

GENERAL ASSEMBLY

SEVENTH SESSION
Official Records



GENERAL COMMITTEE, 79th

MEETING

Wednesday, 15 October 1952, at 3 p.m.

Headquarters, New York

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Chairman: Mr. Lester B. PEARSON (Canada).

Organization of the seventh session of the General Assembly: memorandum by the Secretary-General (A/BUR/129)

1. The CHAIRMAN drew the attention of the members of the General Committee to the Secretary-General's memorandum on the organization of the seventh regular session of the General Assembly (A/BUR/129), and especially to paragraph 1 thereof referring to the timetable of meetings and to paragraph 4 relating to the target date for the closing of the session.

2. With regard to the first point, the Chairman hoped that all delegations would do everything in their power to enable meetings of committees to begin at the times laid down, namely at 10.30 a.m. and 3 p.m. Referring to the second point, he thought that the date suggested by the Secretary-General for the closing of the session — 20 December — was reasonable, and it was to be hoped that through the efforts of all concerned, the General Assembly would finish its work within the time limit proposed. The other points in the Secretary-General's memorandum referred to current matters not calling for any special mention.

The General Committee decided to recommend to the General Assembly the approval of the suggestions made in the Secretary-General's memorandum relating to the organization of the seventh regular session of the General Assembly.

Consideration of the agenda of the seventh session and allocation of items to Committees (A/BUR/128, A/2158, A/2193, A/2204, A/2224)

[Item 7]*

CONSIDERATION OF THE AGENDA OF THE SEVENTH SESSION

3. The CHAIRMAN drew the attention of the members of the General Committee to the Secretary-General's

memorandum (A/BUR/128) which gave a complete list of the items proposed for inclusion in the agenda of the seventh regular session. The items had been grouped according to their nature: questions to be discussed directly in plenary session, political questions, economic and social questions, questions concerning Trust Territories and Non-Self-Governing Territories, administrative and financial questions, and legal questions. In accordance with the usual practice and in order to save time, the General Committee might study *en bloc* the inclusion of certain items, but members would always be entitled to call for a special debate on the question of the inclusion of any given item.

4. Mr. ALI (Pakistan) pointed out that certain items on the provisional agenda (A/2158) were not mentioned in the Secretary-General's list. That was so in the case of item 31 (a) of the provisional agenda.

5. The CHAIRMAN replied that certain items of the provisional agenda had, in fact, not been included in the agenda proposed in the Secretary-General's memorandum for reasons which would be explained later as and

* Indicates the item number on the provisional agenda of the General Assembly.

The printed official records of the seventh session of the General Assembly are being published in fascicule form, that is, the record of each meeting will be issued separately as soon as possible. These will be so produced that they may be collected into volumes, by organ and session. Pagination will therefore be continuous throughout each series of fascicules representing the records of a single body. At the end of the session, a separate printed cover will be issued for each series, and a prefatory fascicule containing a title page, table of contents, list of members attending, agenda and other prefatory material. This fascicule should be placed in front of the record of the opening meeting, before binding.

After the close of the session, collated sets of fascicules will be placed on sale for the general public.

when the General Committee studied the question of the inclusion of the various items.

ITEMS 1 TO 15

The General Committee decided to recommend the inclusion of items 1-15 in the agenda.

ITEMS 16 TO 24

6. The CHAIRMAN said that the delegation of the Union of South Africa had asked to make a statement in connexion with item 22.

There being no objection, the Chairman invited the representative of the Union of South Africa to take a place at the Committee table.

7. Mr. JOOSTE (Union of South Africa) wished the summary record of the meeting to show that his Government again protested against the inclusion in the agenda of the question dealt with under item 22. He would not repeat the arguments which he had already advanced in support of the position taken by his Government on that matter. The Government of the Union of South Africa wished to reiterate its opinion that the treatment of persons of Indian origin in the Union of South Africa was a matter coming essentially within the domestic jurisdiction of that country. Article 2 of the Charter stipulated that nothing contained in the Charter should authorize the United Nations to intervene in matters which were essentially within the domestic jurisdiction of any State. The argument that the inclusion in the agenda of that question flowed from the fact that the General Assembly had already adopted a resolution relating thereto was not admissible. The fact that the General Assembly had often acted contrary to the Charter's provisions was no reason why it should continue to do so.

8. The CHAIRMAN said that the delegation of India had also asked to make a statement on the inclusion of item 22 in the agenda.

At the invitation of the Chairman, Mr. Pathak (India) took a place at the Committee table.

9. Mr. PATHAK (India) recalled that at its sixth session the General Assembly had adopted resolution 511 (VI) by which it was decided that the question of the treatment of people of Indian origin in the Union of South Africa should be included in the agenda of the seventh regular session. The General Committee must therefore act in conformity with the General Assembly's decision. In spite of the objections raised by the delegation of the Union of South Africa, which the General Assembly had rejected each time, the question had come before the General Assembly five times. The Indian delegation therefore urged that the question should again be included in the agenda.

The General Committee decided to recommend the inclusion of items 16-24 in the agenda.

ITEMS 25 TO 30

The General Committee decided to recommend the inclusion of items 25-30 in the agenda.

ITEMS 31 TO 38

The General Committee decided to recommend the inclusion of items 31-38 in the agenda.

ITEMS 39 TO 49

The General Committee decided to recommend the inclusion of items 39-49 in the agenda.

ITEMS 50 TO 55

The General Committee decided to recommend the inclusion of items 50-55 in the agenda.

ITEM 56

10. Mr. GROMYKO (Union of Soviet Socialist Republics) suggested that the General Committee should recommend the deletion of item 56. The Kuomintang group, whose representative was a member of the General Committee, did not legally represent China and could not therefore make proposals and ask the General Assembly to examine them.

11. Mr. TSIANG (China) pointed out that the objection raised by the USSR representative against the inclusion of item 56 in the agenda had nothing to do with the question covered by that item, which had appeared in the agenda of the sixth session and the General Assembly must therefore complete the measures it had already taken in connexion with it. The Soviet Union representative's statement on the right of the Chinese delegation to make proposals was contrary to the provisions of the Charter and to the rules of procedure and was, moreover, out of order.

12. Mr. NOSEK (Czechoslovakia) supported the USSR representative's statement and his proposal that the General Committee should recommend the deletion of item 56 from the agenda.

The General Committee decided to recommend the inclusion of item 56 in the agenda by 10 votes to 2, with 2 abstentions.

ITEM 57

13. Mr. LLOYD (United Kingdom) thought that all the members of the General Committee would agree that the General Assembly should not lose time discussing problems which had been insufficiently studied and were not ready for debate. That was the case in connexion with the draft code of offences against the peace and security of mankind, which was the subject of item 57 of the provisional agenda. The question had appeared as item 49 of the agenda of the sixth session, but, as the draft code had not been communicated in time to Member States, the General Committee had recommended the deletion of the item at that time and its inclusion in the agenda of the seventh session. The report of the International Law Commission on its third session, and especially on the draft code,¹ was to be submitted to governments in order that they might transmit their comments to the Commission. Only after the receipt of such comments could the Commission make final recommendations to the General Assembly. It would therefore be better for that question not to be included in the agenda of the seventh session. Should the General Committee decide otherwise the United Kingdom delegation would not press its point, but would reserve its right to explain its views before the competent committee.

The General Committee decided to recommend the deletion of item 57 from the agenda.

ITEMS 58 AND 59

The General Committee decided to recommend the inclusion of items 58 and 59 in the agenda.

¹ See Official Records of the General Assembly, Sixth Session, Supplement No. 9, Chapter IV.

ITEM 60

14. Mr. GROMYKO (Union of Soviet Socialist Republics) thought that the wording of the question covered by item 60 was not clear. That question, the inclusion of which was proposed by France, was the outcome of the present situation in Korea which had been brought about by the aggressive policy of the United States and the States which supported that policy. An attempt was being made to involve the United Nations in that policy under cover of the United Nations flag. The USSR delegation refused to be associated with such a plan and opposed the inclusion of item 60 in the agenda.

15. Mr. HOPPENOT (France) said that the USSR delegation attributed secret and diabolical intentions to France which France did not have. The only purpose of the French proposal was to pay a tribute to all those who had fallen in the service of the United Nations in the fight against aggression. The explanatory memorandum attached to the proposal answered the arguments raised by the Soviet Union representative. France was sure that the General Committee would wish to show the gratitude that was due to all those who had fallen in Korea in the service of the United Nations.

16. Mr. GROSS (United States of America) wholeheartedly supported the inclusion of item 60 in the agenda. There was no need to dwell on the importance to the entire world of the unshakable spirit of resolution with which the United Nations had decided to fight against aggression in Korea. Two years before, the General Assembly, anxious to honour by some symbol the valour and sacrifices of those who were serving in Korea on behalf of the United Nations in order to repel aggression, had decided, at the proposal of the Philippines by resolution 483 (V), to create a United Nations medal which would be given to all those who had taken part in defending the principles of the United Nations Charter in Korea. The moment had now come to pay a tribute to those who had sacrificed their lives in defence of those principles.

The General Committee decided to recommend the inclusion of item 60 in the agenda.

ITEMS 61 AND 66

17. The CHAIRMAN proposed that the General Committee should examine simultaneously the question of the inclusion of items 61 and 66.

18. Mr. HOPPENOT (France) protested indignantly on behalf of his Government against the accusations made against France. France's achievements over hundreds of years, from which so many African and Asian countries had benefited, and its friendly relations with the Moslem world placed it above such accusations. In the preliminary stage of the discussion on the Tunisian and Moroccan questions, he would not take refuge in procedural argument, but he declared that his Government found the interference of the United Nations in matters which were exclusively within its national jurisdiction wholly unacceptable, and announced that he would not take part in any discussion or in any vote on the inclusion of those items.

The General Committee decided to recommend the inclusion of items 61 and 66 in the agenda.

ITEMS 62 AND 63

The General Committee decided to recommend the inclusion of items 62 and 63 in the agenda.

ITEM 64

19. Mr. GROMYKO (Union of Soviet Socialist Republics) was opposed to the inclusion of item 64 in the agenda. The discussion of that question by the General Assembly would be contrary to the terms of the United Nations Charter and in particular those of Article 107 which provided that nothing in the Charter should invalidate or preclude action, in relation to any State which during the Second World War had been an enemy of any signatory to the Charter, taken or authorized as a result of that war by the governments having responsibility for such action.

20. The Soviet Union had always maintained that the decisions taken by the Powers which had signed the Moscow Declaration with regard to Germany, Japan and Austria should be respected. It had always been in favour of the rapid conclusion of a peace treaty with Austria which would restore to that country its independence and sovereignty. Unfortunately, the United States, France and the United Kingdom had so far made the conclusion of such a treaty impossible. The USSR Government had addressed many notes in that connexion to the Governments of those three Powers in which it had declared itself ready to complete the draft treaty with Austria which had been in preparation for six years and to sign it. However, instead of replying to that invitation, the United States, France and the United Kingdom had preferred to submit a new abridged draft treaty with Austria to the USSR Government, thus wiping out completely the agreements already achieved.

21. The examination of item 64 by the General Assembly would not be likely to help in solving the problem; it would only complicate it. That was of course the aim of the three countries in question. Moreover, the Austrian question could not be dissociated from the question of Trieste. The United States and the United Kingdom had made that area into a military base which they intended to retain.

22. The Soviet Union for its part had always sought to speed the conclusion of a peace treaty with Austria on the basis of the Potsdam Agreements. It remained ready to do so, but, for the reasons already put forward, it was opposed to the inclusion of the item in the General Assembly's agenda. Its discussion would only delay and complicate the conclusion of the peace treaty with Austria.

23. Mr. LLOYD (United Kingdom) said that the Soviet Union representative had put forward two arguments in opposition to the inclusion of item 64 in the agenda. The first was that Article 107 prohibited the General Assembly from examining the Austrian question since Austria was an ex-enemy State of countries signatories to the Charter. When Austria had participated in the war against the Allies, it had already been absorbed by Hitlerite Germany and had become an integral part of it. However, as a sovereign nation, it could not be regarded as an ex-enemy of countries having signed the Charter. Moreover, the provisions of Article 107 were not imperative and could not be invoked to prohibit *a priori* any action in regard to an ex-enemy State and, in particular, in opposition to the consideration of the Austrian question by the General Assembly.

24. The second argument put forward by the USSR representative was that the examination of the question by the General Assembly could only delay the conclusion

of the peace treaty with Austria. He was glad to hear the USSR representative say that his country was anxious to speed the conclusion of such a treaty, but he was forced to note that the attitude adopted by the USSR at the conference which had been held to discuss the Austrian question was far from corroborating his statement.

25. The United States, France and the United Kingdom were for their part sincerely anxious to find the speediest possible solution to the problem, that is to say, the problem of the conclusion of a treaty with Austria, and the Governments of those countries felt that intervention by the United Nations was likely to speed that solution.

26. Mr. MUNIZ (Brazil) first reminded the Soviet Union representative that Brazil, and not the Western Powers, had requested the inclusion of item 64 in the agenda. Brazil had never entertained doubts that the four Powers were primarily responsible for settling the Austrian question. The explanatory memorandum (A/2166 and Add.1) it had submitted in support of its request to place item 64 on the agenda made that point very clear and accounted for the fact that the title referred to an "appeal" to the Powers signatories to the Moscow Declaration.

27. Brazil wished to emphasize that the United Nations could not remain indifferent in view of the present situation resulting from the stalemate reached by the four Powers. The development of friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples was the corner-stone of the United Nations and one of the purposes and principles of the Charter. In that spirit, the General Assembly had adopted resolution 190 (III) entitled "Appeal to the great Powers to renew their efforts to compose their differences and establish a lasting peace".

28. The Brazilian delegation had not formally requested the inclusion of the Austrian question in the agenda of the General Assembly's seventh session; it had merely requested that the Assembly should consider the possibility of making an appeal to the signatory Powers to the Moscow Declaration to carry out their commitments regarding Austria without delay. Thus, it had acted entirely in conformity with the spirit of the Charter and United Nations precedent.

29. It was surprising to hear the USSR representative invoke Article 107 of the Charter in opposing the inclusion of item 64 when it was a known fact that his country, in the Moscow Declaration of 1 November 1943, had formally declared that Austria, the first victim of Hitler's aggression, would be liberated from German domination. In the same document, the USSR had stated that it did not consider itself bound by the changes brought about in the internal régime of Austria as a result of the *Anschluss* and that those changes were, in its view, null and void. It was difficult to reconcile those statements and commitments with the Soviet Union representative's assertion that Austria was an ex-enemy State of the signatories to the Charter.

30. The Brazilian delegation was not blaming any State for the present state of affairs. Its sole objective was to have the General Assembly consider the question, as it was the duty of that body to create conditions favourable to the establishment of friendly relations among the free and independent nations. It was pressing for the inclusion of item 64 in the agenda of the seventh regular session

of the General Assembly in the hope that discussion of the question would further the cause of international peace and security.

31. Mr. HOPPENOT (France) joined the United Kingdom representative in assuring the Committee that the United States, the United Kingdom and France were very eager to conclude the treaty between Austria and the four Powers as rapidly as possible and to restore Austria's status as an independent State.

32. With regard to the applicability of Article 107 of the Charter to Austria, he recalled that, at a meeting of the five permanent members of the Security Council on the admission of new Members, he had asked the USSR representative why Austria — with which no treaty had yet been concluded — was on the list of States which the USSR wanted to admit *en bloc*. Mr. Malik, who represented the USSR at the meeting, had replied that Austria was not an enemy State. Mr. Hoppenot wanted to know how that reply could be reconciled with the statement which had just been made by the USSR representative in the Committee.

33. Mr. NOSEK (Czechoslovakia) thought that the fact that Brazil had requested that item 64 should be placed on the agenda warranted attention. Why was that country showing such interest in Austria? Surely it could not be explained by the cultural or economic relations between Brazil and Austria, because they were virtually non-existent. The explanation for the Brazilian proposal must be sought rather in the bonds between Brazil and the United States.

34. Item 64 was not very different from an item considered during the sixth session of the General Assembly. At that time, a proposal had been made for the establishment of an international commission of investigation to determine whether free and impartial elections could be held in Germany.² The real purpose of the authors of that proposal had been to prevent elections in Germany and thus clear the way for the inclusion of West Germany in a so-called organization for European defence. The present case was identical except that Austria and not Germany was involved. An attempt was being made to misuse the United Nations by making a mockery of the purposes and principles of the Charter relating to the maintenance of international peace and security.

35. The Czech delegation categorically rejected any attempt to include item 64 in the General Assembly's agenda. There was no disputing that Article 107 was applicable to Austria inasmuch as Austria's actions in the Second World War had altered its international status. The third paragraph of the Moscow Declaration showed that Austria had assumed a responsibility which it could not escape owing to the part it had played in the war side by side with Hitler Germany. The treaty with Austria was exclusively a matter for the four Powers because it could not be denied that Austria had been a member of a coalition directed against the Allied Powers, and particularly against the Soviet Union. The Moscow Declaration had not excluded Austria from the ex-enemy States against which measures were to be taken, although it had reserved less severe treatment for it than for Hitler Germany.

36. The text of the Brazilian proposal put the question as if the Powers signatories to the Moscow Declaration

² *Ibid.*, Annexes, Agenda item 65.

had a debt towards Austria. That was not the case; on the contrary, the Moscow Declaration said in effect that, in the final settlement, account would be taken of the extent to which Austria had contributed to its own liberation. Nevertheless, far from carrying out the provisions of the agreements signed between the four Powers, Austria was not punishing war criminals; it was allowing fascist groups to reorganize and it was, in general, preventing the democratization of the country. It was taking that action with the support of the Western Powers, in particular with that of the United States.

37. He joined the USSR representative in requesting deletion of item 64 from the agenda.

38. Mr. GROSS (United States of America) said that his delegation was highly gratified by the initiative taken by Brazil. The representatives of the United Kingdom and France had already shown how groundless were the arguments of those delegations opposed to the inclusion of item 64 in the agenda.

39. Article 107 could not be invoked in the case of Austria. The French representative had quite rightly reminded the USSR delegation that one of its members had said that none of the signatories to the Charter had been at war with Austria.

40. To back his argument, the USSR representative had raised questions of substance unrelated to the subject under discussion. For example, he had spoken of Trieste. In so doing, he had called attention to one of the main difficulties in the way of signing a treaty with Austria. The Deputy Foreign Ministers had held 258 meetings at which the representatives of the three Western Powers had always shown great patience in their sincere efforts to bring about concrete results. Their efforts had been fruitless because the Soviet Union had continually brought up matters irrelevant to the settlement of the future of Austria, as, for instance, the question of Trieste.

41. The United States delegation felt that there was nothing in Article 107 to prevent consideration of item 64 of the agenda. Moreover, Austria had never been at war with any of the Charter signatories. And, even conceding that it had been at war, it could not be maintained that a mere appeal to the Powers signatories to the Moscow Declaration could influence or prohibit any action undertaken or authorized by the responsible governments as a result of the Second World War.

42. The United States was not afraid to discuss publicly the commitments made by the four Powers. On the contrary, it was very anxious to carry out without further delay the promises made by the signing of the Moscow Declaration. The moral effect of a General Assembly recommendation on the subject might bring about the settlement of a difficult problem which had too long remained in abeyance.

43. Mr. KYROU (Greece) pointed out that the USSR representative had defended his delegation's position by legal and political arguments. The latter had been thoroughly refuted. With regard to the former, namely, the applicability of Article 107, he would merely say that he had always believed that Czechoslovakia and Austria had been in the same position: that of victims of Hitler Germany.

44. He asked whether there was any provision in the rules of procedure which would make inclusion of an

item in the agenda conditional upon the inclusion of some other item, in the present instance, the question of Trieste.

45. The CHAIRMAN said that there was no such rule and, from a procedural point of view, item 64 and the question of Trieste were utterly unrelated.

46. Mr. GROMYKO (Union of Soviet Socialist Republics) noted that the United Kingdom and the United States representatives had been playing on words when they said that Article 107 did not apply and that the United Nations was competent to consider the question of the treaty with Austria. They knew very well that the Moscow Declaration stated that the four Powers wanted a free and independent Austria so that the Austrian people and the neighboring States should enjoy the economic and political independence necessary for the maintenance of a lasting peace. It then drew Austria's attention to the fact that it had, by its part in the Second World War side by side with Hitler Germany, assumed an inescapable responsibility and it said that the final settlement of the matter would take account of the extent of Austria's contribution to its own liberation.

47. Obviously, the Moscow Declaration had to be treated as a whole and passages should not be taken out of contexts merely for the sake of buttressing some argument. Austria's responsibility had been expressly proclaimed. It was common knowledge that Austrian units had fought in the German army and had for a time occupied USSR territory. All States, and particularly the Soviet Union, knew what part Austria's human and material resources had played in the war.

48. There had never been any intention of treating Austria in the same manner as Hitler Germany; the Moscow Declaration was very clear on that point. Nevertheless, Article 107 applied to Austria and the conclusion of a treaty with Austria was a matter exclusively within the competence of the four Powers.

49. The United States representative had said that the Deputy Foreign Ministers had spent many meetings in discussing the question of a treaty with Austria and that the time had come for concrete results. All the Powers concerned shared that desire, but it was an inescapable fact that it was the United States which was causing the question to drag on. There was no other explanation for the fact that the United States had, only a month before, maintained the position it had taken early in 1952 and had undone the important work accomplished by the Deputy Foreign Ministers. Save for six articles, the draft treaty was ready; apart from those six articles, only the two supplementary proposals of the USSR had to be examined. Instead of using that draft, the three Western Powers had rejected it in its entirety and had submitted a new draft which, according to them, had the merit of being much more concise. Their real purpose was to delay the conclusion of a treaty with Austria and so to prepare the ground for intervention by the General Assembly, in disregard of the Potsdam Agreement and of the Moscow Declaration.

50. The Soviet Union delegation readily understood that the United States should welcome the initiative of Brazil; it was no secret with whom the idea had really originated. His delegation felt bound to point out that the position which the three Western Powers proposed to take would inevitably hamper the conclusion of a treaty with Austria. If the General Assembly really

wished to perform its function while observing the provisions of the Charter, it would refuse to place item 64 on its agenda.

51. Mr. GROSS (United States of America) remarked that the USSR representative had wondered why the United States had submitted a shorter draft of a treaty with Austria. His delegation welcomed the question and would not fail to reply to it if given the opportunity; that was one of the reasons why item 64 should be included in the General Assembly's agenda.

52. Another reason was that Austria's status was not very clear. The United States held that it had never been at war with Austria; earlier, the USSR had apparently taken the same position, but had since changed its mind. Accordingly, the question of Austria's status was one of the questions awaiting discussion, and the General Assembly was the best organ for such a discussion.

53. The CHAIRMAN said he felt bound to point out, before the discussion developed further, that under rule 40 of the rules of procedure the General Committee was not to consider the substance of items.

54. Mr. GROMYKO (Union of Soviet Socialist Republics), summing up his delegation's position, said firstly, the Moscow Declaration should be considered as a whole and, secondly, Article 107 of the Charter applied to Austria. The Austrian problem, like the problems of Germany and Japan, were matters to be dealt with exclusively by the Powers signatories to the Moscow Declaration and the Potsdam Agreement.

55. The CHAIRMAN put to the vote the proposal to delete item 64 from the agenda.

The proposal was rejected by 12 votes to 2.

ITEM 65

56. General ROMULO (Philippines) asked that his delegation's abstention in the decision to include item 65 in the General Assembly's agenda should be recorded.

57. The CHAIRMAN proposed, in the absence of objections, that the inclusion of the item should be recommended.

The General Committee decided to recommend the inclusion of item 65 in the agenda.

ITEM 67

58. The CHAIRMAN announced that, in pursuance of rule 43 of the rules of procedure, the delegations of the Union of South Africa, India and Iraq had asked to make statements on the subject of item 67 of the agenda.

The Chairman invited the representatives of the Union of South Africa, India and Iraq to come to the Committee table.

59. Mr. JOOSTE (Union of South Africa) wished to make a formal protest on behalf of his Government against the inclusion in the agenda of the item entitled "The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa". The item related to matters which were essentially within the domestic jurisdiction of the Union of South Africa and in which, in accordance with the provisions of Article 2, paragraph 7, of the Charter, the United Nations could not intervene.

60. The South African Government made that protest in order to protect its legal position in the matter.

61. It was of course for the General Assembly to decide whether or not it wished to consider any question proposed for inclusion in its agenda; but the South African delegation reserved its right to raise the question of the General Assembly's competence at the proper time.

62. Mr. LLOYD (United Kingdom) remarked that the decision to include item 67 in the agenda would in no way prejudice the question of the General Assembly's competence. The same comment obviously applied to items 61 and 66, the inclusion of which the Committee had decided to recommend.

63. The United Kingdom delegation reserved its right to consider the question of the General Assembly's competence at a later time.

64. Mr. PATHAK (India) observed that item 67 concerned a violation of the principles of the Charter and that it was therefore the General Assembly's duty to consider it. The Union of South Africa had, at an earlier session, made efforts to secure the removal of a similar item from the agenda; its efforts had failed and the General Assembly had adopted a resolution indicating that the policy of the Union of South Africa was based on racial discrimination.

65. Item 67 was identical with that earlier item; but it referred to a violation of the Charter on a much larger scale. The situation for which a remedy was sought was so serious as to constitute a threat to world peace. The populations which were the victims of the *apartheid* policy had no constitutional means of redress; the United Nations was their sole hope.

66. The question was very urgent and called for most careful consideration by the General Assembly. It was to be deplored that in the past the Union of South Africa had not felt bound to respect the resolutions of the General Assembly. The latter must face its responsibilities, for by ignoring them it would greatly impair the prestige of the United Nations and disappoint the hopes of the peoples of the world.

67. The question of the General Assembly's competence could not be raised until the item had been included in the agenda. In the name of populations kept in subjection and misery, Mr. Pathak urged the Committee to recommend the inclusion of item 67.

68. Mr. AL-JAMALI (Iraq) said that his delegation supported the proposal submitted by the Indian delegation, firstly, because discrimination on the grounds of race or colour was incompatible with the provisions of the Charter; secondly, because questions of race and colour were not merely of local importance, but affected relations between the various regions of the globe. The total elimination of discriminatory measures was needed if international harmony was to be achieved.

69. The CHAIRMAN proposed, as there was no objection, that the inclusion of item 67 in the agenda should be recommended.

The Committee decided to recommend the inclusion of item 67 in the agenda.

ITEMS 68 TO 71

70. Mr. MOSTAFA (Egypt) thought that preferably the author of the complaint should have been named in the text of item 69; the item should have read: "Complaint by Israel . . .". His delegation would not, however, press for an amendment in the wording of the item.

71. The CHAIRMAN proposed that the inclusion of items 68-71 should be recommended.

The General Committee decided to recommend the inclusion of items 68-71 in the agenda.

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM
PROPOSED BY CZECHOSLOVAKIA (A/2224)

72. Mr. NOSEK (Czechoslovakia) said that his delegation was proposing for inclusion in the General Assembly's agenda an important and urgent item worded as follows:

"Interference of the United States of America in the internal affairs of other States as manifested by the organization on the part of the Government of the United States of America of subversive and espionage activities against the Union of Soviet Socialist Republics, the People's Republic of China, the Czechoslovak Republic and other peoples' democracies."

73. In stating the reasons underlying the proposal, Mr. Nosek recalled that in 1951 the Mutual Security Act, providing for the appropriation of special funds for the organization of subversive and espionage activities against the Union of Soviet Socialist Republics, the People's Republic of China, Czechoslovakia and other peoples' democracies, had been passed by the Congress and signed by the President of the United States. In 1952, large sums had been appropriated for the purposes of the Act.

74. The aggressive action of the United States was inconsistent with the principles of the Charter and with the established practice in international relations. The purpose of that action was to undermine the internal order of certain States, freely chosen by the people. That the United States had put the Mutual Security Act into effect was demonstrated by the increasing frequency of acts of sabotage, espionage and terrorism in the territories of the peoples' democracies. Under the auspices of the United States, pseudo-refugees were organized in military formations which were to fight against their countries of origin. Spies and terrorists, equipped with false papers, American arms and transmitting sets, were sent into the territory of certain countries for the purpose of committing acts of sabotage, violence and terrorism, even to the extent of murdering peaceful citizens.

75. The action of the United States was in flagrant contradiction to the principles of the Charter; it was incompatible with international co-operation and the peaceful co-existence of nations; it was directed against the security of other States, and hence represented a threat to international peace and security. It was for that reason that the Czechoslovak delegation was proposing that the new item, worded as he had already stated, should be included in the General Assembly's agenda.

76. Mr. GROSS (United States of America) pointed out that according to rule 20 of the General Assembly's rules of procedure all items proposed for inclusion in the agenda must be accompanied by an explanatory memorandum and by basic documents or a draft resolution. While he had no desire to create procedural difficulties, he noted that those provisions had not been complied with in the case of the Czechoslovak proposal. As neither the proposal itself nor the explanatory memorandum required by the rules of procedure had as yet been circulated, the United States delegation would not, at the present stage, attempt to rebut in detail the false accu-

sations, which, in any case, contained nothing new. The United States Government had invariably been agreeable that the General Assembly should consider any charges, however misconceived, levelled against it. It had never feared, but had rather welcomed, full publicity, and when once the Assembly was acquainted with the facts of the case it would surely be able to judge the matter clearly and fairly and determine whence the threats to peace really originated.

77. Mr. GROMYKO (Union of Soviet Socialist Republics) recalled that at the General Assembly's sixth session the USSR delegation had proposed⁸ that the Assembly should consider a question similar to that now proposed by the Czechoslovak delegation. It had done so in the hope that the General Assembly would take the necessary steps to put a stop to United States interference in the domestic affairs of other States, which took the form of the despatch of spies and saboteurs, who were the tools of the aggressive policy of the United States into the territory of the USSR and of other States. The Soviet Union delegation regretted that the Assembly had not shown determination to put a stop to United States activities of that kind and so to end a situation that was prejudicial to international co-operation and to friendly relations among peoples.

78. The question was more urgent than ever, for what was involved was not simply the activity of an ideological group fighting in the realm of ideas and principles but the official policy of the United States Government, approved by Congress and put into practice by the expenditure of huge sums of money. It was only necessary to mention the fact that in some of the peoples' democracies numerous United States spies and saboteurs had been caught red-handed.

79. In reply to the United States representative's reference to rule 20 of the rules of procedure, Mr. Gromyko said that the countries concerned could very quickly produce ample material in support of their accusation. It was idle to try to shelter behind feeble pretexts of procedure. What mattered was the truth of the facts: it was well known that emigrants who had either fled their countries or been driven out by the people were formed into units of saboteurs and spies under the auspices of the United States Government. Surely it could not be argued that that did not constitute interference in the domestic affairs of States.

80. The Czechoslovak delegation was therefore right in proposing the additional item for the agenda; it was the duty of the United Nations to consider it. The USSR delegation declared forthwith that it considered such interference inadmissible and it supported the Czechoslovak proposal as an effort to safeguard the interests of States in whose territory the events that had been mentioned were taking place.

81. Mr. NOSEK (Czechoslovakia) reminded the United States representative that at the General Assembly's sixth session the delegations of the USSR, Czechoslovakia, the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and Poland had submitted full and detailed material to show the true character of the so-called Mutual Security Act and its objectives, citing a number of specific examples. Furthermore, the Czechoslovak delegation had transmitted to the President of the General Assembly's current session the ex-

⁸ *Ibid.*, Annexes, Agenda item 69, document A/1968/Rev. 1.

planatory memorandum (A/2224/Rev. 1) and the draft resolution required under the rules of procedure. The problem was urgent, and only shortly before, the Czechoslovak Government had addressed a note to the United States Government protesting against the murder of two Czechoslovak nationals by American agents.

82. The CHAIRMAN stated that he had indeed received the explanatory memorandum and the Czechoslovak draft resolution during the meeting. Since no delegation had spoken against the inclusion in the agenda of the item proposed by Czechoslovakia, further comment on the reasons underlying the proposal was unnecessary.

The General Committee decided to recommend the inclusion of the additional item proposed by Czechoslovakia in the agenda.

83. The CHAIRMAN referred to paragraph 2 of document A/BUR/128, which explained why the Secretary-General suggested that item 25 of the provisional agenda should not be placed on the final agenda. With regard to paragraphs 7 and 8 of the document, he pointed out that the General Assembly had decided to set up an *Ad Hoc* Political Committee; in its report to the Assembly, the General Committee might mention that during the session the Assembly ought to consider how the rules of procedure should be amended to make allowance for the rights it was proposed to confer on the Chairman of the *Ad Hoc* Political Committee.

ALLOCATION OF AGENDA ITEMS TO COMMITTEES

PLENARY MEETINGS

84. The CHAIRMAN proposed that the General Committee should recommend that the items mentioned under that heading in document A/BUR/128 should be referred directly to the Assembly in plenary meeting; if the General Assembly held that item 16 had financial implications it could refer it to the Fifth Committee in due course.

85. Mr. MUÑOZ (Argentina) said that he had no objection in principle to the list of items which the Secretary-General proposed should be referred directly to the Assembly in plenary meeting; indeed, he hoped that as many questions as possible would be treated in that way. He wondered, however, why it had been proposed that items 17 and 19 should be considered directly in plenary meeting rather than in committee. Item 17, "Human rights: Recommendations concerning international respect for the self-determination of peoples" had not been considered thoroughly and the Economic and Social Council, as its report showed,⁴ had decided to transmit the two draft resolutions submitted by the Commission on Human Rights to the General Assembly without comment. Accordingly, the item might give rise to an exhaustive discussion, and even to a discussion on the wording of the two draft resolutions. It would therefore be sounder policy to refer it to a committee. Similarly item 19, "Measures to limit the duration of regular sessions of the General Assembly" could more profitably be studied in committee.

86. The CHAIRMAN pointed out that there were aspects of both items 17 and 19 that concerned more than one committee; time would therefore be saved and needless complications avoided if they were considered in

plenary session instead of being referred to several committees.

87. Mr. ALI (Pakistan) pointed out that the two draft resolutions relating to item 17 had originated in decisions taken by the Third Committee, which therefore was the Committee most directly concerned.

88. The CHAIRMAN said that if item 17 were referred to a committee, it would have to be to a joint committee of the Third and Fourth Committees. It would seem wiser to avoid setting up such a joint committee at the very beginning of the session. In any event, the General Committee's recommendation concerning the allocation of items to committees could be changed in the light of circumstances, as had been done in the past. Accordingly, the General Committee might recommend that the list of items that had been proposed should be referred directly to the Assembly in plenary meeting should be adopted, leaving it to the Assembly itself to make whatever adjustments might become necessary.

The General Committee decided to recommend that the list of items to be placed on the agenda of the General Assembly at plenary meeting, as proposed in the Secretary-General's memorandum (A/BUR/128), should be approved.

FIRST COMMITTEE

89. Mr. GROMYKO (Union of Soviet Socialist Republics) proposed that item 3, "Reports of the United Nations Commission for the Unification and Rehabilitation of Korea" should be placed first on the list.

90. Mr. ALI (Pakistan) pointed out that in the proposed agenda of the seventh session "The Tunisian question" was item 61 and the "Question of an appeal to the Powers signatories to the Moscow Declaration . . . for an early fulfilment of their pledges toward Austria" was item 64. There seemed to be no good reason why that order should be reversed in the list of items to be referred to the First Committee, where the former appeared as item 5 and the second as item 4.

91. The CHAIRMAN observed that when the General Committee recommended that certain items should be referred to a committee, it did not recommend that the questions should be dealt with in any particular order. Each committee decided on its own order of priority.

92. Mr. MUÑOZ (Argentina) agreed that the order of priority was a matter to be settled by the committees themselves. He proposed that the additional item proposed by Czechoslovakia should be referred to the *Ad Hoc* Political Committee, in keeping with the precedent established at the sixth regular session.

93. Mr. NOSEK (Czechoslovakia) argued that the item should be referred to the First Committee.

94. Mr. GROSS (United States of America) thought that the lists of items to be referred to the First Committee and the *Ad Hoc* Political Committee should be settled first; thereafter a decision would be easier, in the light of the volume of work of each of the two committees.

It was so decided.

The General Committee decided, subject to that reservation, to recommend that the list of items, as proposed under the corresponding heading in the Secretary-General's memorandum (A/BUR/128), should be referred to the First Committee.

⁴ See *Official Records of the General Assembly, Seventh Session, Supplement No. 3 (A/2172)*.

Ad Hoc POLITICAL COMMITTEE

95. Mr. MOSTAFA (Egypt) observed that one of the items proposed to be referred to the *Ad Hoc* Political Committee touched on the Palestine question, while another aspect of that question, the "Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" was item 1 of the items to be referred to the Second Committee. The question of Palestine was, however, essentially a political one and had always been dealt with by the *Ad Hoc* Political Committee. He therefore proposed that item 1 of the items to be referred to the Second Committee should be transferred to the agenda of the *Ad Hoc* Political Committee.

96. The CHAIRMAN said that the item in question had been provisionally included in the Second Committee's agenda in the hope that the economic and humanitarian aspects of the problem might be discussed apart from its political implications.

97. Mr. FITZMAURICE (United Kingdom) agreed with the Chairman that the item could be discussed in a more propitious atmosphere in the Second Committee. To leave the item where it was would be in the interests of the Palestine refugees themselves.

98. Mr. MOSTAFA (Egypt) said that he was keenly aware of the urgency of the problem and the need for a satisfactory settlement. That was precisely why he was anxious that it should be dealt with by the *Ad Hoc* Political Committee, which had considered it at several sessions; moreover, the same representatives sat on that Committee from year to year and were thus thoroughly acquainted with the problem.

The General Committee decided, by 5 votes to 1, with 8 abstentions, to recommend that the item "Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" should be placed on the list of items to be referred to the Ad Hoc Political Committee.

99. Mr. KYROU (Greece) proposed that item 6 of the proposed agenda for the Third Committee, "Repatriation of Greek children", should be transferred to the *Ad Hoc* Political Committee. To avoid any difficulty which might arise owing to his dual capacity as representative of Greece and Chairman of the *Ad Hoc* Political Committee, he would step down from the Chair when that question was being discussed, in accordance with rule 105 of the rules of procedure.

The General Committee decided, by 8 votes to 2, with 2 abstentions, to recommend that the item "Repatriation

of Greek children" should be placed on the list of items to be referred to the Ad Hoc Political Committee.

100. Mr. NOSEK (Czechoslovakia) proposed that the General Committee should recommend that the additional item proposed by Czechoslovakia should be placed on the list of items to be referred to the First Committee.

The General Committee decided to recommend that the additional item submitted by Czechoslovakia should be placed on the list of items to be referred to the First Committee.

The General Committee decided, subject to the above modifications, to recommend that the list of items, as proposed under the corresponding heading in the Secretary-General's memorandum (A/BUR/128), should be referred to the Ad Hoc Political Committee.

SECOND COMMITTEE

The General Committee decided, subject to the changes made in the course of the meeting, that the list of items, as proposed under the corresponding heading in the Secretary-General's memorandum (A/BUR/128), should be referred to the Second Committee.

THIRD COMMITTEE

The General Committee decided, subject to the changes made in the course of the meeting, that the list of items, as proposed under the corresponding heading in the Secretary-General's memorandum (A/BUR/128), should be referred to the Third Committee.

FOURTH COMMITTEE

The General Committee decided that the list of items, as proposed under the corresponding heading in the Secretary-General's memorandum (A/BUR/128), should be referred to the Fourth Committee.

FIFTH COMMITTEE

The General Committee decided that the list of items, as proposed under the corresponding heading in the Secretary-General's memorandum (A/BUR/128), should be referred to the Fifth Committee.

SIXTH COMMITTEE

The General Committee decided that the list of items, as proposed under the corresponding heading in the Secretary-General's memorandum (A/BUR/128), should be referred to the Sixth Committee, with the exception of the item "Draft code of offences against the peace and security of mankind".

The meeting rose at 6 p.m.