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President: Mr. Mongi SLIM (Tunisia).

AGENDA ITEMS 90 AND 91

Question of the representation of China in the United Nations (*continued*)

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

1. Mr. KOIRALA (Nepal): Although the "Question of the Representation of China in the United Nations" is an item on our agenda for the first time this year, the subject has come up for consideration virtually each year for the last twelve years. In the past, deliberations were conducted with a view to deciding whether or not the General Assembly should consider the item at all, and although statements often tended to cover substantive aspects of the question, the Assembly was never able to take any action or make any recommendations. At this session, however, as a result of a modification of the attitude adopted by several Member States, the Assembly is able to consider the question fully with a view to making recommendations and taking such action as it sees fit.

2. As we are all aware, this sixteenth session commenced its work in the wake of sorrow and in a pessimistic atmosphere. Fortunately, under your able guidance, Mr. President, we have been able to make some striking progress, and on the eve of the closure of the session, we can look forward to return home with renewed hope and confidence. Some of the more significant achievements of this session have been made on the question of the testing of nuclear and thermonuclear weapons and on the question of disarmament. The parties principally concerned have reached a large measure of agreement on the principles which should guide negotiations on any plan for general and complete disarmament. We have also been pleased to note the agreement among the great Powers on the use of outer space, and the unanimity in the First Committee on this item. These accomplishments augur well for a hopeful future. My delegation believes that a successful solution of the item under discussion, the question of the representation of China, would in the same way bring about a greater measure of confidence to the world's hope for peace.

3. Nepal has a common border of more than 500 miles with the People's Republic of China and we have recently concluded a boundary treaty, one of the preambular paragraphs of which states:

"Noting with satisfaction that the friendly relations between the two countries have undergone further development since the establishment of diplomatic relations between the two countries and that the two parties have, in accordance with the Five Principles of Peaceful Co-existence and in a spirit of fairness, reasonableness, mutual understanding and accommodation smoothly achieved a over-all settlement of the boundary question between the two countries through friendly consultations."^{1/}

4. Our relations with the Central People's Government of the People's Republic of China are very friendly, as they have always been. In addition to the Government of Nepal, the Governments of many other countries in Asia, Africa and Europe maintain diplomatic relations with the Government of the People's Republic of China. I might add that our own diplomatic contacts with that country are of no recent origin, since they have existed since the seventh century; our cultural and religious ties are much older still, dating back to a century before Christ. Throughout the history of our diplomatic relations with that land, there have been many changes in its form of government, and my country has recognized and dealt with all of them. I mention this because we have always believed that we should deal with a State and not with the form of the government or of the ideology on which it was or is based.

5. We all know that the Governments of many Member States have undergone radical changes, in form as well as in ideology, since they were first admitted to the United Nations; but none of these countries has been asked to relinquish its membership in the Organization or to submit a new application. Some of them are among us today under a different name from the one under which they were admitted originally. This is one of the basic precepts of international law. In this connexion I should like to quote a few lines which appeared in August of this year in *The Juridical Review*, the journal of law of the Scottish Universities:

"It is a well-established principle of international law that a change in headship, or the government, or the territory of a State, even if achieved by a revolution, does not affect its legal identity. Moreover, the practice of Governments, particularly frequent since World War II, does not support the assertion that a change in the name of an old state terminates its legal existence."

6. Why, then, should we treat the question of China in a totally different manner? Permit me to quote a passage from yet another article, which appeared in

^{1/} Border Treaty between China and Nepal signed on 5 October 1961.

the Political Science Quarterly published by the Academy of Political Science [of Columbia University] in September, 1961:

"In international law, a state has the right to change its name. The Charter (of the United Nations) does not restrict this right, even with respect to a permanent member of the Security Council mentioned under a definite name in Article 23 of the Charter. The mere change of title, therefore, does not necessarily... create the status of a non-member of the United Nations whose admission might be subject to veto in the Security Council."

7. China has virtually been denied the rights and privileges which have been granted to other Member States whose names or governments have changed since they were first admitted. How can we accept two totally different interpretations of the principles of the Charter and two conflicting applications of the rules of procedure? It might have been understandable to us if the other States had been denied continuation of their membership on the same ground, but we cannot accept this single exception. I wish to make it quite clear that we are not asking that these other States should be unseated; we are merely asking that we be consistent in our judgement.

8. Since Nepal became a Member of the United Nations, my delegation has made itself very clear on this question. I am afraid that whatever I might say here on behalf of His Majesty's Government in Nepal would be mostly a repetition and reiteration of Nepal's position as expressed at previous sessions of the General Assembly. Speaking on this subject during the fourteenth session, my delegation stated:

"Let us be clear in our minds. This is not the question of the admission of a new Member State. China is a founding Member of the United Nations and a permanent member of the Security Council, having the primary responsibility for the maintenance of international peace and security. The Charter clearly states in Article 3 that the Members of the United Nations shall be States, thereby making it quite obvious that membership in the United Nations has nothing to do with any particular Government which might have been in authority at any particular time. My contention is that only a Government that has effective control in the territory of a State can represent it in the world body. From all evidence it has become clear that the Central People's Government of the People's Republic of China is the only Government whose sway extends over the entire Chinese mainland." [800th plenary meeting, para. 76.]

9. Many countries which in the past did not favour the admission of the People's Republic of China have now seen fit to support steps aimed at recognizing its importance in the United Nations. Many countries, like my own, have always favoured the representation of the People's Republic of China. Some of us had hoped, perhaps wishfully, that some miracle would take place and that this thorny question would solve itself. But though much water has flowed down the East River in the past decade, this issue is no less challenging. Year after year resolutions have been adopted by the Assembly to postpone consideration of this item, thereby denying the possibility of recognition to the People's Republic of China. However, the trend in the Assembly on this matter can be seen from the pattern of voting since 1951, when the Assembly first voted to shelve discussion of the item. The figures clearly show that

the consensus of world public opinion, as reflected in this house, has increasingly favoured discussion of this item, while support for the traditional policy of shelving discussion of the item has diminished every year. Now, for the first time, we are openly discussing this item, and in our opinion, this should be a clear indication to those who still wish to perpetuate a policy of isolating the People's Republic of China that they will not be able to do so for so much longer.

10. It has been said that the People's Republic of China has never applied for membership in the Organization. However, I might point out that we are not dealing with the application of a new Member. This is a question of credentials, a question of who should speak on behalf of the lawful government of a country that is one of the founding Members of the United Nations. From the very beginning, the People's Republic of China has protested its lack of representation among us, and this protest has been reiterated on several occasions. Unfortunately, this protest has never been heard by the Assembly because of the repeated postponement of the discussion of this item. But now we are in a position to take note of this protest and to do something about righting a wrong of long standing.

11. There are many reasons why we must have among us here the representatives of the People's Republic of China. We cannot expect the Central People's Government to sit back and listen to what we do here and abide by the decisions we take if they are not permitted to have a voice in our deliberations. The strength of the People's Republic of China and its influence on international relations has been growing steadily, and we can expect it to continue to grow in the future. As we look forward to resumed negotiations on disarmament and on the suspension of nuclear and thermo-nuclear tests, we must look forward also to the inclusion of the People's Republic of China in such negotiations, for though no Member State can be compelled to abide by the recommendations of the General Assembly, or for that matter, any of the other organs of the United Nations, every Member State is subject to the moral pressure of the United Nations and the world public opinion which it generates.

12. There is another reason why the Central People's Government of the People's Republic of China must be admitted to the United Nations. In order to solve any of the problems which confront Asia, China must be properly seated at the respective conferences. No effective solutions can be expected without the active co-operation of the People's Republic of China which represents the largest land area and the largest population. This is true, despite whatever isolationist policy may be followed on a bilateral basis between China and another nation, for on problems affecting the whole of Asia, China must be included.

13. We have heard the argument that Taiwan is a state in exile, and that the Government in Taiwan is acting as the Government in exile. It has been said that the Governments of many countries have been forced into exile during a period of war. But my delegation contends that such a state of war does not exist at present, and this reasoning cannot be applied to the present situation. How can we admit a state of emergency when the situation has not changed at all over ten years? Even if it were conceded that this is a state of emergency and that a state of war does exist, it could not be maintained that the People's Republic of China is the aggressor. It is the Government operating

on Taiwan that would have to be labelled as the aggressor, and consideration would have to be given to this aspect of the case as well.

14. We cannot solve the world's problems in general and Asia's problems in particular by ignoring a Power that exercises great influence on world public opinion and international relations. Any lasting settlement for peace and the relaxation of international tensions, and any hope for strengthening the United Nations and enhancing its international character, will have to include the Central People's Government of the People's Republic of China, and my delegation hopes that we can look forward to the early recognition of this fact by the Assembly.

15. Before concluding, I would like to say just a few words regarding the attitude of the United States Government on this question. In times of stress and tension, and in the wake of war, the United States has always taken a strong lead on the road to peace. It was the United States which, after the First World War, paved the way for the League of Nations, and it was the United States that played a leading role in the formation of the United Nations. All the freedom-loving nations of the world continue to look to the United States, among others, for guidance and inspiration in the conclusion of a lasting settlement for peace in the world. Our Burmese colleague has gone so far as to quote the words of the United States representatives on the question, indicating that even the respected statesmen of this great Power seek a lasting solution to the problem of Chinese representation here and accept the reality as it is today. Can we hope that these words will soon be translated into action, and that the solution of the proper representation of China will become the newest measure of peace in our world, as expressed through this world Organization?

16. Regarding the draft resolutions that are now before us, I would like to comment on them just briefly. My delegation cannot support the five-Power draft contained in document A/L.372, which seeks to have the Assembly consider the representation of China an important question. In view of the fact that China is already a Member of the United Nations, this matter merely concerns the credentials of those who seek to represent China, as I have already stated, and therefore this is not an important question in itself. My delegation will therefore vote against this resolution. Regarding the draft resolution contained in document A/L.360, we entirely agree with the substance and purpose of the draft, though we would have preferred some changes in the wording.

17. Mr. KISELEV (Byelorussian Soviet Socialist Republic) (translated from Russian): The delegation of the Byelorussian Soviet Socialist Republic has for the last ten years, at all the sessions of the General Assembly, been categorically insisting on the immediate restoration of the lawful rights of the People's Republic of China in the United Nations, since the Government of the People's Republic of China is the lawful Government representing the great Chinese people. However, despite all common sense, at every session of the Assembly there has been a regular repetition of the shameful farce whereby the unreasonable policy of one State has deprived our Organization of the possibility of adopting the only correct decision—to recognize that the Government of the People's Republic of China, and it alone, can represent the great Chinese people on the international scene.

18. The question of restoring the lawful rights of the People's Republic of China in the United Nations is an international problem of vital importance. The situation cannot be regarded as normal when great China, with a population representing one quarter that of the globe, remains outside the United Nations and is artificially and illegally deprived of participation in United Nations activities.

19. The question naturally arises: who is to blame for such a situation, who is opposing the admission to the United Nations of the People's Republic of China, and who is resisting the immediate ejection from the United Nations of people who represent nobody but have been installed in the seat that belongs by right to the People's Republic of China? World opinion demands a reply to these questions.

20. It is quite obvious that the chief culprit in this situation is the United States of America, which is stubbornly pursuing an aggressive foreign policy with regard to the People's Republic of China, a policy fraught with danger for world peace. Reckless dreams of destroying the People's Republic of China, whose domestic and foreign policy does not please it, are clear evidence to the peoples of the world that the leaders of the Wall Street financial oligarchy aim to impose on all the peoples of Asia and Africa, by any means to hand, the domination of United States monopolies. It still dreams of the possibility of retrieving the thousands of millions of dollars spent by it on supporting the rotten, anti-popular régime of Chiang Kai-shek. It is absolutely ridiculous to think that a State can be made out of the puppet Chiang Kai-shek and that it can be kept eternally in the United Nations. In real life, we have only one China and the part of its territory temporarily occupied by the United States—the island of Taiwan. Only the politically blind can consider that the People's Republic of China, whose population is four times that of the United States, will tolerate the existing situation and the mockery made of its sovereignty. Sooner or later, China will take its lawful seat in the United Nations and it will be one, single, great People's China.

21. This year the People's Republic of China celebrated the twelfth anniversary of its creation. In these twelve years, the People's Republic of China has become a great world Power which has to be reckoned with by all Member States of the United Nations. Under the leadership of its lawful People's Government, the Chinese people is self-sacrificingly building up a new life and strengthening the might and defences of its homeland. The people's authority has aroused, and directed into the proper channel, the energies of hundreds of millions of Chinese who were formerly exploited and oppressed by the Western imperialist Powers. The Chinese people is heroically advancing along the path of socialist construction and the energies of hundreds of millions of Chinese are working miracles. Every year the new China makes its weight felt more and more in this General Assembly hall; and today it is invisibly present among us, even though the United States refuses to notice it. The United States and the countries of the NATO, CENTO, and SEATO blocs supporting it do not want to notice this.

22. May I cite a few facts and figures showing the successes of the People's Republic of China over twelve years? The five-year plan 1958-1962 was fulfilled before the target date. In the production of steel the Republic has moved from ninth to sixth place in the world, and in coal production from fifth to second

place; while in electric power output it occupies the ninth place. In the last three years, the average annual increase in industrial production has amounted to over 40 per cent.

23. The People's Republic of China has also scored huge successes in the field of education and culture. In the last ten years, more than 200 million Chinese have been given schooling. Eight hundred new higher educational institutions, with a student enrolment exceeding 1,000,000, have been opened in the country. In the thousands of years of its history, China has never known such a large number of students. We are witnessing the gigantic steps with which the former semi-colonial, semi-feudal China is moving along the path of its progress in the economic, cultural and scientific fields. China's successes delight not only the Chinese but also the peoples of other countries. What has happened in China is one of the great miracles of our day and time. Whatever slanders the enemies of the Chinese people may heap on the People's Government, the new China has achieved huge successes and created conditions for the establishment of lasting friendship with all peoples and countries. The People's Republic of China is a striking example of how a backward and under-developed country can, by virtue of the authority of the people itself, quickly emerge from backwardness on to the broad road of all-round progress. In order somehow to justify its adventurist policy towards the People's Republic of China, the United States is constantly resorting to different kinds of fallacious inventions about it and sending them aloft, in every possible way, in the world Press. Mr. Stevenson, the United States representative, when he spoke in this Hall on 1 December last [1069th meeting], described the People's Republic of China as an aggressive State threatening other countries and peoples.

24. Many of those who spoke after Mr. Stevenson—and more especially Mr. Malalasekera, the representative of Ceylon [1070th meeting]—convincingly showed the Assembly that Mr. Stevenson's so-called argument does not stand up to criticism at all. We were greatly disappointed to hear Mr. Stevenson, a statesman who represents the greatest Power in the Western world, uttering from this Assembly rostrum, in justification of the negative and unrealistic attitude of the United States towards restoration of the lawful rights of the People's Republic of China in the United Nations, nothing but incorrect assertions. What, for instance, is the value of Mr. Stevenson's statement that that Republic is a bellicose Power? Has the People's Republic of China attacked Suez or Bizerta, waged war in Angola, or pursued a policy of apartheid? The Government of the People's Republic of China has not sent a single soldier to any country and has not created a single military base abroad, still less occupied even a single square foot of another country's soil.

25. The People's Republic of China is being subjected to aggression; its territory—the island of Taiwan—is occupied by the United States. The United States has stationed its troops, amounting to more than 1,000,000 men, on foreign territories thousands of miles from its shores. Many of the United States foreign military bases—and there are more than a hundred of them—are directed against the People's Republic of China.

26. The United States is constantly organizing, on the borders of the People's Republic of China, every kind of military provocation. United States warships and military aircraft systematically violate the territorial

waters and air space of the People's Republic of China. In the last two years the United States of America has carried out thirty-eight large-scale military manoeuvres in the Far East, including fourteen in the area of Taiwan and the Taiwan Strait and it makes no secret of the fact that these manoeuvres are directed against the People's Republic of China. The Government of China has given the United States several dozen warnings about the latter's military provocations. Does that not show great patience on the part of the Government of the People's Republic of China? The United States Seventh Fleet is being used for the occupation of Taiwan, for the support of the Chiang-Kai-shek clique. It is common knowledge that the Chiang Kai-shek people who sit here have no backing from the Chinese people. It was the bayonets of the United States army of occupation and the warships and aircraft of the United States Seventh Fleet which brought them into this hall. Is it not time then, gentlemen, to sweep these military arguments advanced by the United States out of this United Nations hall?

27. The Chinese people earnestly wants peace and is striving to create a peaceful atmosphere, so as to be able to concentrate all its energies on peaceful construction. The Government of the People's Republic of China reflecting the will of the people, has put forward a number of peace proposals which were warmly supported by the peace-loving States and peoples of the whole world. People's China warmly supports proposals for general and complete disarmament; it has taken initial steps to get a peace pact concluded between the countries of the Asian and Pacific Ocean area, and to transform that area into a denuclearized zone. The Government of People's China, in its relations with other countries and more especially with the States of Asia and Africa, bases itself on the well-known five principles of peaceful coexistence. In recent years friendly relations, and also economic and cultural exchanges, have been particularly successfully developed with the countries of Asia, Africa and Latin America. At the present time the People's Republic of China has diplomatic relations with more than forty States in the world. In a relatively short period, close links have been established with twenty States in Africa and Latin America. The authority of the new China is steadily increasing.

28. The Government of People's China is firmly convinced that any of the complicated questions of inter-State relations which have been left behind by history, or more accurately by the colonizers, can be sensibly settled on the basis of friendly negotiations. Evidence of this is the signature, early this year, of a Treaty of Friendship and Non-Aggression between China and Burma, to which reference was made by the representative of Burma; the agreement between China and Burma on the question of the border between the two countries; and the conclusion of a Treaty of Peace and Friendship between People's China and Nepal, which has just been mentioned by the Nepalese representative who spoke before me, as well as the signature of an agreement between them on the border question. A good beginning has been made regarding the repatriation of Chinese citizens from Indonesia. In this context, the People's Republic of China and Indonesia have concluded an agreement on the status of persons with dual nationality. These instruments are a fresh example of the friendship and solidarity that prevail between the countries of Asia and are an important victory for the five principles of peaceful coexistence. I would like, if I may, to express my belief that progress will

be made also in organizing friendly negotiations between the People's Republic of China and India on the contentious border question left behind by history and by the British colonizers.

29. Thus, the fables about the "aggressiveness" of the new China vanish into thin air like soap-bubbles. They are needed by the United States Government in order to prevent in every way possible the settlement of unresolved international problems, to hinder in every possible manner the process of improving mutual relations between States, to poison the international political atmosphere and to pursue the exploitation of the "cold war" policy. The leaders of United States foreign policy know full well that time is working not for them but against them. The voices of many countries and of world opinion are heard more and more loudly demanding that an end be put to an historical injustice and that the lawful rights of the Chinese people, in the United Nations, and in all its organs, be restored.

30. I must place on record the fact that recent years have seen a considerable increase in the number of votes cast in favour of restoring the rights of the People's Republic of China in the United Nations, despite the campaigns of lies, intensively fanned by the Western Press against the Republic. In 1954 the number of States supporting the People's Republic of China was twelve; in 1960 it was no less than thirty-four. These States represent more than 2,000 million people, that is, the majority of the world's population; and their territory represents the larger half of the territory of our planet. Thus the United Nations, which was intended to be a world-wide Organization and the embodiment of legality and justice, is now in fact defying the will of the majority of mankind. Is it not time for those States which are still trying to prevent the People's Republic of China from entering into its lawful rights to look truth in the face and do today what they will be forced to do tomorrow? Even those who vote against restoring the rights of the People's Republic of China in the United Nations realize full well that their attitude makes no sense and that life urgently demands the presence of the real representatives of the Chinese people in the United Nations and any other international forum.

31. Last year, at the fifteenth session of the General Assembly, in the vote taken [895th meeting] on the Soviet Union's proposal to discuss the question of China's representation in the United Nations, twenty-six States abstained, including fifteen African countries. Basing itself on the higher interests of all humanity and on the interest of consolidating the United Nations, the delegation of the Byelorussian SSR ventures to appeal to the representatives of these States to reconsider their position and change their vote to one in favour of the People's Republic of China. The complexity of the present international situation, the crises that follow upon each other in the international sphere, the struggle to remove the last traces of the colonial system, and the problems of the successful all-round development of the less developed countries—all this requires the presence of the People's Republic of China in the United Nations.

32. The attempt of certain delegations to find a solution in the policy of "two Chinas" will merely result in their passing from one impasse into another. In actual fact, there is only one China in the world—the People's Republic of China—and Taiwan is an inalienable part of Chinese territory, not a State. As the

"second China" the authors of this "theory" try to pass off the anti-popular Chiang Kai-shek clique which has entrenched itself on the Chinese island of Taiwan under the protection of its United States bosses. Everyone knows that the Government of the People's Republic of China has more than once firmly declared that it does not recognize the existence of "two Chinas" and will, therefore, never agree to sit in the United Nations along with the Chiang Kai-shek people.

33. Representatives of many countries have already spoken in the discussion of the question before us. The States members of the Western military blocs naturally support the unrealistic attitude of the United States. This is no new phenomenon, and it does not surprise us. My delegation was, however, surprised to hear the speech of the representative of Nigeria, Mr. Wachuku, who spoke essentially as a defender of the United States policy against the People's Republic of China, for it is quite obvious that recognizing "rights" of any kind for the Chiang Kai-shek clique means defending the illegal occupation by the United States armed forces of the Chinese island of Taiwan. With a naïveté that is not typical of him, Mr. Wachuku asked the following question:

"Has there been any application to the Secretariat or to the President of the General Assembly by the People's Republic of China claiming these lawful rights?" [1071st meeting, paragraph 69.]

34. I can say that there was no such application and that there will be none, seeing that the People's Republic of China is already a Member of the United Nations. To talk of it making some kind of application for admission is tantamount to standing history on its head and deliberately refusing to recognize the obvious realities of the situation. Everyone knows of the long and bloody struggle waged by the Chinese people against the colonizers. In defeating the colonizers and imperialists on its own territory, the great Chinese people greatly speeded up the liberation of the formerly enslaved peoples of Asia and Africa. It is not surprising that the colonizers pursue a hostile policy towards the People's Republic of China. It is not surprising that in speaking from this rostrum and reckoning evidently on the inexperience of the representatives of the new States in whose votes they are interested, they seek in a most barefaced manner to slander People's China. Using the United Nations forum for these dirty purposes, they at the same time hide cravenly behind the backs of their subservient majority, fearing that restoration of the lawful rights of the People's Republic of China in the United Nations would enable the Chinese people's representatives to give them the rebuff they deserve. They are afraid that the truth about events in China will be uttered by the representative of the real Government of China from the platform of the United Nations.

35. The representative of Nigeria and some other representatives of the young African States cannot fail to remark that their statements supporting the unjust policy applied to the People's Republic of China evoke applause only from the group of delegations most hostile to that Republic, including all the representatives of the colonial Powers. Yet they themselves belong to what formerly were colonial peoples.

36. The United States and its allies are now trying their utmost to frighten the Assembly with the so-called "aggressiveness" of the People's Republic of China. They are boosting so barefacedly this bogey of theirs—the so-called "Chinese menace"—chiefly for

the benefit of the African States, that this very fact convincingly shows how squalid their tricks are.

37. The speeches of the representatives of a number of States which were themselves not long ago colonies, made in support of this aggressive policy vis-a-vis of the Chinese people, oblige us to assume that those representatives are compelled to talk with another person's voice. It is not their voice. We are deeply convinced that this attitude of theirs will not be understood or supported by world opinion. Above all, it will be decisively condemned by the great Chinese people, which is well able to discern who are its friends and who its foes.

38. At the present time, it is not only the representatives of most of the neutralist countries of Asia, Africa and Latin America who advocate improving relations with the People's Republic of China, but also many public leaders and representatives of American public opinion. Let me cite some facts.

39. For example, in a speech he made at Bucknell University on 27 February 1960, Senator Clark declared that the question of China had to be solved; that time was running out for the American policy of ignoring Red China; that measures must be taken to return China to the family of nations; and that he was convinced that, if the United States undertook to negotiate with Red China concerning unresolved questions between them, it would contribute to serving the real interests of the United States and other countries.

40. We consider this to be a really sensible approach to the solution of such an important question as that of the representation of the People's Republic of China in the United Nations.

41. The question of the attitude to be adopted towards the People's Republic of China played a large part in the domestic life of the United States in connexion with the Presidential election campaign of 1960. In addressing the students of Stanford University on 12 February 1960, Senator Kennedy, now President of the United States, said that it was senseless to refuse to recognize "Red China" simply because it was a communist State. Again, in a television discussion between Mr. Nixon and Mr. Kennedy on 7 December 1960, the latter said that in 1952 there were only seven votes in favour of the admission of "Red China" to the United Nations; that last year there were twenty-nine; and that next time, in a preliminary vote, there would be a consolidation of that position or something like it.

42. It is characteristic that Mr. Kennedy was advocating, to some extent, a more flexible policy on this question. A similar point of view was expressed at the time by Mr. Stevenson, Mr. Humphrey and a number of other prominent leaders in the United States. However, the old negative attitude towards the People's Republic of China adopted by the United States at the current session of the United Nations General Assembly is not in line with some of the sensible statements made by American politicians during the election campaign.

43. Let me cite also the following fact. In the middle of September 1961 the Inter-Parliamentary Union held its fiftieth conference at Brussels, with the participation of 530 members of parliament from fifty-one countries of the West, the East and non-aligned States. This conference came out in favour of restoring the rights of the People's Republic of China in the United Nations, in order that the United Nations should become universal.

44. In their stubbornly spiteful attitude towards the State and social system of the People's Republic of China, ruling circles in the United States have set themselves in opposition to American public opinion and the majority of mankind and are forcibly imposing their will on countries dependent on them. They are pursuing a policy that is incompatible with the United Nations Charter and are seeking to distort this instrument for their own selfish aims. Such a state of things cannot continue for long.

45. In a speech here, pronounced on 1 December, the United States representative took the line, substantially, of reiterating the most tendentious trumped-up stories about the historical development of the Chinese revolution and China's present-day policy. The representative of Ceylon, Mr. Malalasekera, in his extremely logical speech was quite right in saying that, in actual fact:

"The United States is fighting not against a régime but against the Chinese people".

46. The Chinese people stands firmly on the side of its Government. This has been stated, more than once, even by nationals of Western countries who have travelled in People's China.

47. In September last, for instance, a book was published in San Francisco, written by Felix Greene and entitled Awakened China. The author travelled in China at the end of 1960; and here is what he writes, if you will allow me to quote:

"A Chinese peasant or worker says he is freer today than he has ever been in his life. He... is free to eat, and not to starve; he is free of the landlord and the moneylender; he is free to learn to read and write... when [his children are] ill, there is a doctor who can help to make them well; he is free to look at the future with hope and not with despair."

That is a true report of what is going on in the People's Republic of China and of the attitude of the Chinese people to these events. There you have statements which show how impossible it is to ignore so enormous a country as China. Such expressions of opinion tear apart the web of lies in which the United States has, for years past, assiduously enveloped the truth about People's China. I could quote similar views expressed by public and private leaders of thought in Brazil, Canada, Australia, Japan and other countries.

48. The fact that many allies of the United States are still following American policy as regards the People's Republic of China is principally due to the obligations which they have assumed under military bloc agreements and to their economic dependence on American capital. Many other countries abstain only at the behest of the United States from establishing normal relations with the People's Republic of China.

49. The question of China's representation is absolutely clear. Immediate steps must be taken to restore in the United Nations the lawful rights of the People's Republic of China. The United Nations needs representatives who represent the real authority established by the Chinese people. It is to the interest of the United Nations forthwith to expel from the Organization the private individuals who have been given the seats that of right belong to the People's Republic of China. We cannot delay, since to do so would be dangerous for the future of the United Nations. The experience of the last twelve years has fully confirmed the need for restoring the lawful rights of the People's Republic

of China in the United Nations. All other proposals are aimed at deferring yet further the solution of this problem and maintaining the existence of the Chiang Kai-shek clique in the United Nations.

50. Over the last twelve years the United States Government has continued to recognize the Chiang Kai-shek clique which has handed over the island of Taiwan to be despoiled and exploited by foreign monopolies. Year after year, the head of the United States delegation has come to this same rostrum and tried to assure the United Nations Assembly that the Kuomintang clique, which has sought shelter on the island of Taiwan under the protection of the United States armed forces, is the government of all China. Nothing could be further from the truth than such an assertion. At the current Assembly session the representative of the "new" United States Administration, Mr. Stevenson, has tried once again to prove that the Chiang Kai-shek clique, sheltering under the wing of the United States armed forces, is the government of China.

51. When, if I may say so, the Government of a great Power loses a sense of reality in international relations, the whole of mankind is endangered. What after all, in the final analysis, is the consequence of the attitude adopted by the United States towards the People's Republic of China? It is this: United States monopoly capital is unwilling to reconcile itself to the loss of the thousands of millions of dollars it has spent on carrying out its colonialist schemes in regard to China, or to lose the great privileges it possessed when China was a semi-colonial country.

52. No Government in the world can impose on present-day China, the People's Republic of China, the inequitable economic, commercial or political agreements in which China was enmeshed in the past. The one-sided agreements with China came to an end in 1949, when the State régime which had allied itself with international colonialism finally collapsed and the People's Republic of China, a State constructing socialism, was formed.

53. In the aggregate, together with 650 million Chinese, one thousand million people inhabiting the States of the socialist camp are following the path of socialism. Socialism has taken firm root in our planet. Socialism is already capable of building space-ships. Gagarin and Titov flew round the Earth in a few dozen minutes, yet the United States Government has for twelve years now been unable to bring itself to recognize what is a fact in the world—the sovereignty and socialist régime of the People's Republic of China.

54. This last summer, United States Congressmen adopted a resolution calling for non-recognition of the People's Republic of China and its non-admission to the United Nations. That resolution testifies merely to the die-hard and politically short-sighted attitude of statesmen who persist in a hopeless policy vis-à-vis of the People's Republic of China.

55. Whatever slips of paper United States Senators may emit, they will be unable to change the objective laws of history. There are in the world two different socio-economic systems between which there can be either peaceful coexistence or a thermo-nuclear collision. There is no third alternative.

56. World opinion demands a sensible solution of the problem—namely, restoration of the lawful rights of the People's Republic of China in the United Nations. Yet, after twelve years of short-sighted policy, the

United States has failed to find a sensible answer. If the General Assembly follows the lead of the United States Senators and again uses a mechanical majority to confirm the negative and mistaken attitude assumed towards the People's Republic of China, another serious blow will be dealt to the cause of solving the important international problems that face the United Nations.

57. The United States, together with Colombia, Australia, Italy and Japan, has tabled a draft resolution [A/L.372] in which it is sought to prove that the question of changing the representation of China is an important procedural problem.

58. Why is this being done? The United States wants to secure a majority of votes in support of its unrealistic position. The question of the representation of the People's Republic of China is important in this sense, that its solution would help to strengthen the United Nations and the cause of world peace. From the procedural standpoint, it is a simple question.

59. What is needed is to expel the Chiang Kai-shek group that has already been rejected by the people of China, and to invite the real representatives of the Chinese people to take their seats in this hall.

60. As we know, in order to decide questions of procedure an ordinary, simple majority of votes is required—not a two-thirds majority, as suggested by the sponsors of the resolution. The delegation of the Byelorussian SSR categorically objects to, and will vote against, this draft resolution. We appeal to the General Assembly delegations not to support the diplomatic manoeuvres of the United States but to speak out immediately in favour of restoring the lawful rights of the People's Republic of China in the United Nations. The peoples of the whole world, taking their stand for world-wide peace, expect the Assembly to adopt an affirmative decision on this question at this present session.

61. The delegation of the Byelorussian SSR warmly supports the draft resolution of the Soviet Union [A/L.360] concerning the restoration of the lawful rights of the People's Republic of China in the United Nations, and will vote for that resolution.

Mr. Quaison-Sackey (Ghana), Vice-President, took the Chair.

62. Mr. COLLIER (Sierra Leone): The question of the representation of China in the United Nations, which we are now debating, is undoubtedly one of the most difficult matters that this Organization has been called upon to consider since its inception.

63. There are before us two items which basically deal with the same matter of Chinese representation in this Assembly. It would be a great pity if Members took this opportunity to fan the flame of their ideological warfare in the way with which this Assembly is all too familiar. It would serve no useful purpose, if this opportunity is seized, to bandy words of accusation around as to why this problem is still defying solution, pronounce condemnations and apportion blame.

64. The cardinal aim of this Organization is to remove the causes of war and to create an atmosphere in which peaceful negotiations can be conducted with due and proper regard for the interests of all concerned. Let me appeal to all delegations assembled here to approach this matter with this purpose in mind. Let

us consider this as a situation which has assumed all the dimensions of a great problem.

65. Because of its history and the passions involved it is not one of those problems that call for a quick and dramatic solution. It must be recognized that serious difficulties may arise if a resolution is passed without proper regard for the strong sentiments of certain Members and without a genuine attempt at frank discussion and a willingness for compromise. Yet this should not deter us from making a bold attempt to look at the facts squarely, however much we do not like what we see.

66. What are these facts? In this Assembly we have seated a delegation of Chinese which admittedly represent the régime that was in force in China before the communist revolution in that country. But, gentlemen, there has been a revolution. Indeed, the revolution, however some may have disliked it, has solidified itself into a Government over the years. That it is a Government, would be idle to deny. The fact that the People's Republic of China has diplomatic relations with many nations represented here in this Assembly is evidence indeed of the de facto and, as some may think, de jure existence of this Government. Therefore, can we say that a new regime does not exist in China? How can we?

67. In cold defiance of these facts a delegation which is in no way representative of the 650 millions on the mainland of China has been taking the seat reserved for China all these years. Whom do they represent? The people on the mainland of China? The people on Formosa? These are some of the questions that may well be asked.

68. My delegation considers it utterly unrealistic to continue to pretend that the People's Republic of China is not a State in effective control in China. Indeed, the People's Republic of China, with its 650 millions inhabitants, is without doubt one of the greatest nations of our time; and it has every right to be treated as such.

69. What is all this talk about the People's Republic of China not being a peace-loving State? As to these attempts to cite incidents when the conduct of this State has been considered by other nations to be aggressive, are we not familiar with instances in the General Assembly and the Security Council in which Member States have been accused by others, with vigour and bitterness, of not being peace-loving, of aggressive intentions and of committing aggressive acts? Have these things ever been considered adequate reasons for excluding these accused States from membership in the United Nations? Oh, no, they are still here; and we continue to hear these accusations almost every week.

70. Then there are those objections which spring almost entirely from the fact that there is a régime in China whose existence some States find difficult to accept. They would, therefore, deny it membership in this international community mainly because of their political ideology. But can this be sufficient reason for exclusion from membership in the United Nations? Indeed, it would be a sorry day if we sat here only régimes whose political ideologies are acceptable to everyone else. Since the principle of universality has been truly entrenched in the Charter of the United Nations, which of us has the right to presume that his yardstick of what constitutes good government is necessarily right and that, unless others are willing

to pattern their own forms of government on what he considers to be acceptable, these Governments should be excluded from the United Nations?

71. It has also been argued that the People's Republic of China, if admitted, would immediately proceed to flout United Nations resolutions and to employ obstructionist tactics which would weaken and undermine the strength and prestige of this Organization. Many of us, the non-aligned nations are hopeful that this will never be so. Indeed, in spite of conflicting ideologies many nations with different political persuasions have been able to operate here under a kind of working understanding, and the United Nations remains the great Organization of our time.

72. My Government accepts the fact that there is a régime in Peking and that the Government of the People's Republic of China should be admitted to the United Nations in keeping with the best traditions of an Organization which has accepted the principle of universality as one of the foundation stones of its existence.

73. Having said this, one is still left with the problem of the Government of Nationalist China whose delegation has been occupying the seat of China all these years. Here again it would be unrealistic to ignore their claims altogether and to eject them ignominiously from an Organization in which they have contributed so fully and so vitally to all the many facets of its activities. It will be up to them to decide whether, in such an eventuality, they ought to apply for membership to represent Formosa or that section of the Chinese people over whom they could demonstrate that they have effective control. That would be their decision. But it is eminently clear to my delegation that they should not be totally abandoned because in their case the principle of universality also ought to be applied and some sort of representation should be given them in this Assembly.

74. In the view of my delegation, the best way out of this seeming dilemma will have to be found, in negotiations with the countries concerned on the basis of the acceptance of the existence of the People's Republic of China and its superior claim to the seat reserved for China in this Assembly, the recognition of the right of the Nationalist Government of China to be also represented in this Assembly, due regard being paid to the views of those, who like the United States, have championed the cause of Nationalist China up to now and who are genuinely anxious to reach a satisfactory solution in the best interests of the United Nations.

75. My delegation considers it most desirable and important that in view of the seriousness of the problem a committee should be appointed that would be charged with the responsibility of making recommendations on this matter to the General Assembly. Only in this way do we believe it possible for a peaceful solution to be reached. It is our duty and responsibility to strive in this as in many other grave matters before the United Nations so as to achieve a peaceful solution in accordance with the highest ideals of our Organization. This is the sort of problem that might well be explosive if not treated with proper caution and with a just understanding of the passions and emotions involved.

76. My delegation is confident that with proper determination to reach a satisfactory solution, and bearing in mind all the implications involved, a just understanding can be reached. Indeed, it should be reached. The principle of universality would be satisfied. Mil-

lions and millions of people in the great and illustrious land of China would have proper representation in this international community, and a great wrong would at last be righted.

77. Mr. AUGUSTE (Haiti) (translated from French): The General Assembly has before it the extremely important question proposed by the Union of Soviet Socialist Republics [A/4874], entitled "Restoration of the lawful rights of the People's Republic of China in the United Nations". This question raises a controversy which certainly creates passions—that same passion which very often prompts heroic human actions but which also, unfortunately, distorts and blinds judgement when it is not held in check.

78. Thus, to the accompaniment of sometimes bitter words and unfortunate reproaches on which we should not dwell, the General Assembly must take a stand, apropos of this question, on an international problem which is both irritating and delicate.

79. To admit a State as a Member of the United Nations is undoubtedly, in juridical parlance, to recognize it. But to restore the lawful rights of a State is simply to clothe a previous recognition in subtle or elegant terms, since obviously only that can be restored which existed in the past, as in a suit for possession or repossession.

80. Without going into further detail we see, from these few considerations, that this is a serious, important and even very important problem, especially when it has features which are unprecedented in our Organization's history and do not altogether square with legal doctrine and judicial precedents. What is asked of us is in fact a twofold juridical enormity: we are asked to expel from the United Nations the legitimate representatives of Nationalist China and to replace them with those of continental China—to decide that this is simply a restoration of the lawful rights of the latter, who undeniably represent another legal entity in public international law and hence, for our Organization, a new State.

81. But since "restoration" in this case, presupposes a resumption of relations with a Government that we had already recognized, such "restoration" concedes, by inference, that the People's Republic of China already occupied a place among us and that it is therefore merely a question of "credentials" procedure.

82. But anyone who has had any practical experience of law or any useful dealings in it knows that this thesis is absolutely false and has no legal value whatever, for the good reason that the Chinese communist State is a political body altogether different from the political body of Nationalist China, a founding Member of the United Nations. Those who have retraced the history of the Chinese revolution have clearly shown this, and in this connexion we might well ask what they have reminded us of.

83. They have reminded us of two undeniable facts: first, that the Chinese Communists revolted against the constitutional Government of Nationalist China and seized the power which they now exercise over the greater part of the territory; and secondly, that the constitutional Government of Nationalist China withdrew to Formosa, whence it continues to hold and exercise national sovereignty over the 11 million inhabitants who make up the population of that part of Chinese territory. This is the situation upon which, for the past twelve years, the partition of the great country of China has been based.

84. This résumé, which presents the position of a new Chinese State, alien and unknown to the United Nations but living in proximity to a Member of our Organization, Nationalist China, shows that in the final analysis, from the strictly juridical standpoint, the problem of China's representation in the United Nations does not exist. To pose a problem of substitution, as it is sought to do, constitutes a wholly contrived complication. We took entirely the proper course, in law and in justice, when we refused to place this matter on the agenda, since for us the new Chinese communist State is, juridically speaking a stranger.

85. It may be asked why. Because, despite the violent political upheaval which brought bloodshed and partition to China, that country's Nationalist Government has never ceased to exist and perform, internally and abroad, all acts flowing from the exercise of State sovereignty—in particular by continuing to maintain, in the United Nations, a representation which has always done it honour, from the time of the San Francisco Conference in 1945 until the present day.

86. Some, in their approach to the problem seem to confuse the nation with the State. But there is a vast difference between the two.

87. A nation is the combination in society, of the inhabitants of a given country, possessing the same language, governed by the same laws, having the same origin, physical make-up and ethical approach, and united by a long-standing community of interests and feelings and by a common existence throughout the centuries. It suggests, above all, the idea of a mass free of juridical ties. But the State is a political entity, a permanent and independent grouping of men who own a certain territory and are associated under a common authority set up to ensure for each and all, the exercise of their freedom and the enjoyment of their rights.

88. Since the State is a political association, public international law will, in accordance with its rules, recognize different kinds of State. And again because it is a political association, and hence a legal entity with clearly defined duties and rights, its birth is attendant upon certain conditions just as its disappearance is attendant upon certain causes. There are five such causes, and I must admit that I do not see one which indicates that the Chinese State represented here has ceased to exist. Indeed, in all that has been urged in an attempt to prove that, juridically, the Chinese Nationalist State no longer exists, there has never been any suggestion of its incorporation in, annexation by, or voluntary or enforced union with another State. Yet only these causes, restrictively enumerated in public international law, could be invoked, if need be, to demonstrate the extinction or disappearance—if I may so describe it—of the Nationalist Chinese State. But we know in addition that in such a circumstance, according to law and judicial precedent, it is correct to say that the lawful Government exists and that it continues and will continue to exist so long as it has not been totally absorbed by the one presuming to replace it. Thus, in application of these consistent judicial precedents, no European State, during the War of Secession, regarded the Government in Washington as divested of its authority, however regular an organization the Government of the southern Confederacy might at the time have possessed. And in the case of Chile in 1891, the European Powers continued to regard the Balmaceda Government as legitimate until the day on which it finally collapsed.

89. Thus whatever the misfortunes (according to some) or the fortunate changes (according to others) that may have overtaken or marked the Chinese nation in the division of its territory, they have not so far in any way prejudiced the existence of the Chinese Nationalist State, a political body constitutionally established on a part of the national territory, still exercising recognized sovereignty and, in that process, accrediting representatives abroad and particularly, as I have said, in the United Nations.

90. This opinion would undoubtedly be shared by those authors who maintain that material transformations which alter the extent of a nation's territory by reducing its area do not affect the existence of the State undergoing them, which still preserves its status as an international entity. The State does not, then, disappear when its territory is, for any reason, diminished. Of course, its military and economic power is affected; but this cannot in the least prevent it from being the same legal entity, with the same authority and attributes as before, or its Government from continuing to exercise sovereignty over all that part of the territory which it occupies.

91. Nevertheless, when the dismemberment of a territory results from a political and social revolution—that is, a rupture with the political body which previously exercised sovereignty over the territory's entire extent—then, in consequence of such transformation or rupture, and only in respect of the part detached, a new State is born.

92. Thus, in the past, as a result of certain dismemberments, many European States have been born; and this has also been the case, since 1949, with the new Chinese communist State set up at Peking, which, some are seeking, quite wrongly, to identify with the Nationalist Chinese State established for the past twelve years on Formosa.

93. But there is more than this slight delving into public international law to show us that there can be no question of expelling the representatives of Nationalist China from the United Nations. The Charter that governs us is also against this course. For what charges are brought, and what paragraphs are invoked? Whatever some may think, in this area the case stands on its own merits, for Nationalist China, a founding Member of the United Nations, is irreproachable. It has always honestly and loyally fulfilled all its obligations, and as a permanent member of the Security Council it is perhaps the only State, rightly or wrongly, which has never had to answer any accusation before that important political organ of the United Nations.

94. In order to forestall needless future debate on another aspect of the question, it is appropriate to emphasize, at this point, the juridical privileges that make every member of the Security Council a statutory member. In private law as in public law, a statutory member (or member according to the articles) is entitled to the designation of *intuitu personae*. As a result of certain personal considerations, he has been chosen and appointed simultaneously with approval of the statutes; he is, to some extent, part of the statutes and is associated with them so closely that he cannot be expelled, on any ground, except through an amendment of the statutes. The Charter of the United Nations, in creating permanent members of the Security Council, certainly intended no other interpretation of those privileges, appertaining, in private law, to the persons of certain members of a board of directors. No member, whichever it may be, of that great political organ

of the United Nations can cease to be a member unless the State represented by it ceases juridically—and I stress "juridically"—to exist, or unless the statutes are amended and at that juncture another State is appointed in its place.

95. Therefore, on the day when Communist China is admitted to the United Nations alongside Nationalist China, the latter must retain its seat in the Security Council unless the statutes are amended.

96. Hence, as I said at the beginning, the question submitted to us is an important one, and it is understandable that opinions should be greatly divided when political interests, mingled with a contest of ideologies, are grafted onto so irritating and delicate a problem in international law. But it is unfortunate that this controversy should be an occasion for unpleasantness rather than a means to the triumph of justice and law. It is also incomprehensible that it should too often be thought that it is always easy, in this Assembly, to convince by other weapons than those supplied to us by truth, logic and good faith.

97. This is why, faced with principles whose application in this matter we have sought to demonstrate, we have subscribed to praise of the progress said to have been made by Communist China, and to remarks about the importance of that vast human reservoir. Finally, as a decisive argument, it has been presented to us alternately as the great arbiter of disarmament and as a future member of the atomic club. But really, is it with arguments so light in the juridical scales, and so insubstantial in a question involving the existence or non-existence of a State, that serious arguments can be refuted?

98. What interests us for the moment is neither an analysis of the Chinese revolution nor an inventory of the progress possibly made in that part of China since the creation of the new Chinese communist State. Nor shall we indict that State's political creed or its fidelity to out-and-out Marxism. We respect the beliefs of all, because we are convinced that the world is passing through a period of transition which lends itself to mutual borrowings. This places us in all the better posture to say that we reject communist ideology. The assets and liabilities of the Chinese communist State will be considered by us in detail on the day when it requests admission to the United Nations. We shall then, at greater leisure, examine its international behaviour to see whether its past can guarantee its loyalty and attachment to the noble principles on which our Charter is based.

99. But for the time being it was my delegation's duty to pronounce itself with regard to the restoration of the political rights of a State, the Chinese communist State: and we have rejected as inadmissible the request made by the Union of Soviet Socialist Republics, after making some small reference to legal doctrine and judicial precedent. For this reason, we shall vote against the Soviet Union's draft resolution; we shall, on the other hand, support the draft resolution submitted in document A/L.372, which, recognizing that an important question is at issue, is more or less in line with our views.

100. In conclusion, if we were to express a hope, it would be to the effect that passions should calm down so that others might study the problem more thoroughly with a view to finding a solution bearing the stamp of law, justice and equity.

Mr. Slim (Tunisia) resumed the Chair.

101. Mr. URQUIA (El Salvador) (translated from Spanish): For reasons which the delegation of El Salvador does not endorse but which it would be idle to discuss at this time, the General Assembly has decided to consider once more, at this session, a problem which both the Assembly and the Security Council went into very thoroughly more than ten years ago.

102. In fact, first the Security Council—on two occasions, in January and August 1950—and later the General Assembly at its fifth session, held in the same year, considered the question of China's representation in the United Nations and, by considerable majorities, rejected proposals for the exclusion of the representatives of the Government of the Republic of China, established in Formosa, and for the recognition of the representatives of the revolutionary communist régime set up in Peking.

103. At its fifth session, the General Assembly approved simply a resolution of a general character, containing no specific reference to the case of China. This was resolution 396 (V) of 14 December 1950, in which the Assembly recommended that, whenever more than one authority claimed to be the government entitled to represent a Member State in the United Nations and that question became the subject of controversy in the United Nations, the question shall be considered by the General Assembly in the light of the Purposes and Principles of the Charter and the circumstances of each case; and that the attitude adopted by the General Assembly should be taken into account in other organs of the United Nations and in the specialized agencies.

104. On the suggestion of Canada, a special committee was set up to study the question and report to the General Assembly at the same session; but that committee ended its work without having succeeded in formulating any conclusions or recommendations on the matter.

105. From 1951 onwards the General Assembly has, at each succeeding session, decided to refrain from considering any proposal aimed at excluding the representatives of the Government of the Republic of China or at admitting the representatives of the Central Government of the People's Republic of China.

106. These are, in very few words, the most important events which have taken place in the United Nations with respect to the representation of China, and which serve as a background for the General Assembly's decision to include on its agenda, for joint consideration in plenary meeting, the two items entitled "A question of the representation of China in the United Nations" and "Restoration of the lawful rights of the People's Republic of China in the United Nations".

107. It is really one and the same question, although the delegations of New Zealand and the Soviet Union have used completely different words for the titles of the items respectively proposed by them for the consideration of this Assembly.

108. So far as concerns the historical and political background of the situation in which the former Republic of China finds itself today, with its territory and population divided into two portions over which separate political régimes hold sway, that situation is the result of the civil war which, in 1949, obliged the Nationalist Government which preceded the revolution to transfer itself to Formosa and enabled the revolutionary régime to become established in Peking. The

effective authority of the Nationalist Government covers the island of Formosa and the islands of the Pescadores, Quemoy and Matsu; that of the Peking Government covers the continental part of China.

109. In considering the problem now before the United Nations, the first question which one asks is whether the civil war in China has come to an end. The attitude of both Governments, and the—admittedly infrequent—military actions which each of them initiates against the other, lead us to affirm that a state of war does still exist. Neither of the two régimes recognizes the legal existence of the other. Each one categorically claims to be the lawful Government of the whole of China, and consequently neither of them accepts the theory of the "two Chinas".

110. As for the international community, it too is divided: more than fifty-five States recognize the existence of only one Government, the Chinese Nationalist Government established in Formosa; on the other hand, more than thirty States have recognized the communist régime in Peking as the sole Government. In the face of such a situation, what attitude can—or rather should—the United Nations adopt?

111. The problem is a complex one. It is necessary to consider not only its juridical and political aspects, but also its moral aspect. To disregard the moral aspect would be to betray the ideals which govern the very existence of the United Nations. In our view, the case under consideration is not a mere question of credentials. If it were, a different procedure would be used to resolve it.

112. Throughout the existence of the United Nations, the credentials of representatives of the Republic of China have invariably been found to be in order and been approved by the General Assembly, by the other organs of the United Nations and by the specialized agencies. We know of no credentials submitted by representatives of the People's Republic of China. Nor is this case one concerning the admission of new Members.

113. We have already stated that the Nationalist Government lays exclusive claim to the legitimate exercise of power over the entire territory and population of China, and that for its part the communist régime in Peking makes the same claim. Neither of the two admits the existence of two distinct States; nor do any other States. This is not, therefore, a question of the admission of a new Member State, which would moreover be an impossibility since no request for admission has been submitted.

114. The case is simply, in our view, one of two rival Governments which, during a civil war, exercise effective authority over different portions of the national territory. One of these Governments has represented in the United Nations, since the Organization's inception, the political entity known as the Republic of China and included, under that name, among the five permanent members of the Security Council. Is there any juridical, political or moral ground for changing this situation by excluding the representatives of that Government and inviting the rival Government to be represented in the various bodies of the United Nations and of the specialized agencies?

115. Although it is obvious that recognition by the United Nations of the representatives of a Member State is something different from recognition of a Government, or rather, from recognition of a Government by other Governments, nevertheless the two

questions are to a certain extent connected, since acceptance of a Government's delegates is in a sense tantamount to collective recognition of that Government. It should moreover be added that, whenever a Government has been recognized by other Governments, the latter are inclined in the United Nations to favour recognition of the accredited representatives of that Government.

116. This aspect of the problem is all the more worthy of consideration in the case of China since what we have here is, not a single Government which has completely taken the place of its predecessor, but on the contrary, as already stated, two distinct Governments which are vying with one another, each claiming to be the rightful owner of political power over the entire nation. It is consequently essential to adopt a yardstick which will make it easier for third-party States—in the case in point, for such States in the General Assembly—to choose, as they must, between the two rival Governments.

117. The first and most ancient condition established, in international law and in the practice of States, for the recognition of a Government which has come into being in unusual circumstances is the effectiveness of the power exercised by that Government over the national territory.

118. In this respect, although the communist régime does exercise authority over a considerable part of Chinese territory, the civil war has not yet ended and a fairly large piece of territory, with more than 11 million inhabitants, remains outside of the political power of Peking and subject to the effective authority of the pre-revolutionary Government.

119. Of course, the continental territory is much greater, and its population much larger; nevertheless we do not think that in the case of Communist China the first requirement for the recognition of a Government—namely, the effectiveness of its power over the national territory—is completely satisfied.

120. The question is one of first-rate importance in that the determining factor is not size, strength or wealth or, indeed, any consideration at all other than the effective and peaceful exercise of power over the entire territory, or over the greater part of it, in such circumstances as to leave no doubt regarding the collapse of the previous Government.

121. But this is not the most important consideration of all. In order to gain recognition, the new Government must also be able and willing to carry out the international obligations incumbent on the State.

122. It is interesting to note that this twofold condition, the fundamental character of which is recognized by most writers on international law, was kept in mind by the authors of the Charter in determining the requirements for the admission of a State to the United Nations. In order to gain admission, the applicant State must be peace-loving, must accept the obligations contained in the Charter and must be able and willing to carry out these obligations.

123. There can be no doubt that the communist régime in Peking could, if it so desired, carry out its international obligations, including those laid down in the Charter of our Organization. But there is evidence to the effect that it is not willing to do so.

124. Its participation in the war unleashed by North Korea, which led this General Assembly to condemn the Peking régime as an aggressor; its aggression

against Tibet, committed in 1950 and repeated in 1959, when danger of assassination forced the Dalai Lama to flee the country suddenly; the continual violation of human rights in Tibet, which is unjustly occupied by Chinese communist forces; the outrage it has inflicted and is still inflicting on India in border disputes; the unjustified retention of Korean prisoners of war; its part in the events in Viet-Nam; its plans for the conquest of South Korea, South Viet-Nam, Laos and other small countries in the same region, and, above all, its persistent and stated intention of imposing the communist system on the world by force—are not these obvious proof that the Peking régime is not willing to carry out, either the obligations established by international law, or, in particular, those embodied in the United Nations Charter?

125. The international conduct of the Government of the Republic of China established in Formosa is quite different. This Government has respected and is respecting its international obligations; it does not violate or ignore the obligations imposed by the Charter; it has no desire for territorial expansion, except the quite justified desire to regain control over the part of Chinese territory which fell into communist hands over twelve years ago; the conduct of this Government's representatives in the various organs of the United Nations and the specialized agencies, and in particular of its permanent representative Mr. Tsiang, has always been moderate, intelligent, industrious and useful and has on several occasions contributed to the success of undertakings.

126. In the light of these considerations, my delegation wonders how this General Assembly could, without failing in its essential duties, grant the Soviet Union's request that the representatives of the Government of the Republic of China should be expelled from all United Nations organs and that the Government of the People's Republic of China should be invited to send representatives to replace them. Neither international law nor international ethics would justify such measures.

127. In addition, the General Assembly would be exceeding its powers if it claimed that its decision was binding on all the organs of the United Nations. Would the Security Council, for example, be obliged to respect a General Assembly decision to expel certain representatives and invite others to take seats in the Council?

128. To our way of thinking, a salutary policy for the General Assembly to adopt in such cases as this would be to follow the precepts I have already mentioned—the precepts of international law which govern the recognition of a Government by other Governments—and take into account the Purposes and Principles of the Charter and the special circumstances of each case. This was the wise provision contained in resolution 396 (V) on recognition by the United Nations of the representation of a Member State, which recommends—it does not resolve—that the attitude adopted by the General Assembly concerning any such question should be taken into account in other organs of the United Nations and in the specialized agencies. In that way, the Assembly would not infringe the competence of other organs which function independently.

129. My delegation is aware that, apart from legal and moral considerations, in the solution of the China problem account should be taken of specific political considerations and circumstances. Special emphasis is being placed on the need for the participation of

the People's Republic of China in any serious and permanent settlement of the disarmament question.

130. However, we feel that the possible presence of representatives of the Chinese communist régime in the United Nations would not contribute at all to a useful understanding in the disarmament question or to the solution of other important political problems of today. Many of these problems have not been solved because of the notorious resistance of Moscow, and we cannot expect a more co-operative attitude on the part of Peking.

131. To conclude, the delegation of El Salvador will vote against the draft resolution submitted by the Soviet Union [A/L.360], whereby the Assembly would decide to expel the representatives of the Republic of China and invite the People's Republic of China to send representatives to replace them.

132. On the other hand, my delegation will vote in favour of the draft resolution submitted by Australia, Colombia, Italy, Japan and the United States of America [A/L.372], whereby the Assembly would decide, in accordance with Article 18 of the Charter, that any proposal to change the representation of China is an important question—which would mean that two thirds of the votes in the General Assembly would be needed for the adoption of the proposal.

133. The complexity and importance of the question of China are obvious to us, despite the admirable aplomb with which the Soviet Union representative stated, in this debate, that the problem of the representation of China was a very simple matter and that the Soviet draft resolution was equally simple, its first paragraph merely stating that the Assembly considered it necessary to restore the lawful rights of the People's Republic of China in the United Nations. If this is not an important matter for the Organization, there must surely be very few important issues.

134. Mr. ARTHAYUKTI (Thailand): The Thai delegation attaches great importance to the present debate on the question of the representation of China in the United Nations. In our opinion, this question is not a mere question of procedure or a question of verification of credentials, because it does raise a problem of a political and a legal nature which affects not only our Organization and its Charter, but as the representative of Japan wisely pointed out in his speech last week, [1072nd plenary meeting], this question might well affect the peace and security of the entire world and especially, I may add, that of South East Asia which area is far from being relatively quiet at the present time but is already witnessing many turbulences and strifes.

135. That this question of the representation of China is of vital importance to the Assembly and to the peace and security of the world should by now be beyond any doubt, as nearly all the speakers who have preceded me have, in varying degrees and interpretations, emphasized that it is so.

136. The question of China is naturally of special interest to Thailand since, from time immemorial, traditional friendly relations and close affinities have always existed between the Chinese people and the Thai people. There are at present no less than 3 million Chinese living in Thailand, which has a population of just over 25 million. However, when the Government of the People's Republic of China was established on the mainland, the relations between the Chinese people on the mainland and our own drifted apart. This can

be attributed to their adoption of political principles and objectives and beliefs which are entirely alien to and incompatible with our own peaceful ways of life, our thinking and our beliefs. However, this does not spell the end of relations between the two peoples, as my country continues to maintain diplomatic as well as economic and cultural relations with the Government of the Republic of China.

137. I wish to state from the very outset that my delegation has no intention or desire to engage in a political harangue or in what has been termed the cold war on this issue. In our participation in the Assembly's deliberations on this particular subject, we shall try to be as objective as it is practicable and consider it in the light of existing circumstances as we see them and, necessarily, in accordance with the spirit and the letter of our Charter.

138. As it appears to my delegation, the Assembly's present consideration is centred on the two draft resolutions which have been submitted; on the one hand, by the Union of Soviet Socialist Republics and, on the other, by Australia and four other Powers. The former draft, document A/L.360, calls for the immediate removal from all United Nations organs of "the representatives of the Chiang Kai-shek clique who are unlawfully occupying the place of China in the United Nations", and "invites the Government of the People's Republic of China to send its representatives to participate in the work of the United Nations and of all its organs", while the latter draft, document A/L.372, requests the Assembly to decide, in accordance with Article 18 of the Charter, that any proposal to change the representation of China is an important question.

139. Technically speaking, therefore, we are not discussing the question of admission of any new Member, since at present there is no such application. But we are confronted with the problem of the membership of one Member State being challenged, not by an authority now outside the Organization but by another Member State on behalf of that authority.

140. On the question of substance, it is the considered opinion of my delegation that the Soviet Union's draft has prejudiced the issue. It dismisses completely the present existence of the Government of the Republic of China, whose membership in the United Nations from its inception is assured by Article 3 of the Charter, which reads:

"The original Members of the United Nations shall be the States which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of 1 January 1942, sign the present Charter and ratify it in accordance with Article 110."

141. Furthermore, the Republic of China's position in the United Nations is guaranteed by Article 23 of the Charter, which describes the composition of the Security Council, whose primary responsibility is the maintenance of international peace and security. The Republic of China, according to the letter of that Article, is one of the five permanent members of that body, and it has loyally discharged its obligations and participated with others in carrying out the task of that important body.

142. It is true that the Republic of China has transferred the seat of its Government from the mainland and has come to settle on an island which is called Formosa

or Taiwan, and the adjacent islands, large enough to accommodate 11 million of its present population who are now enjoying a very high standard of life. The Government of the Republic of China, furthermore, now has diplomatic relations with almost half of the Members of this Assembly, including my own country. Can we, therefore, ignore its existence? As far as Thailand is concerned, our answer is that we cannot do so.

143. Let us consider in this context the interpretation deriving from the Soviet Union proposal that the Republic of China must be expelled from this Organization and its seat be occupied by the People's Republic of China. Now, according to the Charter a Member of this Organization can only be expelled if, according to Article 6, it "has persistently violated the Principles contained in the present Charter", then it may be expelled "by the General Assembly upon the recommendation of the Security Council".

144. In this connexion, my delegation considers that we owe it to our conscience to assert that the Government of the Republic of China has not violated the Principles contained in the present Charter, but, on the contrary, has consistently carried out its role under the Charter and co-operated with other Members in upholding the Purposes and Principles of the Organization. What justification, therefore, do we have under the Charter to expel the Republic of China, not considering, of course, the procedure by which a Member can be expelled from the Organization?

145. My delegation also considers that General Assembly resolution 396 (V) of 14 December 1950 on the question of representation in general is relevant to our present deliberations.

146. This resolution states in part:

"... 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 question should be considered in the light of the Purposes and Principles of the Charter and the circumstances of each case."

The case which we have before us now is not quite the same because here we do not have another authority outside the Organization claiming the seat in question but another Member doing it on behalf of that authority.

147. Furthermore, the draft resolution submitted by the Soviet Union goes even further than the resolution we already have, in that it calls for the restoration of "lawful rights" which is, in essence, prejudging the issue. Questions have thus aptly been raised whether any Member of this Assembly can assume rights and obligations on behalf of another party and under what Article of the Charter this Assembly can actually restore what is termed as the lawful rights to a party now outside the Organization. The crux of the matter, however, is that whenever such a situation arises it should be considered in the light of the Purposes and Principles of the Charter and the circumstances of each case.

148. Permit me to state clearly at this juncture that Thailand is not trying to ignore the fact that there exists in Asia a powerful nation of more than 600 million peoples in much the same way as the world cannot afford to ignore over 70 million Germans in Europe.

149. The circumstances of this case, on the other hand, are that in reality the Republic of China still

exists and is in control of territory and population which are by no means small. As a founding Member of the Organization it has always fulfilled in good faith the obligations assumed by it in accordance with the present Charter. How can we obliterate or erase these realities from our thinking?

150. The most important consideration to bear in mind, however, is the inherent dangers to international peace and security implicit in the proposed actions. It is my delegation's conviction that such a proposed course of action, if adopted, would precipitate grave dangers not only for Asia but also for the world as a whole, and we shall be doing what is contrary to the first and foremost purpose of our Charter and that is to maintain international peace and security.

151. Having stated all this, I also would like to point out that Thailand is by no means against the principle of universality of membership in the United Nations. Our record on the question of membership stands as clear evidence of our position in this matter. But as I mentioned earlier, we are not now considering the question of admission and there is no need to go into it as it does not arise. Suffice it here to say that as a Member who is committed to uphold the Purposes and Principles of the Charter, we shall always consider it in terms of Article 4 of the Charter which in its first paragraph states that:

"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."

152. Considering the matter in the present context in these lights and in connexion with the relevant Article 18, paragraph 2, with respect to the maintenance of international peace and security and the expulsion of Members, the Thai delegation wishes to state that when the question of the representation of China comes to the vote, it will deem it its obligation to cast its vote on the resolutions now before the Assembly or on any other resolution which may be presented in this present framework in accordance with the foregoing reasons.

153. Mr. RAKOTOMALALA (Madagascar) (translated from French): We have now nearly come to an end of this long debate on the question of the admission of the delegation of the People's Republic of China—a debate in which those favouring and those opposing such admission have set forth their arguments with eloquence but also with considerable passion and sometimes, it must be said, with very little respect for the objectivity and moral principles which 103 nations are here to safeguard.

154. My delegation is anxious to save the Assembly time. I shall not indulge in an analysis, which would in any case be superfluous, of the question that is before us and the various aspects of which have been studied at length. It will hence be rather for a short, advance explanation of vote that the delegation of the Malagasy Republic takes the floor.

155. My delegation will vote in favour of the draft resolution which provides that the question of the admission of the People's Republic of China shall be regarded as an important question requiring, for decision, a two-thirds majority. In any case, there can be no question of assimilating this matter to minor, current business which the Assembly can transact by means of a simple majority vote—by, as it were, sum-

mary procedure. The number of speakers who have taken the floor, the nature and the quality of their statements, and the tension which has prevailed in this hall throughout the debate, show quite clearly that this is one of the crucial questions which mark a turning-point in the history and existence of our Organization.

156. As regards the substance, my delegation will vote against the draft resolution of the Soviet Union [A/L.360]. It cannot accept the terms of that draft, which, if adopted, would create in the world one of those serious crises—possibly accompanied by bloodshed—which it is the very task of our Organization to foresee and prevent.

157. Indeed, some speakers have clearly warned us that this resolution, if adopted, would represent a sort of blank cheque permitting the invasion of a territory which obviously intends to defend its right to choose its own political régime.

158. In present circumstances, when neither of the two régimes alone occupies the entire national territory, how can we in all conscience decide to expel the one which has been represented here for fifteen years, is one of the founding Members of the United Nations, respects our Organization's principles and loyally carries out its decisions?

159. For all these reasons and without needing to go more deeply into the substance of the matter, my delegation, taking up its position with a number of friendly African States, will vote in the manner I have just indicated.

160. It considers that—at least in the existing circumstances, for unfortunately man is not the sole master of events—this is the only solution compatible with the Charter and with the desire to safeguard peace and secure respect for the self-determination of peoples.

161. Mr. BINDZI (Cameroun) (translated from French): The General Assembly is once again faced with that important, complex and taxing item of its agenda, the representation of China in the United Nations.

162. This item has reappeared annually for twelve years. Still outstanding, still unresolved, it defies the wisdom and judgement of the Organization, just as the legendary wall of China has defied time, centuries and destruction.

163. Truth to tell, even before we were admitted to this hall we recognized, in our distant countries, the considerable importance of this question; and we had hardly entered this gathering before we were abruptly confronted with the problem. We could not take a position on it at once, and only after mature reflection did we feel entitled to speak on the matter before this Assembly.

164. At the present time, enlightened by the experience of several sessions and on the basis of the arguments we have heard, my delegation feels that it can express its views on the draft resolution [A/L.360] submitted by the Union of Soviet Socialist Republics, and on the other draft resolution [A/L.372], submitted by Australia, Colombia, Italy, Japan and the United States of America.

165. A wise man once said that scandal was a matter, not of telling the truth, but of not telling the whole truth. In his way, the great French fabulist La Fontaine has also taught us how difficult it is to tell the truth when it concerns "the great and the powerful".

166. Although we are a small country and are aware of all the difficulties involved, we shall try on our modest level to examine, sincerely and without demagoguery, this important problem which concerns a large country, if not the giant of the earth.

167. As many speakers in this Assembly have said before me, the small countries—and among these I number particularly my own, which owes its independence and sovereignty, as a State, to this Organization—place all their hopes in the United Nations and regard it as the best pledge of their survival. In our opinion, therefore, anything which can enhance or weaken the efficacy of the United Nations affects us profoundly, and we tend to see, in such a development, omens of our own greatness or weakness, or even of our destruction.

168. Although, owing to the distance which separates us, very few Camerounians in fact know China and the Chinese—and I am sure that the reverse is also true—my delegation feels obliged to say that both the Governments which are disputing the right of lawfully representing the Chinese people are obviously interested in my country, although from opposite points of view.

169. Since the birth of our new Republic, the Government of the Republic of China, based in Formosa, has shown good will towards it and, with the establishment of a diplomatic mission at Yaoundé, has set up excellent relations with our Government, on the basis of mutual friendship, co-operation and understanding.

170. As for the Government of mainland China, it has shown no less interest in Cameroun, expressing this interest by activities to which I shall refer in detail later; I shall then leave it to the Assembly to decide whether these activities are directed towards the purposes set forth in the Charter of the United Nations, this Charter which undoubtedly contains, today, the minimum for a moral creed of what relations between States should be.

171. My delegation also feels obliged to intervene in order to withdraw our country from a purely "cold war" debate: some speakers have tried to involve it in such a debate by introducing, either matters which fall within our domestic competence, or interpretations of our views the true and original versions of which, cannot, we think, emanate from any other delegation.

172. We say this because there is often a tendency—which we take the liberty of calling unfortunate—to involve small countries in debates which sometimes concern them only indirectly, and thus to make of them, in this Organization, a tiny weapon in the war of words—a process that leads, imperceptibly, to their conversion into "hot war" battlefields.

173. Cameroun refuses to be the next theatre of operations in this contest between giants who do not wish to face each other squarely but continually oppose each other indirectly; it will take great care to ensure that, so far as it is concerned, this debate remains centred on China and does not stray into an examination of Cameroun's domestic affairs.

174. So far as the questions posed by the draft resolutions submitted to us are concerned, my Government's position is determined solely by objectivity. These questions are, in essence, the following:

(1) Is the question of the representation of China an important question within the meaning of Article 18 of the Charter?

(2) In order that this representation may be assured, is it necessary, as one of the draft resolutions eloquently puts it, to "remove immediately from all United Nations organs the representatives of the Chiang Kai-shek clique"?

These are the two specific questions raised by the two draft resolutions and to which my delegation will endeavour to reply.

175. We speak of "the two questions raised" because, as in every assembly, we discuss the documents submitted to us. Any other approach to the problem, either in substance or in form, would be simply a device for the vindication of a preselected argument.

176. The question whether any proposal to change the representation of China is an important question under Article 18 of the Charter calls, in my delegation's opinion, *ipso facto* for an affirmative reply. Is not this clearly proved by the fact of the question's having been raised in this Assembly throughout the past twelve years, a period during which the sages in this distinguished forum have on each occasion resolved that the hour for a decision had not yet struck and have deemed it necessary to allow themselves more time for reflection?

177. And who in all honesty would maintain that a problem relating to a people which is historically one of the oldest in the world, and has the most numerous population of all, is one of no importance? Without wishing to be indiscreet, we can state that this question is very often asked in private conversations in the lobbies. Is it therefore resorting to any trick to confirm, in a resolution, something which no one from this rostrum has dared to contest?

178. We have been told that the wrong procedure is being used; that the right course would be to relieve the General Assembly of this embarrassing problem and refer it to the Credentials Committee, so that the General Assembly could act like Pontius Pilate and set its conscience at rest, even by a majority of one vote, concerning a decision for which the Credentials Committee would bear the entire moral responsibility. I doubt whether the Chinese people would be flattered by such treatment, and *a fortiori* by such an equivocal vote.

179. The example of the two delegations from the Congo (Leopoldville), of last year, has been cited here. We maintain that, even *mutatis mutandis*, the two cases are not comparable. In the case of the Congo, there were two delegations, admittedly representing two Heads of Government but emanating from the same source of State law, from the same Parliament and from the same Chief of State. In the case of China, there are two separate Governments, different constitutional institutions, separate public services, two State sovereignties exercised in two territories at present clearly delimited, and two Chiefs of State—in fact, two separate States, which have organized themselves separately and fulfil all the legal conditions required for their treatment as individual States.

180. Finally, there is only one delegation on the spot—that occupying its place. Of the other nothing is known, save by those who believe themselves authorized by it to put forward its candidature here. A very eloquent speaker asked from this rostrum, very pertinently, which Article of the Charter authorized such a procedure, and on that basis he contested the procedure's regularity and legality.

181. My delegation has no intention of dwelling on this point, which relates to an interpretation of procedure. I think I have adequately stressed that its arguments are addressed to the Question's real importance. For the reasons it has given, my delegation will vote in favour of the five-Power draft resolution [A/L.372].

182. I would like to turn to draft resolution A/L.360. It raises the following question: Does this matter call for, in the words of the document, the immediate removal "from all United Nations organs (of) the representatives of the Chiang Kai-shek clique"? My delegation notes that the implementation of this draft would comprise two operations: first, the eviction of one delegation; secondly, its replacement by another.

183. First of all, we would like to deplore, as other distinguished speakers have done, the terminology employed in this regard, which constitutes a regrettable innovation in the language of courtesy and conciliation so desirable in this Assembly and generally employed in this Organization.

184. Many speakers have already pointed out the considerable and even decisive implications which implementation, to the letter, of this draft resolution would undoubtedly have for the Organization and its very existence.

185. It has been abundantly demonstrated that we are confronted by a situation of fact. But what, in reality, are the facts?

186. It has been said that there is but one people, the Chinese people; and that consequently there can be only one Chinese Government. It seems to us that this assertion is too categorical, since history and geography show us the example of peoples distributed among several States and even several continents, and represented, in practice, by more than one Government.

187. In this connexion, referring to the very first words of the Charter, one speaker has pointed out that the Charter stresses the hegemony of peoples. But he failed to say that thereafter, in the first Articles, the Charter speaks no longer of peoples but of States, Member States—which means that this Organization is an organization of States. As regards China, does concrete reality allow us to conclude that there exist, in fact and in law, two distinct Chinese States? The generally accepted rules of international law, which we have just mentioned, seem to demonstrate that each of the two Governments fulfils the conditions of effectiveness required for recognition as Governments of sovereign States. As regards the Government currently represented in the Organization, it is the continuation of the one which presided over the founding of the United Nations and which, since that time, has retained not only wide international recognition but also the support and approval of the masses of the people over which it has exercised jurisdiction in the past and continues to exercise it today.

188. Now we are asked to remove it from the Organization. Has this Government become guilty, persistently and flagrantly, of clear offences which show that it has seriously failed to meet its obligations under the Charter and has thus incurred the implacable application against it of the extreme measure of expulsion provided for in the Charter's Article 6.

189. My delegation, for its part, not only confesses its ignorance on this point but declares that, since the opening of the debate, it has noted no such accusa-

tion. It regrets that, in these circumstances, it cannot lend its support to operative paragraph 1 of draft resolution A/L.360.

190. I would like to pass on now to the second consequence recorded in operative paragraph 2 of this same document—the invitation to "the Government of the People's Republic of China to send its representatives to participate in the work of the United Nations and of all its organs".

191. I think I have already mentioned that the facts allow us to concede the existence, *de facto*, of two Chinese States. I have spoken of the existence of the Chinese State of Formosa and of the lawfulness, under the Charter's principles, of its representation in our Organization.

192. As regards the Chinese State of Peking, my delegation, having never practised discrimination and following, in this, the Minister for Foreign Affairs of Nigeria, would have formulated no objection in principle to an examination of any formal and official request for admission to the United Nations presented by the Government of the People's Republic of China, if it had presented such a request. Despite the procedural irregularity, the question has been raised and my delegation wishes to state its position on this important problem.

193. The conditions required for membership in the great family of the United Nations are very explicitly set forth in Article 4 of the Charter. They are mandatory for all States, whichever they may be, small and large. No exception is provided for; and any attempt to make such an exception, prior to amendment to the Charter, would tend towards the constitution of an exorbitant and, moreover, an illegal privilege. In fact, Article 4 of the Charter stipulates that:

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

"2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council."

194. The issue at this stage in the discussion is not the form of the Peking régime—which under Article 2, paragraph 7, of the Charter is "essentially within the domestic jurisdiction" of that State—but rather its ability to adopt a behaviour compatible with the rules decreed by the Charter—that is, a desire for peace and respect of the principles of non-interference in the domestic affairs of other States.

195. In this connexion, the delegation of Cameroun would like to inform the Assembly of activities which, in its view, constitute clear interference by authorities of the People's Republic of China in the domestic affairs of our young State.

196. Since we became independent, and since the Camerounians assumed the responsibilities of sovereignty, no one can validly maintain that the aid supplied to the dissident group of a Camerounian political party—a group which has voluntarily emigrated to foreign territory—does not constitute an act clearly contrary to the good understanding which should characterize the relations between two States, and to the requirements, stipulated by the Charter for membership in the United Nations.

197. The moral and material aid received from Peking China by the rebellious group of the Union des populations du Cameroun (UPC), whose subversive aims are well known, demonstrates that Peking China's intentions and aims with regard to our country are far from peaceful, and that, on the contrary, they tend to foment and maintain within our borders, a permanent state of disorder and instability. This murderous activity, carried on and directed from Peking, constitutes beyond all question, in my delegation's view, an infringement of our national sovereignty, interference in our Republic's domestic affairs and a constant threat to international peace and security.

198. To be brief and to cite only a few facts—for my delegation does not intend to place Cameroun in the midst of this debate—I will mention that every day at about 9 p.m. the People's Republic of China broadcasts from Peking a programme beamed on Cameroun, containing incitement to open revolt against our institutions and Government. Guerrilla weapons, many pamphlets and other propaganda materials have been and are being seized which have enabled us to establish, without the shadow of a doubt, that the Peking Government is responsible for leading and equipping the localized "underground" groups still existing in Cameroun. I will also mention that reports received by the Government of the Republic indicate that many young Camerounians, attracted and led into China under false pretexts, receive psychological and military training there for the sole purpose, after their return to our national territory, of engaging in subversive agitation and serving as leaders and rank-and-file in a possible general rebellion. I will quote only one example among many—the arrest, mentioned from this rostrum, of six young Camerounians preparing, on their return from Peking, clandestinely to cross the border which, at the time, still separated the Republic of Cameroun from the Southern Cameroons then under British administration.

199. On 17 November last the Peking radio, heard at 9.30 p.m. (local time) in Cameroun, announced the arrival in the People's Republic of China of Kingue Abel—the so-called "vice-chairman" of the dissident group of UPC, self-styled "successor" to Félix Moumié (who recently died in mysterious circumstances), and welcomed as such by the Chinese authorities. The same radio broadcast particularly stressed the magnificence of the reception given in his honour, and Mao Tse-tung himself again recently stated—I will cite only this, in order not to weary the Assembly with quotations:

"My country has long supported the struggle carried on by UPC... the Chinese people will continue to assist this movement in carrying on the struggle to the end..."

200. It would be tedious for me to continue with a list of these unhappy events. For the Camerounian people, for its Government and for my delegation, such activities suffice to convince us of the non-existence of the peaceful intentions which certain brilliant speakers have ascribed to the Peking Government and which, according to them, should enable that Government to take, within our Organization, the place currently occupied by the delegation from Formosa.

201. To conclude, I should like to repeat the words spoken by H.E. Ahmadou Ahidjo, President of the Federal Republic of Cameroun, at his recent press conference in our capital: "Cameroun notes that the People's Republic of China is fostering rebellion

within Cameroun; and it therefore cannot express itself in favour of that Republic's admission to the United Nations, since it fails to meet the fundamental conditions required".

202. In these times of great tension, with mankind constantly threatened by a conflagration resulting from the dangerous acrobatics of wars waged on the territories of small States, our only hope lies in this Organization, so long as it is guided in its decisions by constant concern for peace, justice and equity.

203. In these circumstances it will remain the impregnable stronghold of an ideal of peace, so long as it opposes the brutal force of threats and violence with uncompromising justice and right. If not, it will be weakened by resigning itself to faint-hearted accommodation and adopting an attitude of weakness when confronted by might allied with an instinct for domination. My delegation firmly believes that the United Nations cannot fail in its mission—which is to bring about the reign of concord, good understanding, justice and co-operation between all nations desirous of working, in a climate of harmony and progress, to the end that an era of peace and general prosperity shall, for the peoples, at last be ushered in.

204. Mr. DE LEQUERICA (Spain) (translated from Spanish): Since the question of the representative of China in the United Nations is open for discussion, the Spanish delegation would like to state its position in the matter. This can really be regarded as an explanation vote, within the limits imposed on this type of statement.

205. Speakers with the most varying opinions have preceded me. Some try to present the problem of the representation of Communist China in this Assembly as a matter which can be settled in the Credentials Committee, by the acceptance of the credentials of the representatives of the Government of the People's Republic of China and the consequent rejection of those of the representatives of the Government of the Republic of China. The Spanish delegation is quite unable to accept such a criterion, because this proposal is an over-simplification and does not take into account the special circumstances of the case.

206. Even the countries which accept the argument that this is solely a question of credentials and have decided to adhere to this criterion should not forget that the Assembly has heard statements by other speakers who support the admission of Communist China but do not agree that, as a result, the Republic of China should be barred from its rightful place in the United Nations.

207. We are not in favour of devoting a large part of this debate to the question of the legitimacy of Governments. This is a very old problem of world history, with many aristocratic and nineteenth-century overtones—although it now appears in more popular guise—and we do not think that at this time it is relevant to the resolution we should adopt.

208. Our position is quite clear; we maintain relations with the Republic of China and our attitude towards it is not going to change. We shall therefore pass on from this remote and vast subject to another, to the danger that Communist China represents for peace, to what we regard as the status of Communist China—to use, not expressions employed by criminologists and criminology, but those used by ordinary people and by the Press—as a habitual offender against peace, an offen-

der, moreover who, has shown no signs of repentance, grief, contrition or any tendency towards reformation.

209. In present circumstances we think that, although the wording of the Charter seems to be somewhat dubious for certain delegations, on this issue it is clear and contains sufficient precepts for a settlement of the question, precepts which have been invoked here in many statements and have always been extremely apposite. Article 4 of the Charter states that "Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter...".

210. What are the obligations incurred by every Member State under the Charter? Article 2, paragraph 3, states: "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered". And paragraph 4 of the same Article reads: "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations".

211. Does the People's Republic of China meet these requirements of Article 2 of the Charter? We believe that the history of aggression and threats by this country leaves no room for doubt. We have only to remember Korea, Laos, Tibet, Viet-Nam—and now we read that serious and alarming news is coming from India—and so far, as I was saying, no basic reformation of its conduct has been observed, not even a formal and express declaration which might give some guarantee that a Government which behaves in this way has decided to change its conduct in international life.

212. However, we are confronted here with a powerful argument, attractive to many Members of this Assembly: the principle of the universality of the United Nations, which, in their opinion, might make advisable the presence of a Government which controls over 600 million inhabitants. I realize that this argument may be tempting, but it should tempt everyone and we should think of other countries. The representative of Costa Rica—I think he was the first to do so—recalled this fact; the representative of Thailand has just expressed his thought; many of us think this way; we could not, then, separate the problem of China from the problem of Germany. We should like the supporters of universality to apply their criterion, filled with benevolence and impatience for the greatest number, to both those countries at the same time. Then we should begin to discuss with more universality and less passion. Otherwise, we shall not. In addition, those who claim that the presence in our Organization of this Government of China would make it more peaceful and induce it to behave better are, I think, under an illusion; other Governments have also become Members and have not always behaved well. Moreover, it is probable that the admission of such doubtful countries would not improve the political situation, since they might exert moral pressure in the opposite direction and lead the Organization into serious situations in which the Charter was not only violated but flouted and mocked.

213. If the principle of universality were able to outweigh the Charter, the moral principles on which the Charter is based would be seriously threatened. Universality is good provided it does not imply denaturalization of the Charter itself; if it did we should have, not universality, but corrosive anarchy. Even this

great universal club, the United Nations, should subject its Members to some discipline, if they are to respect each other.

214. But let us see what the Charter says in those sections which supplement the principles established in Articles 2 and 4, which I have already quoted and which have been read out here on many occasions. Article 6 states: "A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization..." If it is possible to expel a Member from the United Nations for violating the Principles contained in its Charter, how cautiously we should proceed; and how justified we should be in opposing the admission of this Government which, without being a Member of the Organization, has already violated its principles.

215. It is therefore quite clear that the Spanish delegation, on whose behalf I am speaking, does not favour the admission of Communist China to our Organization. It will never be able to vote for this admission, whether the proposals to this end are mildly worded or are put forward in violent and commanding language.

216. But, quite apart from considerations of legitimacy, I have mentioned in passing the question of the danger presented by the Chinese Government as a habitual offender against peace. However, we think it even more important to consider this matter in the context which has been so rightly defined here and which reduces it to much more human dimensions wherein we can easily reach agreement and many countries can concur—in the context of whether this is an important question and therefore requires two thirds of our votes.

217. At this time many people wisely consider, and I agree, that this is the central issue in our discussion. Many speakers have already shown that this is an important question, but I shall insist on this because, for this reason of timing, it seems to be fundamental at this moment and because the reasons on which the theory of importance is based are powerful and incontrovertible. I had noted them down and I am almost tempted to number them 1, 2 and 3 and even 4 and 5, so that they may stand out in all their force and clarity.

218. Number 1: this question is important because it concerns the admission to this Assembly of the representatives of a Government which controls over 600 million inhabitants of a country much larger than the entire continent of Europe. However, I should like to emphasize that some people claim—and it is sufficient for some people to claim this; they are important people—that these representatives should be admitted to the Organization by a process which includes the changing or replacing of one of the permanent members of the Security Council, with all the consequences, in the way of privileges and otherwise, that such action entails.

219. Is this a matter which arises every day? We are sure it has never arisen. Is this a matter which could be regarded as unimportant?

220. Number 2: the importance we attach to this matter has been brought out over the last ten years by the lengthy and impassioned discussions on the subject, and has been particularly emphasized by the same people who today are opposed to the criterion of the two-thirds majority and who have repeatedly

described this question here as vital, extremely important, essential, and so forth.

221. I should like to quote the words which the Soviet Union representative, Mr. Zorin, used at the meeting of 1 December last year. He said: "The question of the restoration of the lawful rights of the People's Republic of China is a vital question from the standpoint of the fight for consolidating peace, for normalizing the international situation and the situation in the United Nations itself".

222. Number 3: in fact, the item has been on our agenda on various occasions—including this session—as an additional item. And all additional items, according to rule 15 of the rules of procedure of the General Assembly, are necessarily important and urgent.

223. Number 4: Article 18 of the Charter states that a two thirds majority is required for the election of the non-permanent members of the Security Council. My delegation believes there is far more reason for requiring such a majority when the issue involved is none other than the possible replacement of a permanent member of that organ. I know of no completely identical precedent. It will be very difficult to find precedents for the incredible case of Communist China. However, I wish to recall—as has already been done here—the fact that at its sixth session in 1951 the General Assembly, when considering the item entitled "Admission of new Members, including the right of candidate States to present proof of the conditions required under Article 4 of the Charter", decided that a resolution containing a recommendation that the Security Council reconsider applications for the admission of certain States required a two thirds majority. At the last session, the cases of Mauritania and Mongolia were interpreted in the same way. On these occasions, the Assembly did not even adopt any substantive resolution but merely recommended that the Security Council reconsider the item, which would subsequently have to be the subject of a decision by the General Assembly in due course, once the Council had made its recommendation. How much more warranted is the requirement of a two thirds majority in the present case, in which the issue is actually a change in the representation of China whereby the Peking régime would in fact be admitted to our Organization!

224. I repeat that the solution to this serious problem submitted by the delegations of Australia, Colombia, Italy, Japan and the United States of America, whereby any proposal to change the representation of China would be declared an important question, seems very moderate to us. It is quite obvious that we shall vote for this proposal.

225. I am well aware, indeed I have always maintained, that the United Nations, despite its somewhat legal aspect, also takes a political view of problems. The case of Germany which I have already mentioned may, I repeat, one day be discussed with the case of China. I do not know how the matter will arise, but I cannot find it in me, on this issue, to consider these two cases separately. The day may come when we have to examine them, and I should not object to considering them together and seeing the different reactions, to the two problems, of the supporters of universality.

226. However, as the nineteenth-century novelists used to say, let us not anticipate events. Let us now merely express our full support of the proposal for which, as I have just stated, we shall vote.

The meeting rose at 6.25 p.m.