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Chairman: Mr. Karel KURKA (Czechoslovakia).

In the absence of the Chairman, Mr. Santiso Gálvez (Guatemala), Rapporteur, took the Chair.

AGENDA ITEM 21

The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea (A/4466 and Add.1, A/C.1/827, A/C.1/830, A/C.1/832, A/C.1/L.833, A/C.1/L.834, A/C.1/L.835, A/C.1/L.266, A/C.1/L.268, A/C.1/L.269, A/C.1/L.270, A/C.1/L.272, A/C.1/L.273) (*continued*)

1. Mr. LIU (China) said that the task of the Committee was to consider the report of the United Nations Commission for the Unification and Rehabilitation of Korea (A/4466 and Add.1). The Committee was not a court of law, and the argument that both sides had a legal right to be heard was therefore false. The two sides could not be given equal status. The history of the dispute showed that to seat North Korea in the Committee would merely give it greater scope for hostility to the United Nations. It would be an injustice to the Korean people in their struggle against aggression, and would undermine the position of the Government of the Republic of Korea.

2. Consequently, although his delegation appreciated the conciliatory spirit behind the United States sub-amendment (A/C.1/L.273), it would be unable to vote for any proposal which would in effect place the puppet régime of North Korea on an equal footing with the legal Government of the Republic of Korea.

3. Mr. QUINTERO (Philippines) said his delegation still considered, despite the comments made by the USSR representative at the 1144th meeting, that no useful purpose would be served by inviting the Democratic People's Republic of Korea to participate in the discussion. That view was based on North Korea's repeated statements that the United Nations was not competent to deal with the issue and had been used as a tool of aggression by the "United States imperialists", and that the elections in South Korea under United Nations observation had misrepresented the will of the people.

4. Nothing in the various documents put out by North Korea indicated goodwill towards the United Nations. There were, however, various proposals which might

possibly be followed up. For example, it had been suggested that arrangements should be made for economic and cultural co-operation and for the exchange of mail between the two halves of the country. If the two sides could reach an agreement freely and voluntarily on the way to achieve peaceful unification, the United Nations might consider withdrawing from the dispute. If not, the participation of North Korea in the debate might still serve a useful purpose by providing an opportunity to discuss the proposals he had mentioned. No progress would be possible, however, until the North Koreans recognized the competence of the United Nations.

5. For those reasons, his delegation would vote in favour of the United States draft resolution (A/C.1/L.268), the Indonesian amendment (A/C.1/L.272) and the United States sub-amendment (A/C.1/L.273).

6. Mr. BELAUNDE (Peru) said that the doubts expressed by some members about the legal aspects of the United States sub-amendment were not justified. It was logical that the United Nations, when dealing with a Power that existed *de facto*, as was the case with the North Korean régime, should apply the principles of the Charter. The conduct of such entities must always be governed by principles of law, and respect for the provisions of the Charter and for its resolutions was a basic principle of the United Nations. Article 2, paragraph 6, of the Charter, it had been said, extended the jurisdiction of the United Nations to entities which were not Members for the purposes of maintaining international peace and security. That was the more true of a State or political entity which had had relations with the United Nations, even though in doing so it had rebelled against the Organization. If such an entity wished to maintain relations with the United Nations, it must be willing to comply with the Charter and accept the competence and authority of the Organization. Furthermore, under the terms of Article 35, paragraph 2, any non-member State that sought the co-operation of the United Nations in a dispute must accept in advance the obligations of pacific settlement provided in the Charter. It was clear, therefore, that the United States sub-amendment did not establish a precedent, but merely applied the provisions of the Charter. The objection against giving only one party a hearing could not be sustained, since the other party had only to accept the Charter and the authority of the United Nations to be heard.

7. The reluctance of North Korea to comply with those conditions might at one time have been due to the consideration that the Members of the United Nations had already judged and condemned it. Since that time, however, the membership of the Organization had increased from about sixty to ninety-nine, and many of the new Members were neutral and approached the question with an open mind, anxious to hear both sides. Thus there was no longer any justification for North Korea's fears.

8. For those reasons his delegation would vote in favour of the United States draft resolution as amended by Indonesia and sub-amended by the United States.

9. Mr. AUGUSTE (Haiti) said that the principle of giving both parts of Korea a hearing seemed to have been recognized by the Committee, subject to the condition that North Korea would agree to submit to United Nations decisions. Since the debate would have something of the nature of a legal inquiry, that procedure was just.

10. His delegation would therefore vote for the United States draft resolution as amended and sub-amended.

11. Mr. YOST (United States of America) said that the Peruvian representative's statement, together with the arguments advanced by the United States representative at the previous meeting, had made it clear that the United States sub-amendment was perfectly proper and did not establish a precedent. His delegation would vote for the Indonesian amendment, provided its own sub-amendment was adopted; otherwise it would vote against it. With that proviso, it would also vote for the draft resolution as a whole.

12. He suggested that if the amended draft resolution was adopted, the representative of the Republic of Korea should be seated and the attention of the North Korean authorities drawn to the result of the vote. The Committee might then suspend its substantive discussion of the item to allow time for a reply from the North Korean authorities.

13. Mr. SHAHA (Nepal) said that his delegation agreed with the United States that there was no point in inviting representatives of North Korea to take part in the debate unless they were prepared to accept the jurisdiction of the United Nations in the matter. It would vote for the United States sub-amendment, in the hope that the North Korean authorities would accept the obligations of pacific settlement provided for in the Charter of the United Nations, which would place them on an equal footing with the Republic of Korea. Nevertheless, his delegation did not believe that the presence of representatives of both Koreas would help to solve the problem, which had become a part of the East-West conflict and would not be solved until the climate of international relations became more favourable.

14. Mr. ZORIN (Union of Soviet Socialist Republics) said that his delegation too wished to explain the vote it would cast on the draft resolutions and amendments.

15. The representatives of Peru and the United States had contended that the United States sub-amendment was fully in keeping with the Charter and contained nothing of an exceptional nature. However, Article 35, paragraph 2, of the Charter provided that a State which was not a member of the United Nations "may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter". Any State which had declared its willingness to accept the provisions of the Charter—and that of course included the provisions of Article 35—surely need provide no further assurances concerning its attitude towards the General Assembly. The Government of the Democratic People's Republic of Korea, in applying for membership in the United Nations, had already undertaken to observe the United Nations Charter; it was strange therefore that it should be required to give

further assurances and that further conditions should be imposed on it. Far from justifying the introduction of the United States sub-amendment, the arguments advanced in its favour merely emphasized its unusual nature. The sub-amendment went beyond the scope of the Charter and introduced an element of discrimination. Accordingly, the Soviet delegation would vote against it, and if it was adopted would also have to vote against the Indonesian amendment, which would then be rendered meaningless. Instead, the Soviet delegation would vote in favour of its own draft resolution (A/C.1/L.270), under which the representatives of both Korean States would be invited without any conditions and without discrimination. He was sure that all delegations which sought an equitable solution of the Korean question would support the Soviet draft resolution.

16. Mr. TARABANOV (Bulgaria) observed that a surprising number of statements had been made to support the contention that the United States sub-amendment was perfectly straightforward and merely designed to ensure that the representatives of the two parties were placed on an equal footing. Even the great jurists of the Assembly had been mobilized for the purpose. But such arguments were quite wasted, since the Democratic People's Republic of Korea had already, in applying for membership in the United Nations, accepted the United Nations Charter and all the obligations contained in it. Nothing could conceal the fact that the sub-amendment was an attempt to discriminate against a sovereign State which was a party to the dispute under discussion; by imposing humiliating conditions on a Government representing more than ten million people, the sponsors could only be seeking to prevent the Democratic People's Republic of Korea from attending the discussion.

17. Since the question of acceptance of the decisions of the General Assembly had been raised, it was interesting to note that one of the sponsors of draft resolution A/C.1/L.269 was the Union of South Africa—a country that had not complied with decisions of the General Assembly and various United Nations committees.

18. The unfortunate fact was that the issue was being dealt with in the spirit of the cold war. Of the countries representing the United Nations in Korea, all but one were members of military alliances headed by the United States; and their report reflected that fact.

19. For all those reasons, Bulgaria would vote against the United States sub-amendment. If it was adopted, it would also vote against the Indonesian amendment and the original draft resolution proposed by the United States. On the other hand it would vote in favour of the Soviet draft resolution, which provided that the two parties should be heard on an equal footing.

20. Mr. FOURIE (Union of South Africa) said that the Bulgarian representative's remarks concerning the Union of South Africa were completely out of order. South Africa had the same rights under the Charter as any other State to exercise its rights of membership.

21. If a separate vote could be taken on the invitation to the Republic of Korea, South Africa would vote in favour of it. If not, it would have to abstain.

22. The CHAIRMAN said that he would put the various proposals before the Committee to the vote. In accordance with the rules of procedure he would first take a vote on the United States sub-amendment (A/C.1/L.273).

At the request of the United States representative, a vote was taken by roll-call.

Upper Volta, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Upper Volta, Uruguay, Venezuela, Argentina, Australia, Belgium, Bolivia, Brazil, Cameroun, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Japan, Laos, Liberia, Luxembourg, Madagascar, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Spain, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Yugoslavia, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Guinea, Hungary, Mali, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Yemen, Afghanistan, Austria, Burma, Cambodia, Ceylon, Finland, Ghana, Indonesia, Iraq, Jordan, Lebanon, Libya, Morocco, Nigeria, Saudi Arabia, Somalia, Sudan, Sweden, Togo, Tunisia, United Arab Republic.

Present and not voting: India.

The sub-amendment was adopted by 59 votes to 14, with 22 abstentions.

23. The CHAIRMAN put to the vote the Indonesian amendment (A/C.1/L.272), as amended by the United States sub-amendment.

24. Mr. WIRJOPRANOTO (Indonesia), speaking on a point of order, said he wished to place on record the fact that now that the United States sub-amendment had been adopted his delegation considered the amendment to be not an Indonesian one but the property of the Committee.

A vote was taken by roll-call.

Poland, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Portugal, Senegal, Sudan, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Argentina, Australia, Belgium, Bolivia, Brazil, Cameroun, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Japan, Laos, Liberia, Luxembourg, Madagascar, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Peru, Philippines.

Against: Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Guinea, Hungary, Mali.

Abstaining: Saudi Arabia, Somalia, Spain, Sweden, Togo, Union of South Africa, United Arab Republic,

Yemen, Afghanistan, Austria, Burma, Cambodia, Ceylon, Finland, Ghana, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Morocco, Nigeria.

The amendment as amended was adopted by 59 votes to 14, with 23 abstentions.

25. The CHAIRMAN put the United States draft resolution (A/C.1/L.268), as amended, to the vote.

A vote was taken by roll-call.

Yemen, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Australia, Belgium, Bolivia, Brazil, Cameroun, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Japan, Laos, Liberia, Luxembourg, Madagascar, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sudan, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela.

Against: Yugoslavia, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Guinea, Hungary, Mali, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Yemen, Afghanistan, Austria, Burma, Cambodia, Ceylon, Finland, Ghana, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Morocco, Nigeria, Saudi Arabia, Somalia, Spain, Sweden, Togo, Union of South Africa, United Arab Republic.

The draft resolution as amended was adopted by 59 votes to 14, with 23 abstentions.

26. Mr. YOST (United States of America), speaking on a point of order, wished to make it clear that the use of the title given to the North Korean régime in the resolution should not be interpreted as affecting its status, nor did the United States recognize its authority. The United States would continue to support the Government of the Republic of Korea as the only lawful Government in that country, and at the same time would continue to support the efforts of the United Nations for the unification of Korea in freedom. Nevertheless, it looked forward to the acceptance by the North Korean régime of the competence and authority of the United Nations to take action in the Korean question.

27. Mr. ZORIN (Union of Soviet Socialist Republics) requested a roll-call vote on the USSR draft resolution (A/C.1/L.270).

28. Mr. YOST (United States of America) said that by adopting the United States draft resolution as amended, the Committee had already taken action on the question before it. That action must be regarded as conclusive unless the Committee decided by a two-thirds majority, under rule 124 of the rules of procedure, to reconsider it or take other action.

29. Mr. ZORIN (Union of Soviet Socialist Republics) said that rule 124 did not apply, since the decision called for under the USSR draft resolution differed essentially from that which the Committee had just adopted. Moreover, the General Assembly had on many

occasions adopted several draft resolutions on the same subject: the two resolutions on the discontinuance of nuclear weapons tests adopted by the First Committee during the first part of the fifteenth session were a case in point.

30. The CHAIRMAN said that rule 132, not rule 124, applied to the present situation; it was for the Committee to decide, by a simple majority vote, whether to take a vote on the USSR draft resolution.

31. Mr. ZORIN (Union of Soviet Socialist Republics), supported by Mr. TARABANOV (Bulgaria), agreed that rule 132 was applicable; and in accordance with that rule the Committee should automatically proceed to vote on the USSR draft resolution, unless a formal proposal was made to the contrary.

32. Mr. COOPER (Liberia) formally moved that no vote should be taken on the USSR draft resolution.

33. The CHAIRMAN put to the vote the Liberian motion that no vote should be taken on the USSR draft resolution (A/C.1/L.270).

A vote was taken by roll-call.

Yemen, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Argentina, Australia, Austria, Belgium, Brazil, Canada, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Federation of Malaya, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Japan, Laos, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Yemen, Yugoslavia, Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Cuba, Czechoslovakia, Finland, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Mali, Morocco, Nigeria, Poland, Romania, Saudi Arabia, Somalia, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic.

Abstaining: Madagascar, Mexico, Nepal, Pakistan, Togo, Tunisia, Upper Volta.

The motion was adopted by 54 votes to 33, with 7 abstentions.

34. Mr. ZORIN (Union of Soviet Socialist Republics) observed that since the Committee had now decided to invite the representatives of both parts of Korea, although under somewhat different conditions, it should await the acceptance of its invitation before proceeding further. Until a reply was received from the North Korean authorities, the debate on the item should be adjourned.

35. Mr. YOST (United States of America) formally moved that the Committee should proceed to seat the representative of the Republic of Korea and should then adjourn the debate until Monday, 17 April, in order to allow time for the North Korean authorities to transmit their reply to its invitation.

36. Mr. ZORIN (Union of Soviet Socialist Republics) said that the setting of a deadline for the North Korean reply would be in the nature of an ultimatum, and the proposal indicated that the United States did not in

fact want the representatives of North Korea to participate in the debate. Having set a condition for their participation, the least the Committee could do was to give them ample time to consider it; and the debate should be suspended until their reply had been received.

37. Mr. YOST (United States of America) said that his motion for an adjournment was in no sense an ultimatum. Indeed, in the circumstances six days seemed to be a liberal allowance; if the Committee failed to specify any time-limit for a reply from the North Korean authorities, it might still be awaiting such a reply on 21 April, the date fixed for the closure of the session.

38. Mr. WINIEWICZ (Poland) said that it had been the understanding of the Committee that under the resolution just adopted the representatives of both parts of Korea would be treated on equal terms. To seat the representative of the Republic of Korea immediately would be a departure from that original intention, and any decision to do so would require a two-thirds majority vote.

39. Mr. SHANAHAN (New Zealand) said that the first part of the United States motion was redundant since the Committee, by adopting the amended United States draft resolution, had in fact already decided to seat the representative of the Republic of Korea. On the other hand, the adjournment of the debate for six days would be a reasonable accommodation of the position of the North Korean authorities. It was in their power to ensure that they were treated on an equal basis with the representatives of the Republic of Korea: they had only to acknowledge the competence of the United Nations to deal with the Korean question, as the representatives of the Republic of Korea had already done.

40. Mr. ZORIN (Union of Soviet Socialist Republics), supported by Mr. NOSEK (Czechoslovakia), formally moved, under rule 117 of the rules of procedure, the adjournment of the debate on the Korean question.

41. Mr. YOST (United States of America) opposed the motion, and requested a roll-call vote on it.

42. The CHAIRMAN put to the vote the USSR motion for the adjournment of the debate on the Korean question.

A vote was taken by roll-call.

Honduras, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Hungary, India, Indonesia, Iraq, Jordan, Libya, Mali, Morocco, Poland, Romania, Saudi Arabia, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovakia, Finland, Ghana, Guinea.

Against: Honduras, Iceland, Ireland, Italy, Japan, Laos, Mexico, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Dominican

Republic, Ecuador, El Salvador, Federation of Malaya, France, Greece, Guatemala, Haiti.

Abstaining: Iran, Israel, Liberia, Nepal, Nigeria, Somalia, Togo, Tunisia, Cambodia, Congo (Leopoldville), Dahomey.

The motion was rejected by 52 votes to 28, with 11 abstentions.

43. Mr. YOST (United States of America) said that he was prepared to accept the view expressed by the New Zealand representative that the Committee, by adopting the United States draft resolution, had in fact seated the representative of the Republic of Korea. Accordingly, his motion was simply that the Committee should adjourn the debate on the Korean question until 17 April.

44. Mr. ZORIN (Union of Soviet Socialist Republics), supported by Mr. WINIEWICZ (Poland), contested the view that the representative of the Republic of Korea had automatically been seated as a result of the adoption of the United States draft resolution. Representatives of neither side in the Korean dispute had as yet been formally seated, and if the Committee now wished to seat only one of them that decision would require a two-thirds majority vote.

45. Mr. COOPER (Liberia) moved the adjournment of the meeting.

The motion was adopted.

The meeting rose at 5.35 p.m.