resolution A/L.605.

83. Mr. KULAGA (Poland): The Polish delegation has already had an opportunity to indicate its position on the subject now before us when speaking earlier in the session.

84. From the very beginning Poland, as well as many other countries, has consistently pronounced itself in favour of the restoration of the lawful rights of the People's Republic of China in the United Nations and its proper place in the international community of nations. We have always indicated the incompatibility of the policy aiming at the isolation of China with the Charter of the United Nations and with the interests of peace and international security. We have constantly underlined the short-sightedness and harmful lack of realism of this policy.

85. During the years of debate on the question of Chinese representation in the United Nations, the responsibility for this policy of isolation has been

⁶ Quotations from Chairman Mao Tse-tung (Peking, Foreign Languages Press, 1966), p. 61.

clearly established. The persistent refusal to restore to the People's Republic of China its lawful rights in the United Nations is a denial of an incontrovertible political fact: the existence of the People's Republic of China.

86. It is a violation of the principle of universality of our Organization; a principle so essential for the United Nations. It goes to the core of the fundamental requirements of contemporary international relations. It affects the interests of international peace and security, which cannot be consolidated without the participation of all States, and certainly not through a policy of isolation of particular nations and States. The implementation of the principle of universality is an indispensable condition for the settlement of important problems concerning peace, security and international co-operation. It is also an indispensable premise for the correct functioning of the United Nations, of all its organs and of the specialized agencies, whose activities must be based on the participation of all States on the basis of their inherent rights and their will for co-operation in the interests of peace, security and development, and not on the subjective political considerations of certain Member States. The implementation of this principle is particularly important with regard to a State comprising one fifth of the entire world population.

87. Speaking on this subject during the general debate, the Chairman of the Polish delegation emphasized that the implementation of the principle of universality also requires the admission to the United Nations of both German States, the German Democratic Republic and the Federal Republic of Germany. Our position is that the earliest possible solution of this problem, for which new possibilities have recently been created, is of paramount importance for the United Nations.

88. In conformity with the position we have always taken and guided by the purposes and principles of the United Nations Charter, we shall support the draft resolution contained in document A/L.605 and will vote in its favour. Consequently, we shall vote against the draft resolution contained in document A/L.599 and Add.1, which is nothing else but another attempt to prevent the solution of the problem now before the Assembly.

89. Mr. DAVIN (Gabon) (*interpretation from French*) The representation of China in the United Nations is one of those problems which at every session give rise to long debates, which are undoubtedly among the most delicate and the most impassioned.

90. The heat with which the adherents to the two opposed schools of thought set forth their views and develop their arguments suffices to demonstrate how important the question is to both sides and how serious are its implications. An important question for our Assembly, for it is neither more nor less than deciding whether one of its Members is or is not in its rightful place. A question with serious implications, because if the reply should be no, we would have to assume

the responsibility of expelling from our Organization one of its oldest Members.

91. Since we are asked to say whether or not the Republic of China has the right to sit in this Assembly, the reply of the delegation of Gabon will be a clear affirmative.

92. In our statement on the same subject last year [1801st meeting], we said that we regarded this question as constituting no problem at all. Need I add that our position has not changed and that we continue to see things in the same way?

93. If you look at the list of founder Members of the United Nations, you will see that the Republic of China is one of the 50-odd countries which, on 25 June 1945 in San Francisco, unanimously adopted the Charter which gave birth to our Organization. The Government which, on behalf of China, signed the text of the Charter is the same one which today is still seated at our side.

94. How can we challenge that Government which, for a quarter of a century, has assumed Chinese sovereignty within the United Nations family? How can we repudiate that Government, which has never failed in its duties as a Member; which, indeed, has always fully met its obligations to the Organization?

95. Over these past 25 years the Republic of China has been present in the United Nations. It has been a loyal and active Member of the United Nations. Respectful of the principles of the Charter, the Republic of China has always made every effort to foster friendly relations and to establish co-operation among peace- and justice-loving nations. It has participated unfailingly in all the activities of our Organization, making its loyal and positive contribution.

96. Thanks to its constructive attitude, the Republic of China has done the United Nations sterling service, and is undoubtedly one of its most active Members.

97. The status of the Republic of China as a legitimate Member of the United Nations being thus fully established, the problem of its representation in this Organization constitutes an important question which must be considered under Article 18 of the Charter.

98. No change in the *status quo* can therefore be accepted without the two-thirds majority called for in that Article.

99. It is on the basis of these considerations that my delegation will oppose the draft resolution contained in document A/L.605.

100. On the other hand, my delegation will vote for the draft resolution contained in document A/L.599 and Add.1, which it has co-sponsored. We are sure that this draft resolution, which recapitulates earlier Assembly resolutions establishing a consistent legal position in the matter, will, as in the past, command the broadest support.

101. Mr. TARABANOV (Bulgaria) (*interpretation from French*): Once again the General Assembly has before it a problem which is more than 20 years old, the problem of the restoration of the lawful rights of the People's Republic of China in the United Nations. This question inevitably and almost automatically arises at each session of the General Assembly because of the very fact that China—which is a Member of the United Nations, a permanent member of the Security Council—is absent from the Organization and because this very absence prevents the normal functioning of the latter, creates difficulties for the international community, handicaps the efforts made toward the settlement of certain disputes and problems which could have as effect the lessening of tensions in international relations and which could create an atmosphere leading to a better understanding and co-operation among peoples and States.

102. If the problem were presented only in its general aspect, which has been known for a long time, it would be sufficient for the delegation of the People's Republic of Bulgaria to reiterate and confirm the position of its Government as often expressed here quite clearly and unequivocally. My country has always been in favour of the immediate restoration of the lawful rights of the People's Republic of China in the United Nations, which means that the Chiang Kai-shek clique, illegally occupying its place must go.

103. Whenever the problem of the representation of China is raised, the United States delegation comes forward with a so-called substantive documentation whereby it endeavours to prove that the People's Republic of China is not qualified to be a Member of the United Nations. Thus it has raised innumerable obstacles. It has also requested that the decision on the restoration of the rights of China in the United Nations be voted on by a two-thirds majority, as though this were a political recommendation or a recommendation to admit of a new member.

104. Its argument in opposing the restoration of the lawful rights of the People's Republic of China generally consisted of *clichés* borrowed from the arsenal of the cold war, designed to present the People's Republic of China in an unfavourable light and thus prove that it does not deserve United Nations membership, whereas it is perfectly clear and known to all that in this case it is not a question of the admission of a new member but of deciding who represents China and who is the permanent member of the Security Council.

105. It is clear that it is the People's Republic of China with its more than 700 million inhabitants that represents China and not the Chiang Kai-shek clique. If the latter were not maintained and supported by the United States, at the instigation of certain imperialist circles which are influential in this country, it could not have remained for a single instant on the Chinese soil which it has illegally occupied for many long years on account of precisely those imperialist circles.

106. This reality has already become felt in international public opinion, and it is finding increasingly open

expression in certain American circles and information media. Public opinion in the United States is growing more aware that this state of affairs cannot last very long.

107. As these changes occur in world and American public opinion, the procedure followed by the United States delegation seems to seek to adjust itself to this new situation; this is a sign of the times. At present the argument consists rather in avoiding any concentration on a decision as to whether the People's Republic of China is qualified or not to be a Member of the United Nations. Moreover, the question could not be raised in this way and the American delegation was certainly the first to know it.

108. In his statement at the first meeting devoted to the discussion of the question of the restoration of the lawful rights of the People's Republic of China the other day, the representative of the United States declared—and I hope I shall be forgiven this lengthy quotation:

“ . . . the People's Republic of China is a reality that cannot be ignored. Indeed that is so. And I do not believe that any of us here today, or any of the Governments that we represent, ignore that reality. As far as the United States is concerned, as most are aware, we have actively sought to move from an era of confrontation to an era of negotiation. Representatives of my Government have met with representatives of the People's Republic of China twice this year and we would have met more often had Peking been willing to do so. And my Government has taken a number of concrete actions—actions for which we neither proposed nor anticipated a *quid pro quo*—to ease relations between us. The fact of the matter is that the United States is as interested as any in this room to see the People's Republic of China play a constructive role in the family of nations. All of us are mindful of the industry, talents and achievements of the great people who live in that ancient cradle of civilization.” [1902nd meeting, para.88.]

109. This statement sounds quite different from the tirades against the People's Republic of China to which we have become accustomed in the past from the United States delegation. The United States needed more than 20 years to become aware of the reality of things, as to who is the real representative of China, and it is still, with reticence, seeking to place obstacles in the way of the solution of this question, just as 16 years were needed, after the October Revolution of 1917, for it to become aware of the reality of the existence of the Soviet Union.

110. Having glanced at this statement, it would appear at first sight that the United States has finally decided to take note of reality, to eliminate all the barriers which were previously placed in the way of the restoration of the lawful rights of the People's Republic of China, and that it would even be prepared to contribute to taking the necessary measures for that purpose. And yet to expect such a total change on

the part of the United States would be to reveal a lack of knowledge of the nefarious influence exercised by certain influential imperialist circles which have so far inspired the policy and the attitude of the United States on this question.

111. The United States delegation does not, it appears, consent to recognize these positive qualifications of the People's Republic of China except for the sole purpose of using another procedure which seems to it to be better adjusted to the present situation—at least it believes that it can think so—in order to make it more impossible for still some time yet to have the co-operation of that great country, the People's Republic of China, with our world organization.

112. The argument used this time by the representative of the United States to oppose the restoration of the lawful rights of the People's Republic of China is calculated to impress the small and medium-sized States. How, he asked, is it possible that a State can have the right to impose its own conditions to become a Member of the United Nations? The representative of the United States stated:

“Neither in the Charter nor in any resolution is it written that a State may say ‘We will join, but only if you expel Member X’.” [Ibid., para. 89.]

And then he is astonished to see that even those who are in favour of the principle of universality of the Organization—and it must be recalled that the United States has done everything to oppose universality—can vote in such a manner so as to exclude from the Organization—and here I am using his own expression: “. . . a Government which effectively governs 14 million people” [ibid., para. 90] and which, according to him, has been a Member of the United Nations since its foundation. Nevertheless, the representative of the United States deliberately forgot to mention that it is a so-called government which, with the complicity of the United States, occupies a permanent seat in the Security Council. For it might make an unfortunate impression on those who stopped to think that a country with 14 million people has a permanent seat on the Security Council. But the adjectives used by the representative of the United States to describe the so-called government to which he was referring do not apply to the Government of China. The latter indeed is not a country with a population of 14 million inhabitants but one with a population exceeding 700 million. It is also that China which was a founding Member of the United Nations and a permanent member of the Security Council and not the Chiang Kai-shek clique.

113. The entire United States argumentation is designed to highlight the old two-Chinas thesis, which was developed some time ago in the United Nations by others and which the delegation of the United States knows perfectly well China and the Chinese people cannot, and will never accept. This is a manoeuvre for withdrawal, whereby the United States is endeavouring to save face when confronted with the inevitable solution which is appearing on the horizon:

the restoration of the lawful rights of the People's Republic of China in the United Nations, and the corollary, which is likewise inevitable, the expulsion of the Chiang Kai-shek clique.

114. The latter cannot be considered to be a Member of the United Nations, and therefore it is not a question of excluding it. It was as a result of a fraudulent operation, the largest of the century, that the Taiwan clique was presented here as a Member of the United Nations. The promoter of this fraud was none other than the United States Government, with the support of some of its allies, of course. Now that world public opinion is becoming increasingly aware of the grave consequences which the continuation of this fraud might have for international relations, for peace and security throughout the world, the United States delegation seeks to make us believe that to suppress the fraud is tantamount to excluding a Member from the United Nations. But that delegation knows perfectly well that that is not so. It deliberately tries to lead into error the delegations of other Member States in order to make them participate in the prolongation of this enormous falsehood.

115. It is a dangerous game for the United Nations and for world peace to continue to maintain this clique by fraudulent methods in the place reserved for the Government of a great country: China.

116. Delegations which might be tempted to be seduced once again by the arguments of the United States representative should bear in mind that they would assume a heavy responsibility, a historical

responsibility, if they were to become the instrument for the continuation of this fraud in the United Nations.

117. The delegation of the People's Republic of Bulgaria, as in the past, will vote against the draft resolution submitted by the United States and certain other countries [A/L.599 and Add.1], which would make the question of the restoration of the lawful rights of the People's Republic of China an important question, which would therefore require a two-thirds majority, thus barring the way to the restoration of the rights of China. This is one of the procedures by which the United States delegation seeks, as we have said, to deny to the delegation of the People's Republic of China the right to occupy its legitimate place among the other countries of the international community. To vote for such a draft resolution would be tantamount to voting in favour of the prolongation of the falsehood perpetrated in the United Nations concerning the seat of the People's Republic of China and the restoration of its lawful rights. It is with a full knowledge of the situation that Member States should pronounce themselves on this question and vote against this draft resolution.

118. At the same time our delegation will support the draft resolution contained in document A/L.605, which calls for the restoration of the lawful rights of the People's Republic of China immediately and which would have as a consequence and effect the end of the occupation by fraudulent means of the seat of China in the United Nations by a clique which does not represent the Chinese people.

The meeting rose at 12.25 p.m.