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Chairman : Mr. Finn MOE (Norway).

Methods which might be used to maintain and strengthen international peace and security in accordance with the purposes and principles of the Charter : report of the Collective Measures Committee (A/1891, A/C.1/676/Rev.1, A/C.1/694 and A/C.1/688) (*continued*)

[Item 18] *

CONSIDERATION OF DRAFT RESOLUTIONS AND AMENDMENTS THERETO

1. The CHAIRMAN said that, the general debate having been concluded, the Committee would now consider each of the draft resolutions and amendments submitted. Each intervention would be limited to ten minutes.

2. Mr. RIVAS (Venezuela) said he was glad that the co-sponsors of the joint draft resolution had accepted the amendments submitted by Colombia, Chile and Mexico (A/C.1/689) and also the amendments of the Arab States (A/C.1/690), both of which reflected principles supported by Venezuela in the Collective Measures Committee. His delegation had agreed to the original wording of the draft resolution on the understanding that the principles stated in those amendments were taken for granted, and in view of the provisional nature of the measures contemplated by the Collective Measures Committee.

3. As the leader of the Venezuelan delegation had pointed out at the 478th meeting, only States which had reserves of men and equipment in excess of their internal security requirements could devote the surplus to collective security. That consideration had been brought out in the amendments submitted by Colombia, Chile and Mexico to paragraph 2 of the operative part of the original text.

4. His country felt that consideration should be given to regional systems of collective security and that in each individual case the regional body concerned should define its attitude toward the collective action to be taken by each of its members. Moreover, since the regional security system adopted by the American States had been in existence prior to the United Nations system of collective security, the United Nations might profitably draw on their experience.

5. He mentioned that at a private meeting, the eleven co-sponsors of the draft resolution (A/C.1/676/Rev.1) had accepted two draft amendments submitted by the representative of Mexico to paragraph 6 of the operative part. The revised version of the text of that paragraph had been circulated as document A/C.1/694. At his delegation's request, a drafting change had also been made in paragraph 6 of the original text, the words "the maximum support" being replaced by the words "all possible support".

6. His delegation would support the amendment submitted by the Arab States (A/C.1/690), which embodied a principle established by the Inter-American Mutual Defence Pact, signed at Rio de Janeiro.

7. Mr. URRUTIA HOLGUIN (Colombia) said he was pleased to note that the amendments submitted by his delegation jointly with the delegations of Chile and Mexico had been accepted by the sponsors of the draft resolution. He wished, however, to offer a few comments relating to the language of the text.

8. He agreed with the Ecuadoran representative's observation that it would be preferable if the eighth paragraph of the preamble said expressly that regional agreements did constitute an important contribution, for such agreements already existed and it was a mistake to use the conditional mood in describing their contribution. Hence, he was surprised that a correction had been made in the Spanish text which, unlike the English and French texts, was correct.

9. His delegation accepted the new wording of paragraphs 1, 2 and 3 of the operative part. The Spanish text of paragraph 4 should be amended and adapted to the original text of the amendment submitted by Chile, Colombia and Mexico (A/C.1/689).

10. The Chilean and Colombian delegations had submitted an amendment (A/C.1/692) to paragraph 6 of the revised draft resolution. As the paragraph stood, regional agreements were given only secondary importance, whereas in certain cases—for example, in the case of the Bogotá Charter which was binding upon the American States—consultation between Member States in the event of aggression or of a threat to the peace had to precede any decision by the Security Council. Furthermore, it was

* Indicates the item number on the General Assembly agenda.

quite proper that States belonging to a regional group should first consult together with a view to agreeing on their contribution to the action to repel an aggression. Only in the absence of agreement between those States would their contributions to the action contemplated by the United Nations become a matter of individual effort.

11. The delegation of Colombia attached great importance to the amendment it had submitted jointly with Chile. It would be compelled to abstain from voting on paragraph 6 of the operative part if that amendment were not adopted.

12. Nevertheless, it would still vote for the draft resolution as a whole, as it considered that the time had come when action for peace was more important than speeches. His country's contribution to the United Nations forces in Korea, for example, represented a more eloquent argument than any discussion on the subject.

13. The CHAIRMAN pointed out that a correction had been made in the Spanish text of the eleven-Power draft resolution, to bring it into line with the original English text. As the sponsors of the draft resolution had not expressed any desire to change the wording of the eighth paragraph of the preamble in the manner indicated by the Colombian representative, the Secretariat was unable to vary the text as submitted.

14. Mr. FRANCO-FRANCO (Dominican Republic) said that his delegation would support the eleven-Power draft resolution since it was in the interest of all States, and of small States in particular, that an effective system of international security should be established. That was a matter which could not be left solely to the initiative of the five permanent members of the Security Council, or even exclusively to the Security Council itself, since the General Assembly should be able to take emergency action if the Security Council were prevented from doing so. It was inconceivable that in the case of an act of aggression a permanent member of the Security Council should be able, through its right of veto, to prevent any possibility of action by the United Nations. The term of office of the Collective Measures Committee should therefore be prolonged, for its operation in no way violated either the letter or the spirit of the Charter, and its chairman should be congratulated on the success with which he had carried out a difficult task.

15. His delegation would vote against the USSR draft resolution (A/C.1/688) which, among other unacceptable proposals, provided for the elimination of the Collective Measures Committee.

16. His country was loyal to the principles and purposes of the United Nations Charter and, hence, to the principle of collective security. The convention it had concluded with the United States on 26 November 1951 constituted further evidence of his country's contribution to the defence of the American continent and of its loyalty to collective security. The Dominican Republic had also given moral support to United Nations action in Korea, as his Government had stated in its note of 2 October 1951 to the Secretary-General. It was evident that any collective action ought to allow for constitutional provisions and for each State's national defence requirements. That was the theory on which his Government's note had been based and which had been distorted by the Tress.

17. The provisions of the revised text of the eleven-Power draft resolution were inspired by the same considerations as those underlying his Government's note. Paragraph 1 of the operative part, in conjunction with paragraph 9, indicated that the Collective Measures Committee had not reached any final conclusions on the subjects dealt

with in its report. Paragraphs 2, 3, 4 and 5 had been improved and were no longer ambiguous. Paragraph 6 was quite clear and paragraph 7 could not give rise to any difficulties. Lastly, paragraph 10, reproduced one of the basic principles of the Organization of American States.

18. Mr. ESQUIVEL (Costa Rica) said he would vote for the eleven-Power draft resolution. He wished to point out that paragraphs 2 and 3 of the operative part referred to measures of a military character. Under the terms of its Constitution, Costa Rica did not have any armed forces on a war footing. Units could be formed to ensure public order or only for the defence of the country or in pursuance of a continental agreement. If the contingency arose, Costa Rica would probably make changes in its legislation.

19. The delegation of Costa Rica would vote against the USSR draft resolution, which it regarded as superfluous since under the terms of the Charter the Security Council was itself able to decide to hold a meeting of the type proposed in the USSR text.

20. Mr. CHAUVEL (France) noted that once again the representative of the USSR in his most recent statement (483rd meeting) had broken down open doors while failing to open doors where there was knocking. He had repeated that the right of veto of the permanent members of the Security Council was essential and added that the western Powers admitted that principle in bodies on which the USSR was not represented. Of course France attached great importance to the right of veto, which it felt corresponded to the special responsibilities assumed by the great Powers.

21. Consequently the French delegation was not denouncing the right of veto, but the abuse of that right. It mattered little whether it had been used fifty times or thirty-three times by the representative of the USSR, as Mr. Vyshinsky had himself admitted. But it was a fact that its immoderate use had handicapped action on the part of the Security Council.

22. The CHAIRMAN pointed out to the representative of France that the general discussion was closed and that it would be preferable to reply to the representative of the USSR later.

23. Mr. CHAUVEL (France) said he was only trying to show the scope of certain changes and amendments in the eleven-Power draft resolution.

24. He was surprised that Mr. Vyshinsky should have taken the view that blockade was a measure which was bound to lead to war; after all, blockade was dealt with at some length in Article 41 of the Charter of the United Nations.

25. Mr. VYSHINSKY (Union of Soviet Socialist Republics), speaking on a point of order, said he reserved the right to reply to the questions which the representative of France, in violation of the rules of procedure, had raised.

26. The CHAIRMAN said the representative of the USSR would have the right to reply to the representative of France.

27. Mr. CHAUVEL (France) recalled that Mr. Vyshinsky had considered that the amendments submitted to the eleven-Power draft resolution reduced its scope; but he had continued to criticise that draft resolution in violent terms. The representative of France said that it was a common practice for authors of proposals to accept amendments. He pointed out that the addition of Article 10 avoided all ambiguity, although the provision in question was self-evident. The only case in which the clause would not operate would be that of a State against which sanctions were instituted.

28. The representative of the USSR had stated for the third time that collective measures represented a preparation for war, but had not offered conclusive evidence to corroborate the contention.

29. The draft resolution of the USSR (A/C.1/688) contained three main ideas. To begin with, it was plain that the authors of the joint draft resolution could not agree to the abolition of the Collective Measures Committee because, in fact, they had proposed its continuance. Secondly, the principle of periodic meetings of the Security Council as proposed by the draft resolution of the USSR was in conformity with the Charter, and hence was not in dispute. But, since the delegation of the USSR was apparently not prepared to show evidence of any conciliatory spirit it was futile to contemplate convening a periodic meeting forthwith. Lastly, it did not appear advisable that the Council should take the place of the negotiators in Korea because not only had those negotiations been proceeding favourably until the time when the representative of the USSR made his proposal, but, moreover, since the Deputy Foreign Ministers of the four Powers had spent four months in vain efforts to agree on an agenda, it was reasonable to conclude that the fact that the Korean negotiations had been started six months earlier was not a reason for abandoning hope. Besides, the representative of the USSR would be able to put forward his views on that matter during the consideration of the Korean question by the First Committee.

30. It was for that reason that the delegations of Brazil, France, the United Kingdom and the United States had moved an amendment (A/C.1/693) to the USSR draft resolution.

31. Mr. Chauvel wished to propose two stylistic changes. In the eighth paragraph of the French text of the preamble to the eleven-Power draft resolution the word *doivent* should be replaced by the word *devraient*; and in the French text of the joint amendment (A/C.1/693) to the USSR draft resolution the words *des principes de la Charte* should replace the phrase *des principes exposés dans la Charte*.

32. Mr. Chauvel pointed out that the authors of the draft resolution had improved the text of paragraph 6 of the operative part by presenting a new version (A/C.1/694).

33. Mr. VYSHINSKY (Union of Soviet Socialist Republics), apologizing for taking the floor at that point, in the debate, noted that the representative of France had acknowledged the necessity for the right of veto, which already represented a step forward. Mr. Chauvel had then proceeded to attack the abuse of the right of veto but he had also come close to the truth when he had admitted that the use of the veto might have taken place not fifty but thirty—three times.

34. The representative of France had not been able to refute the USSR delegation's statement that the main object in establishing collective measures was to prepare for a new war.

35. The representative of France had also criticised the clause of the USSR draft resolution which proposed convening forthwith a periodic meeting of the Security Council to consider and expedite the peace negotiations in Korea. Accordingly, it would appear that the representative of France was not interested in an early conclusion of the negotiations, whereas the United Nations, in whose name States were participating in that war, should at least assume its due responsibility and facilitate the peace negotiations. The pessimism displayed by the representative of France showed that the French Government was apprehensive of a meeting of the most responsible representatives of the States in question. It was to be hoped, however, that it

would be possible for that meeting to take place in order that a peaceful solution could be reached.

36. Mr. C. MALIK (Lebanon), who spoke in order to interpose a correction, pointed out that at the preceding meeting the representative of the USSR had stated that the question of the definition of aggression was of particular importance and, in that connexion, had said that the representative of Lebanon had spoken of the necessity for defining aggression.

37. It would seem that there had been some misunderstanding however, because, while it was true that Lebanon considered the question of aggression to be of particular importance, the Lebanese delegation had merely referred to the necessity of determining and establishing aggression. Aggression could be determined either by the Security Council in accordance with Article 39 of the Charter or by the General Assembly, if the Security Council were incapable of reaching agreement on the question. In actual fact, in that case the only authority which within the United Nations could determine aggression was the General Assembly. That was the consideration underlying the "Uniting for peace" resolution, the report of the Collective Measures Committee and the discussion in the First Committee.

38. The delegation of Lebanon recognized that the question of the definition of the concept of aggression should be studied by the United Nations, and it appreciated the contribution made in the past by the Soviet Union towards reaching a definition. For the moment, however, the Lebanese delegation had been concerned with the question of the determination of aggression within the United Nations.

39. Mr. SANDLER (Sweden) stated that on the basis of the statement made at the 476th meeting by his delegation, it would vote in favour of the eleven-Power draft resolution.

40. At the fifth session of the General Assembly, during the discussion in the First Committee which preceded the adoption of the resolution entitled "Uniting for peace", the Swedish Minister of Foreign Affairs had stated the use of troops outside the national territory was prohibited under Swedish law. For that reason the Swedish delegation had abstained from voting on section C of the draft resolution.

41. As the Swedish Parliament would probably shortly be considering the possibility of revising the relevant legislation, the Swedish delegation would vote in favour of paragraph 2 of the operative part subject to later approval by the Swedish Parliament.

42. Mr. BELAUNDE (Peru) said the relationship between obligations arising out of regional agreements and those arising out of a collective defence system under the United Nations presented a serious problem.

43. The delegation of Peru had never denied that it would be desirable if the application of collective measures were decided by the Security Council. However, the duty to participate in collective action was based not on any Security Council or General Assembly decision, but on the principles of the Charter: it was a legal and contractual obligation. There was a material difference between the recommendations generally made by the General Assembly—which created only a moral obligation—and recommendations which were based on a prior legal obligation, to which the Assembly merely drew attention when it considered that the time to act had come.

44. The spirit of co-operation which prevailed in the First Committee had been shown by the fact that the sponsors of the eleven-Power draft resolution had admitted a large

number of amendments to the revised text (A/C.1/676/Rev.1) before the Committee.

45. In addition, the representatives of Chile and Colombia, fearing that the original text of paragraph 6 of the operative part of the eleven-Power draft resolution might lead to some conflict between the obligations arising out of the regional system established at Rio de Janeiro and obligations arising out of a general agreement on collective measures, had submitted an amendment (A/C.1/692). But the obligations created by the American regional treaties prevailed only in the event of aggression against the American continent. If the act of aggression took place outside that continent, the provisions of the Charter would prevail, and regional organizations should co-operate in the collective action. Paragraph 6 of the operative part of the eleven-Power proposal spoke precisely of the case where the general obligation to co-operate within the United Nations was due to the fact that the aggression had been committed outside the American continent. That was why under that paragraph the United Nations collective security system had first claim.

46. The delegation of Peru would therefore vote against the amendment submitted by Chile and Colombia (A/C.1/692). The Inter-American Mutual Defence Pact had been signed in a spirit absolutely in accordance with that of the United Nations Charter. Article 5 of the treaty made it clear that the signatory States considered regional agreements to be fully compatible with a universal collective defence system.

47. Mr. THORS (Iceland) said that during the fifth session of the General Assembly the delegation of Iceland had voted in favour of all parts of the resolution which became resolution 377 (V), with the exception of paragraph 8, section C, which recommended Members of the United Nations to maintain within their armed forces elements which could be made available to the United Nations. On that paragraph it had abstained because Iceland had no armed forces.

48. In the same way the delegation of Iceland would also have to abstain from voting on paragraph 2 of the operative part of the revised joint draft resolution. It would vote however, in favour of all the other paragraphs.

49. Mr. TRUCCO (Chile) associated himself with the observations made by the representatives of Colombia and Mexico on the incorporation of the amendment submitted by Chile, Colombia and Mexico (A/C.1/689) in the revised eleven-Power draft resolution.

50. The object of the amendment submitted by Chile and Colombia (A/C.1/692) to paragraph 6 of the eleven-Power draft resolution was to ensure that that paragraph should not conflict with any earlier commitments which the two countries had entered into. The delegation of Chile would be unable to vote for paragraph 6 as it stood. The Pact of Bogotá, the Inter-American Treaty of Mutual Assistance and the Washington Declaration of April 1951 all stated clearly that the first duty of the countries of the American continent was to ensure the defence of that continent, the obligation to co-operate in a world collective security system taking second place.

51. Other delegations, including those of the Arab countries and of Guatemala, had also submitted draft amendments. But there appeared to be agreement among the majority of representatives on the substance of the eleven-Power draft resolution.

52. That being so, the delegation of Chile, in agreement with those of Colombia and Ecuador, proposed that a sub-committee should be appointed with instructions to harmo-

nize the amendments which had been submitted and to re-draft the revised draft resolution in the light of the views expressed in the debate.

53. Mr. FORSYTH (Australia) said his delegation would vote in favour of the revised eleven-Power draft resolution (A/C.1/676/Rev.1 and A/C.1/694/Rev.1).

54. It did not see in paragraph 6 the dangers that had been referred to by the representatives of Chile and Colombia, and preferred the paragraph as it stood.

55. The Australian delegation would support the amendments to the USSR draft resolution (A/C.1/688) submitted by the Arab countries (A/C.1/691) and by Brazil, France, the United Kingdom and the United States (A/C.1/693). The Security Council could hold a periodic meeting whenever it considered that a good purpose would be served thereby. The time did not appear to be propitious for such meetings, in view of the absence of agreement on fundamental questions, particularly disarmament. It was true that progress in the Korean truce talks had been slow, but there had been some progress, and a simultaneous discussion of Korea in the Security Council and in Korea would injure the prospects of a truce.

56. The representative of Australia did not feel that any useful purpose would be served by appointing a sub-committee to consider the sponsors' text and the amendments submitted to it, since those amendments had already been studied by the sponsors of the draft resolution, which was widely representative of the delegations composing the Committee.

57. Faris EL-KHOURY, Bey (Syria) thanked the eleven sponsors of the draft resolution for having added to the original text the paragraph proposed by his delegation and the delegations of other Arab countries (A/C.1/690).

58. Mr. QUEVEDO (Ecuador) supported the Chilean representative's proposal to appoint a sub-committee, which, he thought, should consider in particular the drafting of paragraph 6 of the operative part of the eleven-Power draft resolution.

59. His delegation would vote for the preamble to the draft resolution submitted by the representative of the USSR (A/C.1/688).

60. It would also vote for paragraph 1 of the Arab countries' amendment (A/C.1/691) suggesting the deletion of paragraph 1 of the operative part of the draft resolution.

61. It would vote against the second sub-paragraph of paragraph 2 of the operative part of the USSR draft resolution because, in view of that country's attitude in the Security Council in the case of the complaint of aggression against the Republic of Korea, he doubted whether an intervention by the Security Council at the present time could make any contribution to a successful conclusion of the negotiations in Korea, although such intervention might prove necessary and expedient within a few weeks' time. Furthermore, such a recommendation was superfluous, because the Security Council was fully empowered to decide, by a majority vote, what subjects to discuss at its periodic meetings and when to discuss them. Whatever the General Assembly might recommend, the Security Council would deal with the Korean question when the majority of its members decided to do so. It would be neither realistic nor effective for the Assembly to decide on an item of the Council's agenda nor to fix the date of its meeting when some of the permanent members of the Council were opposed to such a decision.

62. Commenting on the first sub-paragraph of paragraph 2 of the USSR text, he said that although experience of

previous meetings of that kind—particularly the meetings of Foreign Ministers in Paris—had been frustrating, the General Assembly could hardly reject a proposal by a Power like the USSR which could relieve international tension at a moment's notice, when the proposal was to convene a periodic meeting of the Security Council—and such meetings were provided for in the Charter—with a view to seeking methods likely to relieve international tension and establish friendly relations among States. Such a refusal could only create a propaganda success for the State which made the proposal. Nor was it very probable that the dangers besetting the world would be aggravated because statesmen representing the countries with the heaviest responsibilities met without reaching agreement.

63. In those circumstances, the delegation of Ecuador would vote for the first sub-paragraph of paragraph 2 of the USSR draft resolution. It would also vote for the deletion in the same paragraph of the words "without delay" proposed by the delegations of Brazil, France, the United Kingdom and the United States (A/C.1/693) because, as he had already said, it considered that it was for the Security Council itself to decide when it wanted to meet.

64. The addition proposed in the four-Power amendment (A/C.1/693) was superfluous for the same reason and also because the Security Council would have to consider the General Assembly's recommendation in the light of the discussions and proposals in the First Committee. The delegation of Ecuador would therefore abstain from voting on that addition.

65. Mr. BELAUNDE (Peru) proposed that the afternoon meeting should begin at 4 p.m. instead of at 3 p.m. so as to enable some representatives to discuss the drafting of

paragraph 6 of the operative part of the eleven-Power draft resolution.

66. Mr. COHEN (United States of America) supported the Peruvian representative's proposal.

67. On the other hand, he was not in favour of the proposal to appoint a sub-committee. The authors of the eleven-Power draft resolution had gone as far as they could in taking into account the various observations that had been made and it would be difficult for some of them to go further.

68. Mr. TRUCCO (Chile) said he had proposed the appointment of a sub-committee not only with a view to amending paragraph 6 of the operative part of the eleven-Power draft resolution, but also in order to secure the complete incorporation into the draft resolution of the amendment submitted jointly by the delegations of Chile, Colombia and Mexico (A/C.1/689). If the incorporation of the amendment could not be agreed to, the delegation of Chile would have to maintain it.

69. Therefore, Mr. Trucco asked that the proposal of Chile, Colombia and Ecuador should be put to the vote first.

70. The Chairman put to the vote the proposal calling for the establishment of a sub-committee.

There were 20 votes in favour, 20 against and 19 abstentions. The proposal was not adopted.

71. The CHAIRMAN put to the vote the proposal that the afternoon meeting should begin at 4 p.m. instead of at 3 p.m.

The proposal was adopted by 51 votes in favour.

The meeting rose at 1.10 p.m.