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UNITED NATIONS

# RESOLUTIONS

adopted by the General Assembly

during the period

19 September to 15 December 1950



**GENERAL ASSEMBLY**

OFFICIAL RECORDS: FIFTH SESSION

SUPPLEMENT No. 20 (A/1775)

*New York*

## NOTE

The text of resolutions adopted by the General Assembly, the Economic and Social Council and the Trusteeship Council to which reference is made in the present volume, can be found in the printed volumes of resolutions published separately for each session or part of a session of each of these organs.

The arabic and roman numerals identifying each resolution indicate, respectively, the chronological position of the resolution in its series and the number of the session at which it was adopted.

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All United Nations documents are designated by symbols, i.e., capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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GENERAL

A/1775/Corr.1  
3 December 1951

## CORRIGENDA

The following corrections should be made to the *Resolutions adopted by the General Assembly during the period 19 September to 15 December 1950*:

Page 21: In paragraphs 11, 12 and 14, read .....  
.....Administering Authority .....  
instead of: ..... administering Power .....

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# **RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY**

**during its fifth session from 19 September to 15 December 1950**

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## **I**

### **VERIFICATION OF CREDENTIALS**

The Credentials Committee, appointed by the General Assembly at its 277th plenary meeting on 19 September 1950 to examine the credentials of the representatives, made a report to the Assembly, which approved it.

*281st plenary meeting,  
23 September 1950.*

The composition of the Committee was as follows: the delegations of BELGIUM, CHILE, INDIA, MEXICO, THAILAND, TURKEY, the UNION OF SOVIET SOCIALIST REPUBLICS, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and the UNITED STATES OF AMERICA, with the representative of BELGIUM as Chairman.

## II

### COMPOSITION OF THE GENERAL COMMITTEE

The General Committee of the General Assembly for the fifth session was constituted as follows:

(a) *President of the General Assembly:*

His Excellency Mr. Nasrollah Entezam (Iran).

(b) *Vice-Presidents elected by the General Assembly:*

AUSTRALIA, CHINA, FRANCE, the UNION OF SOVIET SOCIALIST REPUBLICS, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, the UNITED STATES OF AMERICA and VENEZUELA.

(c) *Chairmen of the six Main Committees of the General Assembly:*

*First Committee:* Mr. R. Urdaneta Arbeláez (Colombia);

*Second Committee:* Mr. G. Gutiérrez (Cuba);

*Third Committee:* Mr. G. J. van Heuven Goedhart (Netherlands);

*Fourth Committee:* Prince Wan Waithayakon (Thailand);

*Fifth Committee:* The Maharaja Jam Saheb of Nawanagar (India);

*Sixth Committee:* Mr. V. Outrata (Czechoslovakia).

*277th plenary meeting,  
19 September 1950,  
and 278th plenary meeting,  
20 September 1950.*

### **III**

## **ELECTION OF THREE NON-PERMANENT MEMBERS TO THE SECURITY COUNCIL**

The General Assembly elected three non-permanent members to the Security Council to replace CUBA, EGYPT and NORWAY, retiring members.

The States elected were the following:

BRAZIL, the NETHERLANDS and TURKEY.

*290th plenary meeting,  
29 September 1950,  
and 294th plenary meeting,  
7 October 1950.*

## IV

### ELECTION OF SIX MEMBERS TO THE ECONOMIC AND SOCIAL COUNCIL

The General Assembly elected six members to the Economic and Social Council to fill the vacancies which will occur on the expiration of the terms of office of AUSTRALIA, BRAZIL, DENMARK, POLAND, the UNION OF SOVIET SOCIALIST REPUBLICS and the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND.

The States elected were the following:

The PHILIPPINES, POLAND, SWEDEN, the UNION OF SOVIET SOCIALIST REPUBLICS, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and URUGUAY.

*291st plenary meeting,  
29 September 1950.*

## V

### **ELECTION OF TWO MEMBERS TO THE TRUSTEESHIP COUNCIL**

The General Assembly elected two members to the Trusteeship Council to fill the vacancies which will occur on the expiration of the terms of office of the DOMINICAN REPUBLIC and the PHILIPPINES.

The States elected were the following:

The DOMINICAN REPUBLIC and THAILAND.

*291st plenary meeting,  
29 September 1950.*

## VI

### DISTRIBUTION OF WORK AMONG THE COMMITTEES

The General Assembly referred the following agenda items to the various Committees for consideration and report:<sup>1</sup>

#### FIRST COMMITTEE

##### POLITICAL AND SECURITY

(INCLUDING THE REGULATION OF ARMAMENTS)

1. The problem of the independence of Korea: report of the United Nations Commission on Korea (*item 24*).
2. United action for peace (*item 68*).
3. Declaration on the removal of the threat of a new war and the strengthening of peace and security among the nations (*item 69*).
4. Strengthening of democratic principles as a means of contributing to the maintenance of universal peace (*item 66*).<sup>2</sup>
5. Threats to the political independence and territorial integrity of Greece (*item 22*):
  - (a) Report of the United Nations Special Committee on the Balkans;
  - (b) Repatriation of Greek children: report of the Secretary-General.
6. Threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations: report of the Interim Committee of the General Assembly (*item 23*).
7. Complaint by the Union of Soviet Socialist Republics regarding aggression against China by the United States of America (*item 70*).
8. The question of Formosa (*item 71*).<sup>3</sup>
9. Duties of States in the event of the outbreak of hostilities (*item 72*).<sup>3</sup>
10. Establishment of a permanent commission of good offices (*item 73*).<sup>3</sup>
11. Intervention of the Central People's Government of the People's Republic of China in Korea (*item 76*).<sup>4</sup>

#### AD HOC POLITICAL COMMITTEE

(*Note.* Established by the General Assembly at its 285th plenary meeting on 26 September 1950).

<sup>1</sup> Unless otherwise indicated, all these items formed part of the agenda approved by the General Assembly at its 284th and 285th plenary meetings on 26 September 1950, and were referred to the relevant Committees at the same meetings. For the full agenda, see *Official Records of the General Assembly, Fifth Session, Plenary Meetings*.

1. Former Italian colonies (*item 21*):<sup>5</sup>
  - (a) Report of the United Nations Commissioner in Libya;
  - (b) Reports of the Administering Powers in Libya;
  - (d) Report of the United Nations Commission for Eritrea;
  - (e) Report of the Interim Committee of the General Assembly on the report of the United Nations Commission for Eritrea;
  - (f) Report of the Interim Committee of the General Assembly on the procedure to be adopted to delimit the boundaries of the former Italian colonies in so far as they are not already fixed by international agreement.
2. The appropriate adjustment of the frontiers between Egypt and the former Italian colony of Libya, with particular reference to paragraphs 2 and 3 of annex XI of the Treaty of Peace with Italy (*item 59*).
3. Relations of States Members and specialized agencies with Spain (*item 62*).
4. Palestine (*item 20*):
  - (a) Question of an international régime for the Jerusalem area and protection of the Holy Places: special report of the Trusteeship Council;
  - (b) Assistance to Palestine refugees: report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
  - (c) Repatriation of Palestine refugees and payment of compensation due to them: implementation of General Assembly resolutions regarding this question;
  - (d) Report of the United Nations Conciliation Commission for Palestine.
5. Treatment of people of Indian origin in the Union of South Africa (*item 57*).
6. Recognition by the United Nations of the representation of a Member State (*item 61*).
7. Observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms: advisory opinion of the International Court of Justice (*item 25*).
8. Report of the Security Council (*item 11*).

<sup>2</sup> Withdrawn from the agenda, on the recommendation of the First Committee at its 371st meeting on 21 October 1950, at the 302nd plenary meeting of the General Assembly on 3 November 1950.

<sup>3</sup> Included in the agenda and allocated to the First Committee at the 294th plenary meeting on 7 October 1950.

<sup>4</sup> Included in the agenda and allocated to the First Committee at the 319th plenary meeting on 6 December 1950.

<sup>5</sup> For item 21(c), see under Fourth Committee.



9. Complaint by the Union of Soviet Socialist Republics regarding the violation of Chinese air space by the air force of the United States of America and the machine-gunning and bombing of Chinese territory by that air force, and against the bombardment and illegal inspection of a merchant ship of the People's Republic of China by a military vessel of the United States (*item 75*).<sup>a</sup>

## SECOND COMMITTEE

### ECONOMIC AND FINANCIAL

1. Economic development of under-developed countries: report of the Economic and Social Council (*item 28*).
2. Technical assistance for Libya after achievement of independence (*item 65*).
3. Report of the Economic and Social Council (chapters II, III and IV) (*item 12*).
4. Action to achieve and maintain full employment and economic stability: report of the Economic and Social Council (*item 27*).

## THIRD COMMITTEE

### SOCIAL, HUMANITARIAN AND CULTURAL

1. Report of the Economic and Social Council (chapters V, VI and VII) (*item 12*).
2. Advisory social welfare services: report of the Economic and Social Council (*item 31*).
3. Refugees and stateless persons (*item 32*).
  - (a) Provisions for the functioning of the High Commissioner's Office for Refugees: draft resolution proposed by the Economic and Social Council;
  - (b) Definition of the term "refugee" to be applied by the High Commissioner for Refugees: recommendations of the Economic and Social Council;
  - (c) Problems of assistance to refugees: memorandum from the General Council of the International Refugee Organization of 20 October 1949;
  - (d) Draft convention relating to the status of refugees;
4. Long-range activities for children; United Nations International Children's Endowment Fund (*item 64*).
5. Draft First International Covenant on Human Rights and measures of implementation (*item 63*).
6. Freedom of information (*item 30*):
  - (a) Draft convention on freedom of information: report of the Economic and Social Council;
  - (b) Interference with radio signals (Economic and Social Council resolution 306 B (XI));
  - (c) Question of the freedom of information and of the Press in times of emergency (Economic and Social Council resolution 306 C (XI)).
7. Complaint of failure on the part of the Union of Soviet Socialist Republics to repatriate or otherwise account for prisoners of war detained in Soviet territory. (*item 67*).

<sup>a</sup>Included in the agenda and allocated to the *Ad Hoc* Political Committee at the 294th plenary meeting on 7 October 1950. Re-allocated to the First Committee at the 313th plenary meeting on 1 December 1950.

## JOINT SECOND AND THIRD COMMITTEE

(*Note.* Established by the General Assembly at its 285th plenary meeting on 26 September 1950).

1. Report of the Economic and Social Council (chapters I, VIII, IX and X) (*item 12*).

*Note:* Chapter IX to be discussed in joint meeting with the Fifth Committee.

2. Co-ordination between the United Nations and the specialized agencies (*item 29*):

- (a) Agreements between the United Nations and the specialized agencies: report of the Economic and Social Council;
- (b) Concentration of effort and resources: report of the Economic and Social Council;
- (c) Administrative budgets of the specialized agencies: report of the Advisory Committee on Administrative and Budgetary Questions;
- (d) Administrative and budgetary co-ordination between the United Nations and the specialized agencies: report of the Secretary-General.

*Note:* To be discussed in joint meeting with the Fifth Committee.

## FOURTH COMMITTEE

### TRUSTEESHIP

#### (INCLUDING NON-SELF-GOVERNING TERRITORIES)

1. Former Italian colonies: draft Trusteeship Agreement for the Trust Territory of Somaliland under Italian Administration: special report of the Trusteeship Council (*item 21 (c)*).
2. Report of the Trusteeship Council (*item 13*).
3. Administrative unions affecting Trust Territories: report of the Trusteeship Council (*item 33*).
4. Information from Non-Self-Governing Territories (*item 34*):
  - (a) Summary and analysis of information transmitted under Article 73 e of the Charter: report of the Secretary-General;
  - (b) Information transmitted under Article 73 e of the Charter: report of the Special Committee;
  - (c) Election of two members of the Special Committee.
5. Question of South West Africa: advisory opinion of the International Court of Justice (*item 35*).

## FIFTH COMMITTEE

### ADMINISTRATIVE AND BUDGETARY

1. Financial reports and accounts, and reports of the Board of Auditors: (*item 37*):
  - (a) United Nations, for the financial year ended 31 December 1949;
  - (b) United Nations International Children's Emergency Fund, for the financial year ended 31 December 1949;
  - (c) United Nations Relief for Palestine Refugees, for the period 1 December 1948 to 30 April 1950.
2. United Nations Joint Staff Pension Fund: annual report of the United Nations Staff Pensions Committee (*item 44*).

3. Budget estimates for the financial year 1951 (*item 39*):

- (a) Budget estimates prepared by the Secretary-General;
- (b) Salary, allowance and leave system of the United Nations: report of the Secretary-General;
- (c) Reports of the Advisory Committee on Administrative and Budgetary Questions.

4. Status of budgetary authorizations for the financial year 1950 (*item 38*):

- (a) Statement of 1950 budget expenses to 30 June 1950;
- (b) Advances from the Working Capital Fund: report of the Secretary-General;
- (c) Unforeseen and extraordinary expenses for 1950: report of the Secretary-General;
- (d) Supplementary estimates for 1950: report of the Secretary-General.

5. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (*item 40*).

6. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly (*item 43*):

- (a) Advisory Committee on Administrative and Budgetary Questions;
- (b) Committee on Contributions;
- (c) Board of Auditors;
- (d) Investments Committee: confirmation of the appointment made by the Secretary-General;
- (e) United Nations Administrative Tribunal.

7. Headquarters of the United Nations; report of the Secretary-General (*item 36*).

8. Permanent Financial Regulations of the United Nations: report of the Secretary-General (*item 41*).

9. Permanent Staff Regulations of the United Nations: report of the Secretary-General (*item 42*).

10. Organization of a United Nations postal administration: report of the Secretary-General (*item 46*).

11. Expenses of the Permanent Central Opium Board; assessment of non-members of the United Nations, signatories of the Convention of 19 February 1925 relating to narcotic drugs: report of the Secretary-General (*item 45*).

12. United Nations telecommunications system: report of the Secretary-General (*item 47*).

13. Report of the Economic and Social Council (chapter IX) (*item 12*).

*Note:* To be discussed in joint meeting with the Joint Second and Third Committee.

14. Co-ordination between the United Nations and the specialized agencies (*item 29*):

- (a) Agreements between the United Nations and the specialized agencies: report of the Economic and Social Council;
- (b) Concentration of effort and resources: report of the Economic and Social Council;
- (c) Administrative budgets of the specialized agencies: report of the Advisory Committee on Administrative and Budgetary Questions;
- (d) Administrative and budgetary co-ordination between the United Nations and the specialized agencies: report of the Secretary-General.

*Note:* To be discussed in joint meeting with the Joint Second and Third Committee.

## SIXTH COMMITTEE

### LEGAL

1. Question of the majority required for the adoption by the General Assembly of amendments to and parts of proposals relating to important questions: report of the Secretary-General (*item 49*).

2. Reservations to multilateral conventions (*item 56*).

3. Report of the International Law Commission on the work of its second session (*item 52*).

4. Registration and publication of treaties and international agreements: report of the Secretary-General (*item 54*).

5. Regulations to give effect to article III, section 8, of the Headquarters Agreement between the United Nations and the United States of America: report of the Secretary-General (*item 55*).

6. Draft rules for the calling of non-governmental conferences: report of the Secretary-General (*item 53*).

7. Designation of non-member States to which a certified copy of the Revised General Act for the Pacific Settlement of International Disputes shall be communicated by the Secretary-General for the purpose of accession to this Act: report of the Secretary-General (*item 51*).

8. Reparation for injuries incurred in the service of the United Nations: report of the Secretary-General (*item 50*).

9. Permanent invitation to the League of Arab States to attend sessions of the General Assembly (*item 58*).

10. Provision of a United Nations distinguishing ribbon or other insignia for personnel which has participated in Korea in the defence of the Principles of the Charter of the United Nations (*item 74*).<sup>1</sup>

<sup>1</sup> Included in the agenda and allocated to the Sixth Committee at the 294th plenary meeting on 7 October 1950.

## VII

### RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIRST COMMITTEE

#### 376 (V). The problem of the independence of Korea

*The General Assembly,*

*Having regard* to its resolutions of 14 November 1947 (112 (II)), of 12 December 1948 (195 (III)) and of 21 October 1949 (293 (IV)),

*Having received and considered* the report<sup>1</sup> of the United Nations Commission on Korea,

*Mindful* of the fact that the objectives set forth in the resolutions referred to above have not been fully accomplished and, in particular, that the unification of Korea has not yet been achieved, and that an attempt has been made by an armed attack from North Korea to extinguish by force the Government of the Republic of Korea,

*Recalling* the General Assembly declaration of 12 December 1948 that there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the United Nations Temporary Commission on Korea was able to observe and consult and in which the great majority of the people of Korea reside; that this government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such government in Korea,

*Having in mind* that United Nations armed forces are at present operating in Korea in accordance with the recommendations<sup>2</sup> of the Security Council of 27 June 1950, subsequent to its resolution<sup>3</sup> of 25 June 1950, that Members of the United Nations furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area,

*Recalling* that the essential objective of the resolutions of the General Assembly referred to above was the establishment of a unified, independent and democratic Government of Korea,

##### 1. *Recommends that*

(a) All appropriate steps be taken to ensure conditions of stability throughout Korea;

(b) All constituent acts be taken, including the holding of elections, under the auspices of the United Nations, for the establishment of a unified, independent

and democratic government in the sovereign State of Korea;

(c) All sections and representative bodies of the population of Korea, South and North, be invited to co-operate with the organs of the United Nations in the restoration of peace, in the holding of elections and in the establishment of a unified government;

(d) United Nations forces should not remain in any part of Korea otherwise than so far as necessary for achieving the objectives specified in sub-paragraphs (a) and (b) above;

(e) All necessary measures be taken to accomplish the economic rehabilitation of Korea;

##### 2. *Resolves that*

(a) A Commission consisting of Australia, Chile, Netherlands, Pakistan, Philippines, Thailand and Turkey, to be known as the United Nations Commission for the Unification and Rehabilitation of Korea, be established to (i) assume the functions hitherto exercised by the present United Nations Commission on Korea; (ii) represent the United Nations in bringing about the establishment of a unified, independent and democratic government of all Korea; (iii) exercise such responsibilities in connexion with relief and rehabilitation in Korea as may be determined by the General Assembly after receiving the recommendations of the Economic and Social Council. The United Nations Commission for the Unification and Rehabilitation of Korea should proceed to Korea and begin to carry out its functions as soon as possible;

(b) Pending the arrival in Korea of the United Nations Commission for the Unification and Rehabilitation of Korea, the governments of the States represented on the Commission should form an Interim Committee composed of representatives meeting at the seat of the United Nations to consult with and advise the United Nations Unified Command in the light of the above recommendations; the Interim Committee should begin to function immediately upon the approval of the present resolution by the General Assembly;

(c) The Commission shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject-matter of the present resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for transmission to Members;

*The General Assembly furthermore,*

*Mindful* of the fact that at the end of the present hostilities the task of rehabilitating the Korean economy will be of great magnitude,

<sup>1</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 16.*

<sup>2</sup> See *Official Records of the Security Council, Fifth Year, No. 16.*

<sup>3</sup> *Ibid.*, No. 15.

3. *Requests* the Economic and Social Council, in consultation with the specialized agencies, to develop plans for relief and rehabilitation on the termination of hostilities and to report to the General Assembly within three weeks<sup>3a</sup> of the adoption of the present resolution by the General Assembly;

4. *Also recommends* the Economic and Social Council to expedite the study of long-term measures to promote the economic development and social progress of Korea, and meanwhile to draw the attention of the authorities which decide requests for technical assistance to the urgent and special necessity of affording such assistance to Korea;

5. *Expresses* its appreciation of the services rendered by the members of the United Nations Commission on Korea in the performance of their important and difficult task;

6. *Requests* the Secretary-General to provide the United Nations Commission for the Unification and Rehabilitation of Korea with adequate staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay the expenses and *per diem* of a representative and alternate from each of the States members of the Commission.

294th plenary meeting,  
7 October 1950.

### 377 (V). Uniting for peace

#### A

*The General Assembly,*

*Recognizing* that the first two stated Purposes of the United Nations are:

“To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace”, and

“To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace”,

*Reaffirming* that it remains the primary duty of all Members of the United Nations, when involved in an international dispute, to seek settlement of such a dispute by peaceful means through the procedures laid down in Chapter VI of the Charter, and recalling the successful achievements of the United Nations in this regard on a number of previous occasions,

*Finding* that international tension exists on a dangerous scale,

*Recalling* its resolution 290 (IV) entitled “Essentials of peace”, which states that disregard of the Principles of the Charter of the United Nations is primarily responsible for the continuance of international tension, and desiring to contribute further to the objectives of that resolution,

<sup>3a</sup> See resolution 410 (V), page 31.

*Reaffirming* the importance of the exercise by the Security Council of its primary responsibility for the maintenance of international peace and security, and the duty of the permanent members to seek unanimity and to exercise restraint in the use of the veto,

*Reaffirming* that the initiative in negotiating the agreements for armed forces provided for in Article 43 of the Charter belongs to the Security Council, and desiring to ensure that, pending the conclusion of such agreements, the United Nations has at its disposal means for maintaining international peace and security,

*Conscious* that failure of the Security Council to discharge its responsibilities on behalf of all the Member States, particularly those responsibilities referred to in the two preceding paragraphs, does not relieve Member States of their obligations or the United Nations of its responsibility under the Charter to maintain international peace and security,

*Recognizing* in particular that such failure does not deprive the General Assembly of its rights or relieve it of its responsibilities under the Charter in regard to the maintenance of international peace and security,

*Recognizing* that discharge by the General Assembly of its responsibilities in these respects calls for possibilities of observation which would ascertain the facts and expose aggressors; for the existence of armed forces which could be used collectively; and for the possibility of timely recommendation by the General Assembly to Members of the United Nations for collective action which, to be effective, should be prompt,

#### A

1. *Resolves* that if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security. If not in session at the time, the General Assembly may meet in emergency special session within twenty-four hours of the request therefor. Such emergency special session shall be called if requested by the Security Council on the vote of any seven members, or by a majority of the Members of the United Nations;

2. *Adopts* for this purpose the amendments to its rules of procedure set forth in the annex to the present resolution;

#### B

3. *Establishes* a Peace Observation Commission which, for the calendar years 1951 and 1952, shall be composed of fourteen Members, namely: China, Colombia, Czechoslovakia, France, India, Iraq, Israel, New Zealand, Pakistan, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, and which could observe and report on

the situation in any area where there exists international tension the continuance of which is likely to endanger the maintenance of international peace and security. Upon the invitation or with the consent of the State into whose territory the Commission would go, the General Assembly, or the Interim Committee when the Assembly is not in session, may utilize the Commission if the Security Council is not exercising the functions assigned to it by the Charter with respect to the matter in question. Decisions to utilize the Commission shall be made on the affirmative vote of two-thirds of the members present and voting. The Security Council may also utilize the Commission in accordance with its authority under the Charter;

4. *Decides* that the Commission shall have authority in its discretion to appoint sub-commissions and to utilize the services of observers to assist it in the performance of its functions;

5. *Recommends* to all governments and authorities that they co-operate with the Commission and assist it in the performance of its functions;

6. *Requests* the Secretary-General to provide the necessary staff and facilities, utilizing, where directed by the Commission, the United Nations Panel of Field Observers envisaged in General Assembly resolution 297 B (IV);

#### C

7. *Invites* each Member of the United Nations to survey its resources in order to determine the nature and scope of the assistance it may be in a position to render in support of any recommendations of the Security Council or of the General Assembly for the restoration of international peace and security;

8. *Recommends* to the States Members of the United Nations that each Member maintain within its national armed forces elements so trained, organized and equipped that they could promptly be made available, in accordance with its constitutional processes, for service as a United Nations unit or units, upon recommendation by the Security Council or the General Assembly, without prejudice to the use of such elements in exercise of the right of individual or collective self-defence recognized in Article 51 of the Charter;

9. *Invites* the Members of the United Nations to inform the Collective Measures Committee provided for in paragraph 11 as soon as possible of the measures taken in implementation of the preceding paragraph;

10. *Requests* the Secretary-General to appoint, with the approval of the Committee provided for in paragraph 11, a panel of military experts who could be made available, on request, to Member States wishing to obtain technical advice regarding the organization, training, and equipment for prompt service as United Nations units of the elements referred to in paragraph 8;

#### D

11. *Establishes* a Collective Measures Committee consisting of fourteen Members, namely: Australia, Belgium, Brazil, Burma, Canada, Egypt, France, Mexico, Philippines, Turkey, the United Kingdom of

Great Britain and Northern Ireland, the United States of America, Venezuela and Yugoslavia, and directs the Committee, in consultation with the Secretary-General and with such Member States as the Committee finds appropriate, to study and make a report to the Security Council and the General Assembly, not later than 1 September 1951, on methods, including those in section C of the present resolution, which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter, taking account of collective self-defence and regional arrangements (Articles 51 and 52 of the Charter);

12. *Recommends* to all Member States that they co-operate with the Committee and assist it in the performance of its functions;

13. *Requests* the Secretary-General to furnish the staff and facilities necessary for the effective accomplishment of the purposes set forth in sections C and D of the present resolution;

#### E

14. *Is fully conscious* that, in adopting the proposals set forth above, enduring peace will not be secured solely by collective security arrangements against breaches of international peace and acts of aggression, but that a genuine and lasting peace depends also upon the observance of all the Principles and Purposes established in the Charter of the United Nations, upon the implementation of the resolutions of the Security Council, the General Assembly and other principal organs of the United Nations intended to achieve the maintenance of international peace and security, and especially upon respect for and observance of human rights and fundamental freedoms for all and on the establishment and maintenance of conditions of economic and social well-being in all countries; and accordingly

15. *Urges* Member States to respect fully, and to intensify, joint action, in co-operation with the United Nations, to develop and stimulate universal respect for and observance of human rights and fundamental freedoms, and to intensify individual and collective efforts to achieve conditions of economic stability and social progress, particularly through the development of under-developed countries and areas.

#### ANNEX

The rules of procedure of the General Assembly are amended in the following respects:

1. The present text of rule 8 shall become paragraph (a) of that rule, and a new paragraph (b) shall be added to read as follows:

"Emergency special sessions pursuant to resolution 377 A (V) shall be convened within twenty-four hours of the receipt by the Secretary-General of a request for such a session from the Security Council, on the vote of any seven members thereof, or of a request from a majority of the Members of the United Nations expressed by vote in the Interim Committee or otherwise, or of the concurrence of a majority of Members as provided in rule 9."

2. The present text of rule 9 shall become paragraph (a) of that rule and a new paragraph (b) shall be added to read as follows:

"This rule shall apply also to a request by any Member for an emergency special session pursuant to resolution 377 A (V). In such a case the Secretary-General shall communicate with other Members by the most expeditious means of communication available."

3. Rule 10 is amended by adding at the end thereof the following:

"... In the case of an emergency special session convened pursuant to rule 8 (b), the Secretary-General shall notify the Members of the United Nations at least twelve hours in advance of the opening of the session."

4. Rule 16 is amended by adding at the end thereof the following:

"... The provisional agenda of an emergency special session shall be communicated to the Members of the United Nations simultaneously with the communication summoning the session."

5. Rule 19 is amended by adding at the end thereof the following:

"... During an emergency special session additional items concerning the matters dealt with in resolution 377 A (V) may be added to the agenda by a two-thirds majority of the Members present and voting."

6. There is added a new rule to precede rule 65 to read as follows:

"Notwithstanding the provisions of any other rule and unless the General Assembly decides otherwise, the Assembly, in case of an emergency special session, shall convene in plenary session only and proceed directly to consider the item proposed for consideration in the request for the holding of the session, without previous reference to the General Committee or to any other Committee; the President and Vice-Presidents for such emergency special sessions shall be, respectively, the Chairman of those delegations from which were elected the President and Vice-Presidents of the previous session."

302nd plenary meeting,  
3 November 1950.

## B

For the purpose of maintaining international peace and security, in accordance with the Charter of the United Nations, and, in particular, with Chapters V, VI and VII of the Charter,

*The General Assembly*

*Recommends* to the Security Council:

That it should take the necessary steps to ensure that the action provided for under the Charter is taken with respect to threats to the peace, breaches of the peace or acts of aggression and with respect to the peaceful settlement of disputes or situations likely to endanger the maintenance of international peace and security;

That it should devise measures for the earliest application of Articles 43, 45, 46 and 47 of the Charter of the United Nations regarding the placing of armed forces at the disposal of the Security Council by the States Members of the United Nations and the effective functioning of the Military Staff Committee;

The above dispositions should in no manner prevent the General Assembly from fulfilling its functions under resolution 377 A (V).

302nd plenary meeting,  
3 November 1950.

## C

*The General Assembly,*

*Recognizing* that the primary function of the United Nations Organization is to maintain and promote peace, security and justice among all nations,

*Recognizing* the responsibility of all Member States to promote the cause of international peace in accordance with their obligations as provided in the Charter,

*Recognizing* that the Charter charges the Security Council with the primary responsibility for maintaining international peace and security,

*Reaffirming* the importance of unanimity among the permanent members of the Security Council on all problems which are likely to threaten world peace,

*Recalling* General Assembly resolution 190 (III) entitled "Appeal to the Great Powers to renew their efforts to compose their differences and establish a lasting peace",

*Recommends* to the permanent members of the Security Council that:

(a) They meet and discuss, collectively or otherwise, and, if necessary, with other States concerned, all problems which are likely to threaten international peace and hamper the activities of the United Nations, with a view to their resolving fundamental differences and reaching agreement in accordance with the spirit and letter of the Charter;

(b) They advise the General Assembly and, when it is not in session, the Members of the United Nations, as soon as appropriate, of the results of their consultations.

302nd plenary meeting,  
3 November 1950.

## 378 (V). Duties of States in the event of the outbreak of hostilities

### A

*The General Assembly,*

*Reaffirming* the Principles embodied in the Charter, which require that the force of arms shall not be resorted to except in the common interest, and shall not be used against the territorial integrity or political independence of any State,

*Desiring* to create a further obstacle to the outbreak of war, even after hostilities have started, and to facilitate the cessation of the hostilities by the action of the parties themselves, thus contributing to the peaceful settlement of disputes,

1. *Recommends:*

(a) That if a State becomes engaged in armed conflict with another State or States, it take all steps

practicable in the circumstances and compatible with the right of self-defence to bring the armed conflict to an end at the earliest possible moment;

(b) In particular, that such State shall immediately, and in any case not later than twenty-four hours after the outbreak of the hostilities, make a public statement wherein it will proclaim its readiness, provided that the States with which it is in conflict will do the same, to discontinue all military operations and withdraw all its military forces which have invaded the territory or territorial water of another State or crossed a demarcation line, either on terms agreed by the parties to the conflict or under conditions to be indicated to the parties by the appropriate organs of the United Nations;

(c) That such State immediately notify the Secretary-General, for communication to the Security Council and to the Members of the United Nations, of the statement made in accordance with the preceding subparagraph and of the circumstances in which the conflict has arisen;

(d) That such State, in its notification to the Secretary-General, invite the appropriate organs of the United Nations to dispatch the Peace Observation Commission<sup>4</sup> to the area in which the conflict has arisen, if the Commission is not already functioning there;

(e) That the conduct of the States concerned in relation to the matters covered by the foregoing recommendations be taken into account in any determination of responsibility for the breach of the peace or act of aggression in the case under consideration and in all other relevant proceedings before the appropriate organs of the United Nations;

2. *Determines* that the provisions of the present resolution in no way impair the rights and obligations of States under the Charter of the United Nations nor the decisions or recommendations of the Security Council, the General Assembly or any other competent organ of the United Nations.

*308th plenary meeting,  
17 November 1950.*

## B

*The General Assembly,*

*Considering* that the question raised by the proposal<sup>5</sup> of the Union of Soviet Socialist Republics can better be examined in conjunction with matters under consideration by the International Law Commission, a subsidiary organ of the United Nations,

*Decides* to refer the proposal of the Union of Soviet Socialist Republics and all the records<sup>6</sup> of the First Committee dealing with this question to the International Law Commission, so that the latter may take them into consideration and formulate its conclusions as soon as possible.

*308th plenary meeting,  
17 November 1950.*

<sup>4</sup> See resolution 377 A (V), section B.

<sup>5</sup> See document A/C.1/608.

<sup>6</sup> See *Official Records of the General Assembly, Fifth Session, First Committee*, 384th to 390th meetings inclusive.

## 379 (V). Establishment of a permanent commission of good offices

*The General Assembly,*

*Mindful* of the provision in Article 33 of the Charter that the parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice;

*Recalling* that in General Assembly resolution 295 (IV) the Interim Committee of the General Assembly is charged to consider systematically the further implementation of that part of Article 11 (paragraph 1) of the Charter relating to the general principles of co-operation in the maintenance of international peace and security and of that part of Article 13 (paragraph 1 a) which deals with the promotion of international co-operation in the political field,

*Considering* that the Interim Committee of the General Assembly has already begun to study the question of the establishment of a permanent conciliation organ like that proposed by Yugoslavia,<sup>7</sup>

*Considering* that the study of this question is important and urgent,

1. *Decides* to refer to the Interim Committee item 73 of the agenda of the present session (Establishment of a permanent commission of good offices);

2. *Recommends* to the Interim Committee, in continuing its systematic examination of machinery for the pacific settlement of disputes, to study this item in connexion with the question of the establishment of a permanent organ of conciliation and taking into account the proposal introduced by Yugoslavia pursuant to item 73 and the discussions of the fifth session of the General Assembly on that item.

*308th plenary meeting,  
17 November 1950.*

## 380 (V). Peace through deeds

*The General Assembly,*

*Recognizing* the profound desire of all mankind to live in enduring peace and security, and in freedom from fear and want,

*Confident* that, if all governments faithfully reflect this desire and observe their obligations under the Charter, lasting peace and security can be established,

*Condemning* the intervention of a State in the internal affairs of another State for the purpose of changing its legally established government by the threat or use of force,

1. *Solemnly reaffirms* that, whatever the weapons used, any aggression, whether committed openly, or by fomenting civil strife in the interest of a foreign Power, or otherwise, is the gravest of all crimes against peace and security throughout the world;

<sup>7</sup> See document A/1401.

2. *Determines* that for the realization of lasting peace and security it is indispensable:

(1) That prompt united action be taken to meet aggression wherever it arises;

(2) That every nation agree:

(a) To accept effective international control of atomic energy, under the United Nations, on the basis already approved<sup>8</sup> by the General Assembly in order to make effective the prohibition of atomic weapons;

(b) To strive for the control and elimination, under the United Nations, of all other weapons of mass destruction;

(c) To regulate all armaments and armed forces under a United Nations system of control and inspection, with a view to their gradual reduction;

(d) To reduce to a minimum the diversion for armaments of its human and economic resources and to strive towards the development of such resources for the general welfare, with due regard to the needs of the under-developed areas of the world;

3. *Declares* that these goals can be attained if all the Members of the United Nations demonstrate by their deeds their will to achieve peace.

*308th plenary meeting,  
17 November 1950.*

### **381 (V). Condemnation of propaganda against peace**

*The General Assembly,*

1. *Reaffirms* its resolutions 110 (II) and 290 (IV), paragraph 8, which condemn all propaganda against peace and recommend the free exchange of information and ideas as one of the foundations of good-neighbourly relations between the peoples;

2. *Declares* that such propaganda includes:

(1) Incitement to conflicts or acts of aggression;

(2) Measures tending to isolate the peoples from any contact with the outside world, by preventing the Press, radio and other media of communication from reporting international events, and thus hindering mutual comprehension and understanding between peoples;

(3) Measures tending to silence or distort the activities of the United Nations in favour of peace or to prevent their peoples from knowing the views of other States Members.

*308th plenary meeting,  
17 November 1950.*

### **382 (V). Threats to the political independence and territorial integrity of Greece**

#### **A**

*The General Assembly,*

*Having considered* the unanimous conclusions<sup>9</sup> of the United Nations Special Committee on the Balkans con-

<sup>8</sup> See resolutions 1 (I), 41 (I), 191 (III), 192 (III), 290 (IV) and 299 (IV).

<sup>9</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 11.*

cerning those members of the Greek armed forces who were captured by the Greek guerrillas and taken into countries north of Greece,

*Having noted* that, with the sole exception of Yugoslavia, the other States concerned are still detaining these members of the Greek armed forces without justification under commonly accepted international practice,

1. *Recommends* the repatriation of all those among them who express the wish to be repatriated,

2. *Calls upon* the States concerned to take the necessary measures for the speedy implementation of the present resolution,

3. *Instructs* the Secretary-General to request the International Committee of the Red Cross and the League of Red Cross Societies to ensure liaison with the national Red Cross organizations of the States concerned, with a view to implementing the present resolution.

*313th plenary meeting,  
1 December 1950.*

#### **B**

*The General Assembly,*

*Having considered* the report<sup>10</sup> of the United Nations Special Committee on the Balkans and having noted that, although a certain improvement has taken place in the situation on the northern frontiers of Greece, there nevertheless remains a threat to the political independence and territorial integrity of Greece,

1. *Approves* the report of the United Nations Special Committee on the Balkans;

2. *Continues* the Special Committee in being until the sixth session of the General Assembly, in accordance with the terms of reference and administrative arrangements contained in General Assembly resolutions 109 (II), 193 (III) and 288 (IV), unless meanwhile the Special Committee recommends to the Interim Committee its own dissolution;

3. *Authorizes* the Interim Committee to act on such recommendation as it thinks proper.

*313th plenary meeting,  
1 December 1950.*

#### **C**

*The General Assembly,*

*Noting* with grave concern the reports<sup>11</sup> of the International Committee of the Red Cross and the League of Red Cross Societies and of the Secretary-General, and particularly the statement<sup>12</sup> that "not a single Greek child has yet been returned to his native land and, except for Yugoslavia, no country harbouring Greek children has taken definite action to comply with the resolutions unanimously adopted in two successive years by the General Assembly",

<sup>10</sup> *Ibid.*

<sup>11</sup> See documents A/1480 and A/1480/Add.1.

<sup>12</sup> See document A/1480, paragraph 17.



*Recognizing* that every possible effort should be made to restore the children to their homes, in a humanitarian spirit detached from political or ideological considerations,

*Expressing* its full appreciation of the efforts made by the International Committee of the Red Cross and the League of Red Cross Societies and by the Secretary-General to implement General Assembly resolutions 193 C (III) and 288 B (IV),

1. *Requests* the Secretary-General and the International Committee of the Red Cross and the League of Red Cross Societies to continue their efforts in accordance with the aforementioned resolutions;

2. *Urges* all States harbouring the Greek children to make all the necessary arrangements, in co-operation with the Secretary-General and the international Red Cross organizations, for the early return of the Greek children to their parents and, whenever necessary, to allow the international Red Cross organizations free access to their territories for this purpose;

3. *Establishes* a Standing Committee, to be composed of the representatives of Peru, the Philippines and Sweden, to act in consultation with the Secretary-General, and to consult with the representatives of the States concerned, with a view to the early repatriation of the children;

4. *Requests* the International Committee of the Red Cross and the League of Red Cross Societies to co-operate with the Standing Committee;

5. *Requests* the Secretary-General to report from time to time to Member States on the progress made in the implementation of the present resolution, and requests the international Red Cross organizations and the Secretary-General to submit reports to the General Assembly at its sixth session.

313th plenary meeting,  
1 December 1950.

**383 (V). Threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations**

#### A

*The General Assembly,*

*Noting* that the Interim Committee, to which the Assembly, during its fourth session, referred<sup>13</sup> the complaint concerning "Threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations", has not yet submitted recommendations thereon,

*Decides* to instruct the Interim Committee to continue inquiry on this question, in order to obtain more information and facts having a direct bearing upon the case if such findings are obtainable, and to report to the General Assembly at its next regular session. The records<sup>14</sup> of the discussion of the First Committee on the case shall be made available to the Interim Committee.

314th plenary meeting,  
1 December 1950.

#### B

*The General Assembly*

*Decides* to draw the attention of all States to the necessity of complying faithfully with the recommendation contained in General Assembly resolution 291 (IV), the object of which is to promote the stability of international relations in the Far East, and which recommends specific principles for that purpose, including, *inter alia*, the principle of the scrupulous observance of the treaties in force when the resolution was adopted, the purpose of which was to secure the independence and territorial integrity of China.

314th plenary meeting,  
1 December 1950.

**384 (V). Intervention of the Central People's Government of the People's Republic of China in Korea**

*The General Assembly,*

*Viewing* with grave concern the situation in the Far East,

*Anxious* that immediate steps should be taken to prevent the conflict in Korea spreading to other areas and to put an end to the fighting in Korea itself, and that further steps should then be taken for a peaceful settlement of existing issues in accordance with the Purposes and Principles of the United Nations,

*Requests* the President of the General Assembly to constitute a group of three persons, including himself, to determine the basis on which a satisfactory cease-fire in Korea can be arranged and to make recommendations to the General Assembly as soon as possible.

324th plenary meeting,  
14 December 1950.

\* \* \*

*The President of the General Assembly, at the 325th plenary meeting on 14 December 1950, announced the constitution of a group consisting of the following persons: Mr. L. B. Pearson (Canada), Sir Benegal Rau (India) and Mr. N. Entezam (Iran).*

<sup>13</sup> See resolution 292 (IV).

<sup>14</sup> See Official Records of the General Assembly, Fifth Session, First Committee, 400th-404th meetings inclusive.

## VIII

### RESOLUTIONS ADOPTED ON THE REPORTS OF THE AD HOC POLITICAL COMMITTEE

#### 385 (V). Observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms

*The General Assembly,*

*Considering* that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

*Having regard* to General Assembly resolutions 272 (III) and 294 (IV) concerning the question of the observance in Bulgaria, Hungary and Romania of human rights and fundamental freedoms, and to its decision in the latter resolution to submit certain questions to the International Court of Justice for an advisory opinion,

1. *Takes note* of the advisory opinions<sup>1</sup> delivered by the International Court of Justice on 30 March 1950 and 18 July 1950 to the effect that:

(a) The diplomatic exchanges between Bulgaria, Hungary and Romania on the one hand, and certain Allied and Associated Powers signatories to the Treaties of Peace on the other, concerning the implementation of article 2 of the Treaties with Bulgaria and Hungary and article 3 of the Treaty with Romania, disclose disputes to the provisions for the settlement of disputes contained in article 36 of the Treaty of Peace with Bulgaria, article 40 of the Treaty of Peace with Hungary, and article 38 of the Treaty of Peace with Romania;

(b) The Governments of Bulgaria, Hungary and Romania are obligated to carry out the provisions of those articles of the Treaties of Peace which relate to the settlement of disputes, including the provisions for the appointment of their representatives to the Treaty Commissions;

(c) If one party fails to appoint a representative to a Treaty Commission under the Treaties of Peace with Bulgaria, Hungary and Romania where that party is obligated to appoint a representative to the Treaty Commission, the Secretary-General of the United Nations is not authorized to appoint the third member of the Commission upon the request of the other party to a dispute;

2. *Condemns* the wilful refusal of the Governments of Bulgaria, Hungary and Romania to fulfil their obligation under the provisions of the Treaties of Peace to appoint representatives to the Treaty Commissions, which obligation has been confirmed by the International Court of Justice;

<sup>1</sup> See *Interpretation of Peace Treaties, Advisory Opinion*: I.C.J. Reports 1950, page 65 and *Interpretation of Peace Treaties (second phase), Advisory Opinion*: I.C.J. Reports 1950, page 221.

3. *Is of the opinion* that the conduct of the Governments of Bulgaria, Hungary and Romania in this matter is such as to indicate that they are aware of breaches being committed of those articles of the Treaties of Peace under which they are obligated to secure the enjoyment of human rights and fundamental freedoms in their countries; and that they are callously indifferent to the sentiments of the world community;

4. *Notes* with anxiety the continuance of serious accusations on these matters against the Governments of Bulgaria, Hungary and Romania, and that the three Governments have made no satisfactory refutation of these accusations;

5. *Invites* Members of the United Nations, and in particular those which are parties to the Treaties of Peace with Bulgaria, Hungary and Romania, to submit to the Secretary-General all evidence which they now hold or which may become available in future in relation to this question;

6. *Likewise invites* the Secretary-General to notify the Members of the United Nations of any information he may receive in connexion with this question.

*303rd plenary meeting,  
3 November 1950.*

#### 386 (V). Relations of States Members and specialized agencies with Spain

*The General Assembly,*

*Considering* that:

The General Assembly, during the second part of its first session in 1946, adopted several recommendations concerning Spain, one of which provided that Spain be debarred from membership in international agencies established by or brought into relationship with the United Nations, and another that Member States withdraw their Ambassadors and Ministers from Madrid,

The establishment of diplomatic relations and the exchange of Ambassadors and Ministers with a government does not imply any judgment upon the domestic policy of that government,

The specialized agencies of the United Nations are technical and largely non-political in character and have been established in order to benefit the peoples of all nations, and that, therefore, they should be free to decide for themselves whether the participation of Spain in their activities is desirable in the interest of their work,

*Resolves:*

1. To revoke the recommendation for the withdrawal of Ambassadors and Ministers from Madrid, contained

in General Assembly resolution 39 (I) of 12 December 1946;

2. To revoke the recommendation intended to debar Spain from membership in international agencies established by or brought into relationship with the United Nations, which recommendation is a part of the same resolution adopted by the General Assembly in 1946 concerning relations of Members of the United Nations with Spain.

*304th plenary meeting,  
4 November 1950.*

### **387 (V). Libya: Report of the United Nations Commissioner in Libya; Reports of the administering Powers in Libya**

*The General Assembly,*

*Having resolved* by its resolution 289 A (IV) of 21 November 1949 that Libya shall be constituted a united independent and sovereign State,

*Having noted* the report<sup>2</sup> of the United Nations Commissioner in Libya, prepared in consultation with the Council for Libya, and those of the administering Powers,<sup>3</sup> submitted in accordance with General Assembly resolution 289 A (IV), as well as the statements<sup>4</sup> made by the United Nations Commissioner and the representatives of the Council for Libya,

*Having noted in particular* the confidence expressed by the United Nations Commissioner that the aim of the General Assembly, namely, that Libya should become an independent and sovereign State, will be attained within the time-limit prescribed, with the increasing co-operation of the administering Powers with the United Nations Commissioner and the mutual co-ordination of their activities toward that end,

*Having noted* the statements in the above-mentioned report of the United Nations Commissioner regarding the needs of Libya for technical and financial assistance both before and after independence, if such assistance is requested by the Government of Libya,

1. *Expresses confidence* that the United Nations Commissioner in Libya, aided and guided by the advice of the members of the Council for Libya, will take the necessary steps to discharge his functions toward the achievement of the independence and unity of Libya pursuant to the above-mentioned resolution;

2. *Calls upon* the authorities concerned to take all steps necessary to ensure the early, full and effective implementation of the resolution of 21 November 1949, and particularly the realization of the unity of Libya and the transfer of power to an independent Libyan Government; and, further,

3. *Recommends:*

(a) That a National Assembly duly representative of the inhabitants of Libya shall be convened as early as possible, and in any case before 1 January 1951;

<sup>2</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 15.*

<sup>3</sup> See documents A/1387, A/1390 and A/1390/Add.1.

(b) That this National Assembly shall establish a Provisional Government of Libya as early as possible, bearing in mind 1 April 1951 as the target date;

(c) That powers shall be progressively transferred to the Provisional Government by the administering Powers in a manner which will ensure that all powers at present exercised by them shall, by 1 January 1952, have been transferred to the duly constituted Libyan Government;

(d) That the United Nations Commissioner, aided and guided by the advice of the members of the Council for Libya, shall proceed immediately to draw up a programme, in co-operation with the administering Powers, for the transfer of power as provided in subparagraph (c) above;

4. *Urges* the Economic and Social Council, the specialized agencies and the Secretary-General of the United Nations to extend to Libya, in so far as they may be in a position to do so, such technical and financial assistance as it may request in order to establish a sound basis for economic and social progress;

5. *Reaffirms* its recommendations that, upon its establishment as an independent State, Libya be admitted to the United Nations in accordance with Article 4 of the Charter.

*307th plenary meeting,  
17 November 1950.*

### **388 (V). Economic and financial provisions relating to Libya**

**A**

*Whereas*, in accordance with the provisions of article 23 and paragraph 3 of annex XI of the Treaty of Peace with Italy, the question of the disposal of the former Italian colonies was submitted on 15 September 1948 to the General Assembly by the Governments of France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America,

*Whereas*, by virtue of the above-mentioned provisions, the four Powers have agreed to accept the recommendation of the General Assembly and to take appropriate measures for giving effect to it,

*Whereas* the General Assembly, by its resolutions<sup>5</sup> of 21 November 1949 and of 17 November 1950, recommended that the independence of Libya should become effective as soon as possible, and in any case not later than 1 January 1952,

*Whereas* paragraph 19 of annex XIV of the Treaty of Peace with Italy, which contains the economic and financial provisions relating to ceded territories, states that "The provisions of this annex shall not apply to the former Italian colonies. The economic and financial provisions to be applied therein will form part of the arrangements for the final disposal of these territories pursuant to article 23 of the present Treaty",

<sup>4</sup> See *Official Records of the General Assembly, Fifth Session, Ad Hoc Political Committee, 7th-17th meetings inclusive.*

<sup>5</sup> See resolutions 289 (IV) and 387 (V).

Whereas it is desirable that the economic and financial provisions relating to Libya should be determined before the transfer of power in that territory takes place, in order that they may be applied as soon as possible,

The General Assembly

Approves the following articles:

#### Article I

1. Libya shall receive, without payment, the movable and immovable property located in Libya owned by the Italian State, either in its own name or in the name of the Italian administration of Libya.

2. The following property shall be transferred immediately:

(a) The public property of the State (*demanio pubblico*) and the inalienable property of the State (*patrimonio indisponibile*) in Libya, as well as the relevant archives and documents of an administrative character or technical value concerning Libya or relating to property the transfer of which is provided for by the present resolution;

(b) The property in Libya of the Fascist Party and its organizations.

3. In addition, the following shall be transferred on conditions to be established by special agreement between Italy and Libya:

(a) The alienable property (*patrimonio disponibile*) of the State in Libya and the property in Libya belonging to the autonomous agencies (*aziende autonome*) of the State;

(b) The rights of the State in the capital and the property of institutions, companies and associations of a public character located in Libya.

4. Where the operations of such institutions, companies and associations extend to Italy or to countries other than Libya, Libya shall receive only those rights of the Italian State or the Italian administration which appertain to the operations in Libya. In cases where the Italian State or the Italian administration of Libya exercised only managerial control over such institutions, companies and associations, Libya shall have no claim to any rights in those institutions, companies or associations.

5. Italy shall retain the ownership of immovable property necessary for the functioning of its diplomatic and consular services and, when the conditions so require, of the schools necessary for the present Italian community whether such property is owned by the Italian State in its own name or in the name of the Italian administration of Libya. Such immovable property shall be determined by special agreements concluded between Italy and Libya.

6. Buildings used in connexion with non-Moslem public worship and their appurtenances shall be transferred by Italy to the respective religious communities.

7. Special agreements may be concluded between Italy and Libya to ensure the functioning of hospitals in Libya.

#### Article II

Italy and Libya shall determine by special agreements the conditions under which the obligations of Italian

public or private social insurance organizations towards the inhabitants of Libya and a proportionate part of the reserves accumulated by the said organizations shall be transferred to similar organizations in Libya. That part of the reserves shall preferably be taken from the real property and fixed assets in Libya of the said organizations.

#### Article III

Italy shall continue to be liable for the payment of civil or military pensions earned as of the coming into force of the Treaty of Peace with Italy and owed by it at that date, including pension rights not yet matured. Arrangements shall be concluded between Italy and Libya providing for the method by which this liability shall be discharged.

#### Article IV

Libya shall be exempt from the payment of any portion of the Italian public debt.

#### Article V

Italy shall return to their owners, in the shortest possible time, any ships in its possession, or that of its nationals, which are proved to have been the property of former Italian nationals belonging to Libya or to have been registered in Libya, except in the case of ships acquired in good faith by Italy or its nationals.

#### Article VI

1. The property, rights and interests of Italian nationals, including Italian juridical persons, in Libya, shall, provided they have been lawfully acquired, be respected. They shall not be treated less favourably than the property, rights and interests of other foreign nationals, including foreign juridical persons.

2. Italian nationals in Libya who move, or who have since 3 September 1943 moved, to Italy shall be permitted freely to sell their movable and immovable property, realize and dispose of their assets, and, after settlement of any debts or taxes due from them in Libya, to take with them their movable property and transfer the funds they possess, unless such property and funds were unlawfully acquired. Such transfers of property shall not be subject to any import or export duty. The conditions of the transfer of this movable property to Italy will be fixed by agreement between the administering Powers or the Government of Libya upon its establishment on the one hand, and the Government of Italy on the other hand. The conditions and the time-periods of the transfer of the funds, including the proceeds of above-mentioned transactions, shall likewise be determined.

3. Companies incorporated under Italian law and having their *siège social* in Italy shall be dealt with under the provisions of paragraph 2 above. Companies incorporated under Italian law and having their *siège social* in Libya and which wish to remove their *siège social* to Italy shall likewise be dealt with under the provisions of paragraph 2 above, provided that more than 50 per cent of the capital of the company is owned by persons usually resident outside Libya and provided also that the greater part of the activity of the company is carried on outside Libya.

4. The property, rights and interests in Italy of former Italian nationals belonging to Libya and of companies previously incorporated under Italian law and having their *siège social* in Libya, shall be respected by Italy to the same extent as the property, rights and interests of foreign nationals and of foreign companies generally. Such persons and companies are authorized to effect the transfer and liquidation of their property, rights and interests under the same conditions as may be established under paragraph 2 above.

5. Debts owed by persons in Italy to persons in Libya or by persons in Libya to persons in Italy shall not be affected by the transfer of sovereignty. The Government of Italy and the administering Powers or the Government of Libya after its establishment shall facilitate the settlement of such obligations. As used in the present paragraph, the term "persons" includes juridical persons.

#### Article VII

Property, rights and interests in Libya which, as the result of the war, are still subject to measures of seizure, compulsory administration or sequestration, shall be restored to their owners, and, in cases submitted to the Tribunal referred to in article X of the present resolution, following decisions of that Tribunal.

#### Article VIII

The former Italian nationals belonging to Libya shall continue to enjoy all the rights in industrial, literary and artistic property in Italy to which they were entitled under the legislation in force at the time of the coming into force of the Treaty of Peace. Until Libya becomes a party to the relevant international convention or conventions, the rights in industrial, literary and artistic property which existed in Libya under Italian law shall remain in force for the period for which they would have remained in force under that law.

#### Article IX

The following special provisions shall apply to concessions:

1. Concessions granted within the territory of Libya by the Italian State or by the Italian administration of Libya, and concession contracts (*patti colonici*) existing between the *Ente per la Colonizzazione della Libia* or the *Istituto della Previdenza Sociale* and the concessionaires of land to which each contract related shall be respected, unless it is established that the concessionaire has not complied with the essential conditions of the concession.

2. Land placed at the disposal of the *Ente per la Colonizzazione della Libia* and of the colonization department of the *Istituto della Previdenza Sociale* by the Italian State or the Italian administration of Libya and which has not been the object of a concession shall be transferred immediately to Libya.

3. Land, buildings and their appurtenances referred to in sub-paragraph (d) of paragraph 4 below shall be transferred to Libya in accordance with the arrangements to be made under that sub-paragraph.

4. Special agreements between Italy and Libya shall provide for:

(a) The liquidation of the *Ente per la Colonizzazione della Libia* and of the colonization department of the

*Istituto della Previdenza Sociale*, the interim status of those institutions for the purpose of enabling them to fulfil their obligations towards concessionaires whose contracts are still in operation, and, if necessary, the taking over of their functions by new organizations;

(b) The repayment by those institutions to financial concerns of the quotas subscribed by the latter in the establishment of the *Ente per la Colonizzazione della Libia*, and, in the case of the *Istituto della Previdenza Sociale*, the reconstitution of that part of its reserves invested by that institution in its colonization department;

(c) The transfer to Libya of the residual assets of the institutions to be liquidated;

(d) Arrangements relating to land placed at the disposal of these institutions and to the buildings on and appurtenances to that land, in which, after their abandonment by the concessionaires, no further investment could be made by the institutions;

(e) Payments in amortization of the debts of concessionaires owed to those institutions.

5. In consideration of the renunciation by the Italian Government of its claims against those institutions, the latter shall cancel the debts of the concessionaires and the mortgages securing those debts.

#### Article X

1. A United Nations Tribunal shall be set up, composed of three persons selected by the Secretary-General for their legal qualifications from the nationals of three different States not directly interested. The Tribunal, whose decisions shall be based on law, shall have the following two functions:

(a) It shall give to the administering Powers, the Libyan Government after its establishment, and the Italian Government, on request by any of those authorities, such instructions as may be required for the purpose of giving effect to the present resolution;

(b) It shall decide all disputes arising between the said authorities concerning the interpretation and application of the present resolution. The Tribunal shall be seized of any such dispute on the unilateral request of one of those authorities.

2. The administering Powers, the Libyan Government after its establishment and the Italian Government shall supply the Tribunal as soon as possible with all the information and assistance it may need for the performance of its functions.

3. The seal of the Tribunal shall be in Libya. The Tribunal shall determine its own procedure. It shall afford to the interested parties an opportunity to present their views, and shall be entitled to request information and evidence which it may require from any authority or person whom it considers to be in a position to furnish it. In the absence of unanimity, the Tribunal shall take decisions by a majority vote. Its decisions shall be final and binding.<sup>6</sup>

326th plenary meeting,  
15 December 1950.

<sup>6</sup> For the explanation of certain points in the above resolution, as drafted by Sub-Committee 1 of the *Ad Hoc* Political Committee, see document A/1726.

## B

*The General Assembly*

*Authorizes* the Secretary-General, in accordance with established practice,

1. To arrange for the payment of an appropriate remuneration for the members of the United Nations Tribunal set up under article X above and to reimburse their travel and subsistence expenses;

2. To assign to the United Nations Tribunal such staff and provide such facilities as the Secretary-General may consider necessary to carry out the terms of the present resolution, utilizing the existing United Nations staff of the Libyan Mission in so far as possible.

*326th plenary meeting,  
15 December 1950.*

### 389 (V). Technical and financial assistance to Libya

*Whereas* Libya as a result of the war has suffered extensive damages to private and public property, both movable and immovable, as well as to its system of communications,

*Whereas* the existence of these war damages and the necessity of repairing them represents one of the major economic and financial problems to be taken into consideration in order that an independent Libya may be established with a sound basis for economic and social progress, which is one of the avowed purposes of the United Nations in accordance with paragraph 4 of the resolution<sup>7</sup> adopted by the General Assembly on 17 November 1950,

*The General Assembly,*

*Instructs* the Secretary-General to study the problem of war damages in connexion with the technical and financial assistance which Libya may request from the Economic and Social Council, the specialized agencies and the Secretary-General, and to report on the subject to the sixth session of the General Assembly.

*326th plenary meeting,  
15 December 1950.*

### 390 (V). Eritrea: Report of the United Nations Commission for Eritrea; Report of the Interim Committee of the General Assembly on the Report of the United Nations Commission for Eritrea

## A

*Whereas* by paragraph 3 of Annex XI to the Treaty of Peace with Italy, 1947, the Powers concerned have agreed to accept the recommendation of the General Assembly on the disposal of the former Italian colonies in Africa and to take appropriate measures for giving effect to it,

*Whereas* by paragraph 2 of the aforesaid Annex XI such disposal is to be made in the light of the wishes and welfare of the inhabitants and the interests of peace and security, taking into consideration the views of interested governments,

<sup>7</sup> See resolution 387 (V).

*Now therefore*

*The General Assembly*, in the light of the reports<sup>8</sup> of the United Nations Commission for Eritrea and of the Interim Committee, and

*Taking into consideration*

(a) The wishes and welfare of the inhabitants of Eritrea, including the views of the various racial, religious and political groups of the provinces of the territory and the capacity of the people for self-government,

(b) The interests of peace and security in East Africa,

(c) The rights and claims of Ethiopia based on geographical, historical, ethnic or economic reasons, including in particular Ethiopia's legitimate need for adequate access to the sea,

*Taking into account* the importance of assuring the continuing collaboration of the foreign communities in the economic development of Eritrea,

*Recognizing* that the disposal of Eritrea should be based on its close political and economic association with Ethiopia, and

*Desiring* that this association assure to the inhabitants of Eritrea the fullest respect and safeguards for their institutions, traditions, religions and languages, as well as the widest possible measure of self-government, while at the same time respecting the Constitution, institutions, traditions and the international status and identity of the Empire of Ethiopia,

*A. Recommends that:*

1. Eritrea shall constitute an autonomous unit federated with Ethiopia under the sovereignty of the Ethiopian Crown.

2. The Eritrean Government shall possess legislative, executive and judicial powers in the field of domestic affairs.

3. The jurisdiction of the Federal Government shall extend to the following matters: defence, foreign affairs, currency and finance, foreign and interstate commerce and external and interstate communications, including ports. The Federal Government shall have the power to maintain the integrity of the Federation, and shall have the right to impose uniform taxes throughout the Federation to meet the expenses of federal functions and services, it being understood that the assessment and the collection of such taxes in Eritrea are to be delegated to the Eritrean Government, and provided that Eritrea shall bear only its just and equitable share of these expenses. The jurisdiction of the Eritrean Government shall extend to all matters not vested in the Federal Government, including the power to maintain the internal police, to levy taxes to meet the expenses of domestic functions and services, and to adopt its own budget.

4. The area of the Federation shall constitute a single area for customs purposes, and there shall be no barriers to the free movement of goods and persons within the area. Customs duties on goods entering or leaving the Federation which have their final destination or origin in Eritrea shall be assigned to Eritrea.

5. An Imperial Federal Council composed of equal numbers of Ethiopian and Eritrean representatives shall meet at least once a year and shall advise upon the com-

<sup>8</sup> See *Official Records of the General Assembly, Fifth Session, Supplements, Nos. 8 and 14.*

mon affairs of the Federation referred to in paragraph 3 above. The citizens of Eritrea shall participate in the executive and judicial branches, and shall be represented in the legislative branch, of the Federal Government, in accordance with law and in the proportion that the population of Eritrea bears to the population of the Federation.

6. A single nationality shall prevail throughout the Federation:

(a) All inhabitants of Eritrea, except persons possessing foreign nationality, shall be nationals of the Federation;

(b) All inhabitants born in Eritrea and having at least one indigenous parent or grandparent shall also be nationals of the Federation. Such persons, if in possession of a foreign nationality, shall, within six months of the coming into force of the Eritrean Constitution, be free to opt to renounce the nationality of the Federation and retain such foreign nationality. In the event that they do not so opt, they shall thereupon lose such foreign nationality;

(c) The qualifications of persons acquiring the nationality of the Federation under sub-paragraphs (a) and (b) above for exercising their rights as citizens of Eritrea shall be determined by the Constitution and laws of Eritrea;

(d) All persons possessing foreign nationality who have resided in Eritrea for ten years prior to the date of the adoption of the present resolution shall have the right, without further requirements of residence, to apply for the nationality of the Federation in accordance with federal laws. Such persons who do not thus acquire the nationality of the Federation shall be permitted to reside in and engage in peaceful and lawful pursuits in Eritrea;

The rights and interests of foreign nationals resident in Eritrea shall be guaranteed in accordance with the provisions of paragraph 7.

7. The Federal Government, as well as Eritrea, shall ensure to residents in Eritrea, without distinction of nationality, race, sex, language or religion, the enjoyment of human rights and fundamental liberties, including the following:

(a) The right to equality before the law. No discrimination shall be made against foreign enterprises in existence in Eritrea engaged in industrial, commercial, agricultural, artisan, educational or charitable activities, nor against banking institutions and insurance companies operating in Eritrea;

(b) The right to life, liberty and security of person;

(c) The right to own and dispose of property. No one shall be deprived of property, including contractual rights, without due process of law and without payment of just and effective compensation;

(d) The right to freedom of opinion and expression and the right of adopting and practising any creed or religion;

(e) The right to education;

(f) The right to freedom of peaceful assembly and association;

(g) The right to inviolability of correspondence and domicile, subject to the requirements of the law;

(h) The right to exercise any profession subject to the requirements of the law;

(i) No one shall be subject to arrest or detention without an order of a competent authority, except in case of flagrant and serious violation of the law in force. No one shall be deported except in accordance with the law;

(j) The right to a fair and equitable trial, the right of petition to the Emperor and the right of appeal to the Emperor for commutation of death sentences;

(k) Retroactivity of penal law shall be excluded;

The respect for the rights and freedoms of others and the requirements of public order and the general welfare alone will justify any limitations to the above rights.

8. Paragraphs 1 to 7 inclusive of the present resolution shall constitute the Federal Act which shall be submitted to the Emperor of Ethiopia for ratification.

9. There shall be a transition period which shall not extend beyond 15 September 1952, during which the Eritrean Government will be organized and the Eritrean Constitution prepared and put into effect.

10. There shall be a United Nations Commissioner in Eritrea appointed by the General Assembly. The Commissioner will be assisted by experts appointed by the Secretary-General of the United Nations.

11. During the transition period, the present administering Power shall continue to conduct the affairs of Eritrea. It shall, in consultation with the United Nations Commissioner, prepare as rapidly as possible the organization of an Eritrean administration, induct Eritreans into all levels of the administration, and make arrangements for and convoke a representative assembly of Eritreans chosen by the people. It may, in agreement with the Commissioner, negotiate on behalf of the Eritreans a temporary customs union with Ethiopia to be put into effect as soon as practicable.

12. The United Nations Commissioner shall, in consultation with the administering Power, the Government of Ethiopia, and the inhabitants of Eritrea, prepare a draft of the Eritrean Constitution to be submitted to the Eritrean Assembly and shall advise and assist the Eritrean Assembly in its consideration of the Constitution. The Constitution of Eritrea shall be based on the principles of democratic government, shall include the guarantees contained in paragraph 7 of the Federal Act, shall be consistent with the provisions of the Federal Act and shall contain provisions adopting and ratifying the Federal Act on behalf of the people of Eritrea.

13. The Federal Act and the Constitution of Eritrea shall enter into effect following ratification of the Federal Act by the Emperor of Ethiopia, and following approval by the Commissioner, adoption by the Eritrean Assembly and ratification by the Emperor of Ethiopia of the Eritrean Constitution.

14. Arrangements shall be made by the Government of the United Kingdom of Great Britain and Northern Ireland as the administering Power for the transfer of power to the appropriate authorities. The transfer of power shall take place as soon as the Eritrean Constitution and the Federal Act enter into effect, in accordance with the provisions of paragraph 13 above.

15. The United Nations Commissioner shall maintain his headquarters in Eritrea until the transfer of power has been completed, and shall make appropriate reports

to the General Assembly of the United Nations concerning the discharge of his functions. The Commissioner may consult with the Interim Committee of the General Assembly with respect to the discharge of his functions in the light of developments and within the terms of the present resolution. When the transfer of authority has been completed, he shall so report to the General Assembly and submit to it the text of the Eritrean Constitution;

B. *Authorizes* the Secretary-General, in accordance with established practice:

1. To arrange for the payment of an appropriate remuneration to the United Nations Commissioner;

2. To provide the United Nations Commissioner with such experts, staff and facilities as the Secretary-General may consider necessary to carry out the terms of the present resolution.

*316th plenary meeting,  
2 December 1950.*

## B

*The General Assembly*, to assist it in making the appointment of the United Nations Commissioner in Eritrea,

*Decides* that a Committee composed of the President of the General Assembly, two of the Vice-Presidents (Australia and Venezuela), the Chairman of the Fourth Committee and the Chairman of the *Ad Hoc* Political Committee shall nominate a candidate or, if no agreement can be reached, two or three candidates, for the post of United Nations Commissioner in Eritrea.

*316th plenary meeting,  
2 December 1950.*

\* \* \*

*The Committee established by the General Assembly under the above resolution to nominate a candidate or candidates for the office of United Nations Commissioner in Eritrea agreed to nominate the following candidates:*

*Mr. Victor Hoo (Assistant Secretary-General);*

*Justice Aung Khine (Burma);*

*Mr. Eduardo Anze Matienzo (Bolivia).*

*The General Assembly, at its 325th plenary meeting on 14 December 1950, elected by secret ballot Mr. Eduardo Anze Matienzo to the office of United Nations Commissioner in Eritrea.*

### 391 (V). The appropriate adjustment of the frontiers between Egypt and the former Italian colony of Libya, with particular reference to paragraphs 2 and 3 of Annex XI of the Treaty of Peace with Italy

*The General Assembly,*

*Decides* to defer to its sixth session consideration of item 59 of the agenda of its fifth session, entitled "The appropriate adjustment of the frontiers between Egypt and the former Italian colony of Libya, with particular reference to paragraphs 2 and 3 of Annex XI of the Treaty of Peace with Italy".

*325th plenary meeting,  
14 December 1950.*

### 392 (V). Procedure to be adopted to delimit the boundaries of the former Italian colonies in so far as they are not already fixed by international agreement

*The General Assembly,*

*In accordance* with its resolution 289 C (IV) adopted on 21 November 1949, in which the General Assembly called upon the Interim Committee "to study the procedure to be adopted to delimit the boundaries of the former Italian colonies in so far as they are not already fixed by international agreement, and report with conclusions to the fifth regular session of the General Assembly",

*Having taken note* of the memorandum,<sup>9</sup> prepared at the Interim Committee's request by the Secretariat, giving information relating to the boundaries of the former Italian colonies not already fixed by international agreement, and having taken into consideration the views of the interested governments,

1. *Recommends:*

(a) *With respect to Libya,*

That the portion of its boundary with French territory not already delimited by international agreement be delimited, upon Libya's achievement of independence, by negotiation between the Libyan and French Governments, assisted on the request of either party by a third person to be selected by them or, failing their agreement, to be appointed by the Secretary-General;

(b) *With respect to the Trust Territory of Somaliland,*

That the portion of its boundaries with British Somaliland, as well as with Ethiopia, not already delimited by international agreement be delimited by bilateral negotiations between the United Kingdom Government and the Administering Authority, in respect of the boundaries with British Somaliland, and between the Ethiopian Government and the Administering Authority in respect of the boundaries with Ethiopia;

In order to resolve any and all differences arising in the course of such negotiations, the respective parties to each bilateral negotiation agree, on the request of either party, to a procedure of mediation by a United Nations Mediator to be appointed by the Secretary-General and, further, in the event of the inability of the parties to accept the recommendations of the Mediator, to a procedure of arbitration;

2. *Recommends, further,* that, with respect to any other boundaries not delimited by international agreement, the parties concerned seek to reach agreement by negotiation or by arbitration.

*326th plenary meeting,  
15 December 1950.*

### 393 (V). Assistance to Palestine refugees

*The General Assembly,*

*Recalling* its resolution 302 (IV) of 8 December 1949,

*Having examined* the report<sup>10</sup> of the United Nations Relief and Works Agency for Palestine Refugees in the

<sup>9</sup> See documents A/AC.18/103, A/AC.18/103/Corr. 1 and A/AC.18/103/Corr. 2.

<sup>10</sup> See documents A/1451 and A/1451/Corr.1.



Near East, and the report<sup>11</sup> of the Secretary-General concerning United Nations Relief for Palestine Refugees,

1. *Notes* that contributions sufficient to carry out the programme authorized in paragraph 6 of resolution 302 (IV) have not been made, and urges governments which have not yet done so to make every effort to make voluntary contributions in response to paragraph 13 of that resolution;

2. *Recognizes* that direct relief cannot be terminated as provided in paragraph 6 of resolution 302 (IV);

3. *Authorizes* the Agency to continue to furnish direct relief to refugees in need, and considers that, for the period 1 July 1951 to 30 June 1952, the equivalent of approximately \$20,000,000 will be required for direct relief to refugees who are not yet reintegrated into the economy of the Near East;

4. *Considers* that, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948, the reintegration of the refugees into the economic life of the Near East, either by repatriation or resettlement, is essential in preparation for the time when international assistance is no longer available, and for the realization of conditions of peace and stability in the area;

5. *Instructs* the Agency to establish a reintegration fund which shall be utilized for projects requested by any government in the Near East and approved by the Agency for the permanent re-establishment of refugees and their removal from relief;

6. *Considers* that, for the period 1 July 1951 to 30 June 1952, not less than the equivalent of \$30,000,000 should be contributed to the Agency for the purposes set forth in paragraph 5 above;

7. *Authorizes* the Agency, as circumstances permit, to transfer funds available for the current relief and works programmes, and for the relief programme provided in paragraph 3 above, to reintegration projects provided for in paragraph 5;

8. (a) *Requests* the President of the General Assembly to appoint a Negotiating Committee composed of seven or more members for the purpose of consulting, as soon as possible during the current session of the General Assembly, with Member and non-member States as to the amounts which governments may be willing to contribute on a voluntary basis towards:

(i) The current programme for relief and works for the period ending 30 June 1951, bearing in mind the need for securing contributions from Member States which have not yet contributed;

(ii) The programme of relief and reintegration projects as provided for in paragraphs 3 and 4 above for the year ending 30 June 1952;

(b) *Authorizes* the Negotiating Committee to adopt procedures best suited to the accomplishment of its task, bearing in mind:

(i) The need for securing the maximum contribution in cash;

(ii) The desirability of ensuring that any contribution in kind is of a nature which meets the requirements of the contemplated programmes;

(iii) The importance of enabling the United Nations Relief and Works Agency for Palestine Refugees in the

Near East to plan its programmes in advance and to carry them out with funds regularly contributed;

(iv) The degree of assistance which can continue to be rendered by specialized agencies, non-member States and other contributors;

(c) *Requests* that, as soon as the Negotiating Committee has ascertained the extent to which Member States are willing to make contributions, all delegations be notified accordingly by the Secretary-General in order that they may consult with their governments;

(d) *Decides* that, as soon as the Negotiating Committee has completed its work, the Secretary-General shall at the Committee's request arrange, during the current session of the General Assembly, an appropriate meeting of Member and non-member States at which Members may commit themselves to their national contributions and the contributions of non-members may be made known;

9. *Authorizes* the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to advance funds, deemed to be available for this purpose and not exceeding \$5,000,000, from the Working Capital Fund to finance operations pursuant to the present resolution, such sum to be repaid not later than 31 December 1951;

10. *Calls upon* the Secretary-General and the specialized agencies to utilize to the fullest extent the Agency's facilities as a point of reference and co-ordination for technical assistance programmes in the countries in which the Agency is operating;

11. *Expresses* its appreciation to the United Nations International Children's Emergency Fund, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the International Refugee Organization, the International Labour Organisation and the Food and Agriculture Organization for the assistance which they have rendered, and urges them to continue to furnish all possible assistance to the Agency;

12. *Commends* the International Committee of the Red Cross, the League of Red Cross Societies, and the American Friends Service Committee for their invaluable services and whole-hearted co-operation in the distribution of relief supplies until those functions were taken over by the Agency;

13. *Expresses* its thanks to the numerous religious, charitable and humanitarian organizations whose programmes have brought much needed supplementary assistance to the Palestine refugees, and urges them to continue and expand, to the extent possible, the work which they have undertaken on behalf of the refugees;

14. *Extends* its appreciation and thanks to the Director and staff of the Agency and the members of the Advisory Committee for their effective and devoted work.

315th plenary meeting,  
2 December 1950.

\* \* \*

*In accordance with the terms of the above resolution, the President of the General Assembly, at the 318th plenary meeting on 4 December 1950, announced that he had appointed a Negotiating Committee composed of the following States Members: CANADA, EGYPT, FRANCE, INDIA, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA AND URUGUAY.*

<sup>11</sup> See document A/1452.

**394 (V). Palestine: Progress report of the United Nations Conciliation Commission for Palestine; Repatriation or resettlement of Palestine refugees and payment of compensation due to them**

*The General Assembly,*

Recalling its resolution 194 (III) of 11 December 1948,

Having examined with appreciation the general progress report<sup>12</sup> dated 2 September 1950, and the supplementary report<sup>13</sup> dated 23 October 1950, of the United Nations Conciliation Commission for Palestine,

*Noting with concern:*

(a) That agreement has not been reached between the parties on the final settlement of the questions outstanding between them,

(b) That the repatriation, resettlement, economic and social rehabilitation of the refugees and the payment of compensation have not been effected,

Recognizing that, in the interests of the peace and stability of the Near East, the refugee question should be dealt with as a matter of urgency,

1. Urges the governments and authorities concerned to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;

2. Directs the United Nations Conciliation Commission for Palestine to establish an office which, under the direction of the Commission, shall:

(a) Make such arrangements as it may consider necessary for the assessment and payment of compensation in pursuance of paragraph 11 of General Assembly resolution 194 (III);

(b) Work out such arrangements as may be practicable for the implementation of the other objectives of paragraph 11 of the said resolution;

(c) Continue consultations with the parties concerned regarding measures for the protection of the rights, property and interests of the refugees;

3. Calls upon the governments concerned to undertake measures to ensure that refugees, whether repatriated or resettled, will be treated without any discrimination either in law or in fact.

*325th plenary meeting,  
14 December 1950.*

**395 (V). Treatment of people of Indian origin in the Union of South Africa**

*The General Assembly,*

Recalling its resolutions 44 (I) and 265 (III) relating to the treatment of people of Indian origin in the Union of South Africa,

Having considered the communication<sup>14</sup> by the Permanent Representative of India to the Secretary-General dated 10 July 1950.

<sup>12</sup> See documents A/1367 and A/1367/Corr.1.

<sup>13</sup> See document A/1367/Add.1.

<sup>14</sup> See document A/1289.

Having in mind its resolution 103 (I) of 19 November 1946 against racial persecution and discrimination, and its resolution 217 (III) dated 10 December 1948 relating to the Universal Declaration of Human Rights,

Considering that a policy of "racial segregation" (*Apartheid*) is necessarily based on doctrines of racial discrimination,

1. Recommends that the Governments of India, Pakistan and the Union of South Africa proceed, in accordance with resolution 265 (III), with the holding of a round table conference on the basis of their agreed agenda and bearing in mind the provisions of the Charter of the United Nations and of the Universal Declaration of Human Rights;

2. Recommends that, in the event of failure of the governments concerned to hold a round table conference before 1 April 1951 or to reach agreement in the round table conference within a reasonable time, there shall be established for the purpose of assisting the parties in carrying through appropriate negotiations a commission of three members, one member to be nominated by the Government of the Union of South Africa, another to be nominated by the Governments of India and Pakistan and the third to be nominated by the other two members or, in default of agreement between these two in a reasonable time, by the Secretary-General;

3. Calls upon the governments concerned to refrain from taking any steps which would prejudice the success of their negotiations, in particular, the implementation or enforcement of the provisions of "The Group Areas Act", pending the conclusion of such negotiations;

4. Decides to include this item in the agenda of the next regular session of the General Assembly.

*315th plenary meeting,  
2 December 1950.*

**396 (V). Recognition by the United Nations of the representation of a Member State**

*The General Assembly,*

Considering that difficulties may arise regarding the representation of a Member State in the United Nations and that there is a risk that conflicting decisions may be reached by its various organs,

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

Considering that, in virtue of its composition, the General Assembly is the organ of the United Nations in which consideration can best be given to the views of all Member States in matters affecting the functioning of the Organization as a whole,

1. Recommends that, whenever more than one authority claims to be the government entitled to represent a Member State in the United Nations and this question becomes the subject of controversy in the United Na-

tions, the question should be considered in the light of the Purposes and Principles of the Charter and the circumstances of each case;

2. *Recommends* that, when any such question arises, it should be considered by the General Assembly, or by the Interim Committee if the General Assembly is not in session;

3. *Recommends* that the attitude adopted by the General Assembly or its Interim Committee concerning any such question should be taken into account in other organs of the United Nations and in the specialized agencies;

4. *Declares* that the attitude adopted by the General Assembly or its Interim Committee concerning any such question shall not of itself affect the direct relations of individual Member States with the State concerned;

5. *Requests* the Secretary-General to transmit the present resolution to the other organs of the United Nations and to the specialized agencies for such action as may be appropriate.

*325th plenary meeting,  
14 December 1950.*

### **397 (V). Report of the Security Council**

*The General Assembly*

*Takes note* of the report<sup>15</sup> of the Security Council covering the period from 16 July 1949 to 15 July 1950.

*325th plenary meeting,  
14 December 1950.*

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<sup>15</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 2.*

## IX

### RESOLUTIONS ADOPTED ON THE REPORTS OF THE SECOND COMMITTEE

#### 398 (V). Technical assistance for Libya after achievement of independence

*The General Assembly,*

*Mindful* of its resolution 289 A (IV) of 21 November 1949,

*Having considered* Economic and Social Council resolution 322 B (XI) of 15 August 1950, and the proposal of the Secretary-General<sup>1</sup> as to the procedure which would enable Libya to continue to receive technical assistance after its independence has been achieved and before it has become a Member of the United Nations or of a specialized agency participating in the expanded programme of technical assistance,

*Considering* the special responsibility of the United Nations for the future of Libya,

*Recognizing* the need for continuing technical assistance to Libya without interruption, even after the attainment of its independence, for the development of its economy, for its social progress and for the improvement of its public administration,

*Recognizing* further the need for immediate study of a complete plan for the economic, social and cultural development of Libya,

1. *Requests* the Economic and Social Council and the specialized agencies concerned to consider Libya, as soon as it shall be constituted an independent State in accordance with General Assembly resolution 289 A (IV), as eligible to continue to receive technical assistance, in such form as the Government of Libya may request, from the expanded programme of the United Nations and in accordance with the fundamental principles and other provisions of Economic and Social Council resolution 222 A (IX);

2. *Instructs* the Technical Assistance Board, when giving technical assistance to Libya, to be mindful of the economic unity and independence of Libya in accordance with the aforesaid fundamental principles laid down in resolution 222 A (IX) of the Economic and Social Council and in resolution 304 (IV) of the General Assembly;

3. *Recommends* that the need for preparing a complete plan for the economic, social and cultural development of Libya shall be borne in mind by the appropriate authorities when requesting technical assistance for

Libya or when considering requests for technical assistance for Libya.

*308th plenary meeting,  
17 November 1950.*

#### 399 (V). Technical assistance activities under General Assembly resolution 200 (III)

*The General Assembly,*

*Having decided* at its fourth session (resolution 305 (IV)) that the regular budget of the United Nations should continue to provide for the activities authorized by General Assembly resolution 200 (III),

1. *Notes* with approval that the Secretary-General has included in the budget of the United Nations for the year 1951 the same amount as was appropriated by the General Assembly in 1950;<sup>2</sup>

2. *Recommends* that the requests for technical assistance for economic development received by the Secretary-General in accordance with resolution 200 (III) which cannot be financed with funds provided on the regular budget of the United Nations, should be eligible for financing from the special account for technical assistance for economic development established in accordance with General Assembly resolution 304 (IV) and with the actions of the Technical Assistance Conference convened by the Secretary-General under the terms of Economic and Social Council resolution 222 A (IX).

*312th plenary meeting,  
20 November 1950.*

#### 400 (V). Financing of economic development of under-developed countries

*The General Assembly*

*Taking note* of the report<sup>3</sup> of the fourth session of the Sub-Commission on Economic Development, the experts' report<sup>4</sup> entitled "National and International Measures for Full Employment", the report<sup>5</sup> of the fourth session of the Economic and Employment Commission to the Economic and Social Council, and the report<sup>6</sup> of the Economic and Social Council to the fifth session of the General Assembly,

*Taking note* further of the studies prepared by the Secretary-General in pursuance of Economic and Social Council resolutions 179 (VIII)<sup>7</sup> and 222 D (IX),<sup>8</sup>

<sup>1</sup> See document A/1404.

<sup>2</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 5*, section 28.

<sup>3</sup> See documents E/CN.1/80 and E/CN.1/80/Add.1.

<sup>4</sup> See document E/1584.

<sup>5</sup> See document E/1356, part VIII.

<sup>6</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 3*.

<sup>7</sup> See *Methods of financing economic development in under-developed countries*, United Nations Publications, Sales No. 1949. II. B. 4.

<sup>8</sup> See documents E/1562 and E/1614/Rev.1.

*Recognizing* that a more rapid economic development of under-developed countries, in particular an increase of their production, is essential for raising the level of productive employment and the living standards of their populations, for the growth of the world economy as a whole and for the maintenance of international peace and security,

*Recognizing* further that, although the economic development of under-developed countries depends primarily upon the efforts of the people of those countries, the necessary acceleration of that development, on the basis of their own plans and programmes, requires not only technical but also financial assistance from abroad, and particularly from the more developed countries,

*Considering* that the domestic financial resources of the under-developed countries, together with the international flow of capital for investment, have not been sufficient to assure the desired rate of economic development, and that the accelerated economic development of under-developed countries requires a more effective and sustained mobilization of domestic savings and an expanded and more stable flow of foreign capital investment,

*Being convinced* that the volume of private capital which is currently flowing into under-developed countries cannot meet the financial needs of the economic development of the under-developed countries and that those needs cannot be met without an increased flow of international public funds,

*Taking account* of the fact that some basic development projects are not capable of being adequately serviced through existing sources of foreign finance although they contribute directly or indirectly to the increase of national productivity and national income,

1. *Recommends* that the Economic and Social Council, in giving further study to the problem of the financing of economic development, consider practical methods, conditions and policies for achieving the adequate expansion and steadier flow of foreign capital, both private and public, and pay special attention to the financing of non-self-liquidating projects which are basic to economic development;

2. *Calls upon* the governments of all Member States and the specialized agencies concerned to submit to the Economic and Social Council any proposals bearing upon the present resolution;

3. *Requests* the Economic and Social Council to submit its recommendations to the sixth session of the General Assembly.

312th plenary meeting,  
20 November 1950.

#### 401 (V). Land reform

*The General Assembly,*

*Bearing in mind* the many resolutions<sup>a</sup> adopted by the General Assembly and by the Economic and Social

Council concerning the economic development of under-developed countries in which industrialization as well as the development of agriculture must play an essential part,

*Considering*, however, that agrarian conditions which persist in many under-developed countries and territories constitute a barrier to their economic development because such conditions are a major cause of low agricultural productivity and of low standards of living for the populations of those countries and territories,

*Convinced* that immediate steps should be taken to study the extent to which existing agrarian conditions hamper the economic development of under-developed countries as well as to assist Governments, at their request, in the utilization of the facilities available in the United Nations and the specialized agencies for the improvement of such conditions,

1. *Recommends* that the Secretary-General, in co-operation with the Food and Agriculture Organization and in consultation with other appropriate specialized agencies, prepare and submit to the thirteenth session of the Economic and Social Council an analysis of the degree to which unsatisfactory forms of agrarian structure and, in particular, systems of land tenure, in the under-developed countries and territories impede economic development and thus depress the standards of living especially of agricultural workers and tenants and of small and medium-sized farmers;

2. *Calls upon* the Economic and Social Council to consider the analysis referred to above and to prepare recommendations to the General Assembly with a view to the improvement of the conditions of agricultural populations, paying special attention to such measures as the following:

(a) Institution of appropriate land reform;

(b) Appropriate action on the part of the governments concerned to render financial aid to agricultural workers and tenants and to small and medium-sized farmers through cheap agricultural credit facilities, comprehensive technical assistance and the promotion of rural co-operatives;

(c) Construction or development, either by direct government action or suitably financed co-operative groups, of

(i) Small factories and workshops for the manufacture, maintenance, repair and servicing of the most essential agricultural machinery and for the storage of spare parts;

(ii) Locally-based enterprises for the processing of agricultural products;

(d) Taxation policies designed to lighten, to the greatest possible extent, the tax burden on tenants and small and medium-sized farmers;

(e) Promotion of family owned and operated farms and of co-operative farms, as well as of other measures to promote the security of tenure and the welfare of agricultural workers and tenants and of small and medium-sized farmers;

<sup>a</sup> For example, General Assembly resolutions 45 (I) and 52 (I), 198 (III), 200 (III), 202 (III), 209 (III), 304 (IV), 305 (IV), 306 (IV), 307 (IV) and 331 (IV), and Economic and Social Council resolutions adopted at the first and second sessions on the terms of reference of the Economic and Em-

ployment Commission and resolutions 1 (III), 6 (III), 26 (IV), 27 (IV), 29 (IV), 32 (IV), 36 (IV), 37 (IV), 51 (IV), 103 (VI), 106 (VI), 109 (VI), 139 (VII), 140 (VII), 179 (VIII), 180 (VIII), 184 (VIII), 222 (IX), 223 (IX), 225 (IX), 268 (X), 294 (XI), 297 (XI) and 321 (XI).

3. *Recommends* to the governments of the under-developed countries concerned that they avail themselves of the facilities available to them through the United Nations expanded programme of technical assistance, in order that they may obtain expert advice in the planning of such measures as those listed in the preceding paragraph, for the purpose of improving agrarian conditions.

*312th plenary meeting,  
20 November 1950.*

#### **402 (V). Development of arid land**

*The General Assembly,*

*Considering that:*

(a) One of the basic reasons for the low standard of living in certain under-developed countries is the inadequate extent of the areas at present under cultivation,

(b) The continual increase in the populations of these countries requires the adoption of appropriate and urgent measures for the development of their resources,

(c) It is essential in the above circumstances, if the equitable distribution of land is to be promoted and the standard of living raised, that, among other measures, the areas at present under cultivation be increased by the development of arid zones,

(d) The Economic and Social Council, in resolution 324 D (XI) of 9 August 1950, has recommended an intensification of scientific research to promote the economic and social progress of mankind and has recognized the necessity for co-ordinating the efforts of the various competent bodies of the United Nations and the specialized agencies in order to study the problems of the arid zones both in their scientific and in their practical aspects,

1. *Recommends* that the Secretary-General prepare, in collaboration with the competent specialized agencies, a report on the practical measures adopted for the study of the problems of arid zones and on the technical and financial means employed by the specialized agencies for this purpose;

2. *Invites* the Secretary-General to submit his report on this matter not later than to the fourteenth session of the Economic and Social Council;

3. *Calls upon* the Economic and Social Council to examine the report and, with a view to facilitating and encouraging the development of arid land, to consider such measures as:

(a) Devoting sufficient technical and financial means to the study of the relevant scientific and practical problems;

(b) Promoting and co-ordinating the activities of the United Nations and the specialized agencies to that end;

(c) Furnishing appropriate technical assistance to the governments concerned.

*312th plenary meeting,  
20 November 1950.*

#### **403 (V). Volume and distribution of national income in under-developed countries**

*The General Assembly,*

*Considering* that, in order to mobilize better their resources with a view to accelerating their economic development, it is desirable that the under-developed countries should have knowledge of their national income and its distribution,

*Noting* Economic and Social Council resolution 299 E (XI) of 12 July 1950 concerning national income and social accounts,

1. *Recommends* that the under-developed countries should devote special attention to studies directed towards the calculation of their national income and its distribution;

2. *Requests* the Secretary-General and the specialized agencies concerned to give the most favourable consideration possible to requests for technical assistance made for the above purpose;

3. *Requests* the Economic and Social Council to study and report on the volume and distribution of national income in the under-developed countries, with special reference to:

(i) The various income groups and the respective proportions between them;

(ii) The amounts used by these countries to meet their foreign commitments arising from loans and investments, public and private, and the payment of services;

4. *Directs* the Secretary-General to prepare and submit to the Economic and Social Council a report to enable it to carry out the request made in paragraph 3 above;

5. *Requests* the Secretary-General, in carrying out studies relating to the present resolution, to avoid any duplication with the study recommended in paragraph 16 of Economic and Social Council resolution 294 D (XI) of 12 August 1950.

*312th plenary meeting,  
20 November 1950.*

#### **404 (V). Economic development and international economic and commercial policy**

*The General Assembly,*

*Considering* that the economic welfare of most countries depends on their imports and exports, and that these imports and exports are directly affected by prevailing commercial policies,

*Considering* further that the United Nations and its specialized agencies must thoroughly and continuously study the extent to which prevailing commercial policies influence the plans for economic development of under-developed countries,

*Reaffirms* General Assembly resolution 307 (IV) of 16 November 1949 concerning economic development and international economic and commercial policy, and requests that the group of experts, to be appointed by the Secretary-General under Economic and Social

Council resolution 290 (XI), paragraph 13, after consultation with the Executive Secretary of the Interim Commission for the International Trade Organization, pay due attention to the influence that prevailing commercial policies have on national plans for the economic development of under-developed countries.

*312th plenary meeting,  
20 November 1950.*

#### 405 (V). Full employment

*The General Assembly,*

Considering that the Economic and Social Council, in its resolution 290 (XI) of 15 August 1950 concerning full employment, has formulated recommendations to governments designed to strengthen the resistance of their national economies and of the international economic structure against the danger of recession,

Considering that the additional studies which the Secretary-General and the various groups of experts are requested to undertake by that resolution are designed to provide a sound basis for the adoption of national and international measures tending to ensure full employment, both in economically advanced and in under-developed countries,

1. Notes with satisfaction the vigorous action taken by the Economic and Social Council in connexion with full employment;

2. Invites governments to co-operate with the Secretary-General in carrying out the tasks entrusted to him.

*320th plenary meeting,  
12 December 1950.*

#### 406 (V). Current world economic situation

*The General Assembly,*

Bearing in mind that, as a result of the international events of the last few months, new economic factors have appeared which may unbalance and dislocate the general economic stability and the economic progress of many countries,

Recognizing that, under Articles 55 and 56 of the Charter, the United Nations is under an obligation to use all the means at its disposal to ensure the steady growth of the world economy and to prevent the emergence of those factors of economic disequilibrium which impair general economic stability and disturb the economic development of the under-developed countries,

1. Requests the Economic and Social Council, when examining the world economic situation during its twelfth session, to pay special attention to changes currently taking place in the international economic situation, with a view to recommending to governments and to the General Assembly measures designed to make possible the uninterrupted progress of programmes of economic stability and development;

2. Invites all the members of the Economic and Social Council to submit to the twelfth session of the Council their views concerning the way in which the current world situation has affected their economic progress and the prospects of continuing world eco-

nomie expansion, and, if possible, to communicate these views, through the Secretary-General, to the Council before the opening of its twelfth session;

3. Invites all the other Members of the United Nations similarly to submit their views to the Council, with the object of assisting the Council in its task of recommending measures referred to in paragraph 1 above to the governments and to the General Assembly.

*320th plenary meeting,  
12 December 1950.*

#### 407 (V). Guides for organization and collection of economic data in under-developed countries

*The General Assembly,*

Noting that the Economic and Social Council, in resolution 290 (XI) of 15 August 1950, *inter alia*,

(a) Recommended that governments should furnish the Secretary-General with a wide range of economic and statistical information relating to the implementation of that resolution,

(b) Stated that "Having regard to the fact that, in some predominantly agricultural countries, figures for unemployment and under-employment may not be easily ascertainable and full employment goals may, if related only to industrial labour, lead to misleading conclusions, and that, consequently, it may not be possible for such countries to implement certain provisions of this resolution",

(c) Invited the International Labour Organisation to take all feasible further steps towards the practical implementation of the recommendations in order to facilitate international comparability of employment and unemployment data with special reference to their use in the formulation of full employment standards and annual employment goals, policies and programmes,

Being aware that the Economic and Social Council, in part E of the above-mentioned resolution, recommended that the Secretary-General and the specialized agencies should provide, within their capacities, technical assistance to governments, on their request, for the purpose of assisting under-developed countries in this respect,

Recommends that the Secretary-General and the specialized agencies, taking into account the different institutional circumstances in the under-developed countries, prepare material which may serve to guide governments wishing to make use thereof and which should set forth:

(a) The types of data considered necessary to provide up-to-date information regarding the level of economic activity, employment, unemployment and under-employment;

(b) Procedures and methods suitable for obtaining and presenting such data;

(c) Other suggestions relating to the organization of adequate government machinery necessary for obtaining the said data.

*320th plenary meeting,  
12 December 1950.*

# 408 (V). Mechanization and unemployment in under-developed countries

*The General Assembly,*

*Having in mind that, at its fourth session, it expressed its belief that "action is needed to overcome unemployment and under-employment such as that arising, particularly in under-developed countries, among large numbers of people engaged in agricultural pursuits; and that, to this end, it is necessary, *inter alia*, to stimulate the economic development of under-developed countries",<sup>10</sup>*

*Having noted that the group of experts appointed by the Secretary-General under Economic and Social Council resolution 221 E (IX) of 11 August 1949 to report on national and international measures required to achieve and maintain full employment has expressed the view that, in the under-developed countries, a large part of the population could be diverted from agricultural occupations without any decrease in agricultural output, and that "the only remedy for this form of disguised unemployment is economic development, which constitutes the major economic problem of the world",<sup>11</sup>*

*Bearing in mind that the terms of reference<sup>12</sup> of the Sub-Commission on Economic Development, whose functions now fall to the Economic, Employment and Development Commission, include "studying the effects of industrialization and changes of a technological order upon the world economic situation",*

*Commending the Economic and Social Council for the action it has initiated in paragraph 22 of resolution*

<sup>10</sup> See resolution 308 (IV) of 25 November 1949.

<sup>11</sup> See *National and International Measures for Full Employment*, United Nations Publications, Sales No. 1949.II.A.3, page 12.

<sup>12</sup> See Economic and Social Council resolution 1 (III).

290 (XI) of 15 August 1950 on full employment, by which the Secretary-General is requested to appoint a group of experts to prepare, in the light of the current world economic situation and of the requirements of economic development, a report on the national and international measures required to reduce unemployment and under-employment in under-developed countries,

*Realizing that the mechanization of production essential for increased productivity may in many cases give rise to unemployment unless additional employment opportunities already exist or are simultaneously created in the economy as a whole,*

1. *Requests* the Secretary-General to impress upon the group of experts to be appointed by him under paragraph 22 of Economic and Social Council resolution 290 (XI) the necessity of giving due consideration in the course of their work to:

(i) Ways and means of preventing any aggravation of the problems of unemployment and under-employment in under-developed countries that may occur as a result of the mechanization of production in certain branches of industry and agriculture;

(ii) Measures of social security designed to ensure that there will be no interruption in the income of workers temporarily unemployed through mechanization or technological progress, taking into account the work of the International Labour Organisation in this field;

2. *Requests* the Secretary-General and the specialized agencies concerned, in facilitating the work of the above group of experts, to bear in mind the present resolution.

*320th plenary meeting,  
12 December 1950.*



## X

### RESOLUTIONS ADOPTED ON THE REPORTS OF THE JOINT SECOND AND THIRD COMMITTEE

#### 409 (V). Organization and operation of the work of the Economic and Social Council and its Commissions

##### A

*The General Assembly,*

1. *Takes note* with satisfaction of the Economic and Social Council's decision<sup>1</sup> to undertake in the near future a complete review of its organization and operation and that of its Commissions;

2. *Expresses* the opinion that the regional economic commissions should be maintained, although their organization and terms of reference may have to be revised in the light of the experience acquired since their establishment.

*314th plenary meeting,  
1 December 1950.*

##### B

*The General Assembly,*

*Considering* its resolutions 207 (III) and 208 (III) of the General Assembly of 18 November 1948,

*Taking note* of resolution 295 (XI) adopted by the Economic and Social Council on 16 August 1950,

1. *Recommends* the Economic and Social Council to draw the attention of the Committee appointed in pursuance of its resolution 295 B (XI) to the necessity of taking into consideration General Assembly resolution 207 (III) concerning the distribution of membership in subsidiary organs of the Economic and Social Council;

2. *Draws the attention* of Members of the United Nations to the necessity of implementing as soon as possible General Assembly resolution 208 (III) concerning the participation of Member States in the work of the Economic and Social Council;

3. *Invites* the Secretary-General to give consideration to the suggestions which will be communicated to him by Member States in pursuance of resolution 208 (III), and to submit a report on this subject to the General Assembly.

*314th plenary meeting,  
1 December 1950.*

##### C

*The General Assembly,*

*Considering* the desirability of laying down guiding principles for the Committee appointed to review the

<sup>1</sup> See Economic and Social Council resolution 295 B (XI).

organization and operation of the Economic and Social Council and its commissions,

*Bearing in mind* General Assembly resolution 208 (III),

*Suggest* to the Committee that it is desirable that the largest number of Member States compatible with efficiency should be enabled to participate in the organization and work of the Economic and Social Council and its subordinate bodies.

*314th plenary meeting,  
1 December 1950.*

#### 410 (V). Relief and rehabilitation of Korea

##### A

*The General Assembly,*

*Having regard* to its resolution<sup>2</sup> of 7 October 1950 on the problem of the independence of Korea,

*Having* received and considered a report<sup>3</sup> of the Economic and Social Council submitted in accordance with that resolution,

*Mindful* that the aggression by North Korean forces and their warfare against the United Nations seeking to restore peace in the area has resulted in great devastation and destruction which the Korean people cannot themselves repair,

*Recognizing* that as a result of such aggression the people of Korea are desperately in need of relief supplies and materials and help in reconstructing their economy,

*Deeply moved* by the sufferings of the Korean people and determined to assist in their alleviation,

*Convinced* that the creation of a United Nations programme of relief and rehabilitation for Korea is necessary both to the maintenance of lasting peace in the area and to the establishment of the economic foundations for the building of a unified and independent nation,

*Considering* that, under the said resolution of 7 October 1950, the United Nations Commission for the Unification and Rehabilitation of Korea is the principal representative of the United Nations in Korea and hence must share in the responsibility for the work undertaken by the United Nations in furtherance of the objects and purposes mentioned in the said resolution,

*Considering* that it is nevertheless desirable to set up a special authority with broad powers to plan and super-

<sup>2</sup> See resolution 376 (V).

<sup>3</sup> See document A/1493.

vise rehabilitation and relief and to assume such functions and responsibilities related to planning and supervision, to technical and administrative matters, and to questions affecting organization and implementation as are to be exercised under the plans for relief and rehabilitation approved by the General Assembly, such authority to carry out its responsibilities in close co-operation with the Commission,

**A. ESTABLISHMENT OF THE UNITED NATIONS KOREAN RECONSTRUCTION AGENCY FOR THE RELIEF AND REHABILITATION OF KOREA**

1. *Establishes* the United Nations Korean Reconstruction Agency (UNKRA) under the direction of a United Nations Agent General, who shall be assisted by one or more deputies. The Agent General shall be responsible to the General Assembly for the conduct (in accordance with the policies established by the General Assembly and having regard to such general policy recommendations as the United Nations Commission for the Unification and Rehabilitation of Korea may make) of the programme of relief and rehabilitation in Korea, as that programme may be determined from time to time by the General Assembly;

2. *Authorizes* the United Nations Commission for the Unification and Rehabilitation of Korea:

(a) To recommend to the Agent General such policies concerning the United Nations Korean Reconstruction Agency's programme and activities as the Commission may consider necessary for the effective discharge of the Commission's responsibilities in relation to the establishment of a unified, independent and democratic government in Korea;

(b) To determine, after consultation with the Agent General, the geographical areas within which the Agency shall operate at any time;

(c) To designate authorities in Korea with which the Agent General may establish relationships; and to advise the Agent General on the nature of such relationships;

(d) To take such steps as may be needed to support the Agent General in fulfilling his task in accordance with the policies established by the General Assembly for relief and rehabilitation;

(e) To consider the reports of the Agent General to the General Assembly and to transmit any comments thereon to the Economic and Social Council and the General Assembly;

(f) To call for information on those aspects of the work of the Agent General which the Commission may consider necessary for the proper performance of its work;

3. *Authorizes* the Commission to consult from time to time with the Agent General in regard to the provisional programme adopted by the General Assembly on the recommendation of the Economic and Social Council and especially with regard to the adequacy of that programme to meet the needs of Korea as defined in the statement of general policy, and to make recommendations thereon to the Economic and Social Council;

**4. *Directs* the Agent General:**

(a) To co-ordinate his programme with measures taken by the United Nations Commission for the Unification and Rehabilitation of Korea to carry out the recommendations of the General Assembly relating to the establishment of a unified, independent and democratic government in Korea, and to support the Commission in fulfilling this task;

(b) To commence the operation of the programme in Korea at such time as may be agreed upon by the United Nations Unified Command, the United Nations Commission for the Unification and Rehabilitation of Korea and the Agent General;

(c) To consult with and generally be guided by the advice of the United Nations Commission for the Unification and Rehabilitation of Korea on the matters set forth under paragraph 2 (a) and be governed by its advice on the matters covered in paragraphs 2 (b) and 2 (c);

5. *Further directs* the Agent General, in the carrying out of his functions:

(a) To ascertain, after consultation with the designated authorities in Korea, the requirements for supplies and services for relief and rehabilitation made necessary by the consequences of armed conflict in Korea;

(b) To provide for the procurement and shipment of supplies and services and for their effective distribution and utilization within Korea;

(c) To consult with and assist the appropriate authorities in Korea with respect to measures necessary for the rehabilitation of the Korean economy and the effective distribution and utilization within Korea of supplies and services furnished;

(d) To submit reports to the General Assembly through the Secretary-General, transmitting copies simultaneously to the United Nations Commission for the Unification and Rehabilitation of Korea, and to the Economic and Social Council;

(e) To be guided in matters of administration, to the extent consistent with the special requirements of the programme, by the rules and regulations established for the operation of the Secretariat of the United Nations;

Specifically he shall:

(1) Select and appoint his staff in accordance with general arrangements made in agreement with the Secretary-General, including such of the staff rules and regulations of the United Nations as the Agent General and the Secretary-General shall agree are applicable;

(2) Utilize, wherever appropriate, and within budgetary limitations, the existing facilities of the United Nations;

(3) Establish, in consultation with the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions, and in agreement with the Advisory Committee established under paragraph 6 below, financial regulations for the United Nations Korean Reconstruction Agency;

- (4) *Arrange*, in consultation with the Advisory Committee on Administrative and Budgetary Questions, for the rendering and audit of the accounts of the Agency under procedures similar to those applicable to the rendering and audit of the accounts of the United Nations;

6. *Establishes* an Advisory Committee consisting of representatives of five Member States<sup>4</sup> to advise the Agent General with regard to major financial, procurement, distribution and other economic problems pertaining to his planning and operations. The Committee shall meet on the call of the Agent General but not less than four times a year. The meetings of the Committee shall be held at the Headquarters of the United Nations except in special circumstances, when the Committee, after consultation with the Agent General, may meet elsewhere if it deems that this would be essential to the proper performance of its work. The Committee shall determine its own methods of work and rules of procedure;

7. *Requests* the Secretary-General, after consulting the United Nations Commission for the Unification and Rehabilitation of Korea and the Advisory Committee, to appoint the United Nations Agent General for Korean Reconstruction, and authorizes the Agent General to appoint one or more Deputy Agents General in consultation with the Secretary-General;

8. *Authorizes* the Secretary-General to establish a special account to which should be credited all contributions in cash, kind or services, the resources credited to the account to be used exclusively for the programme of relief and rehabilitation and administrative expenses connected therewith; and directs the Secretary-General to make cash withdrawals from the account upon request of the Agent General. The Agent General is authorized to use contributions in kind or services at his discretion;

9. *Recommends* that the Agent General in carrying out his functions:

(a) Make use at his discretion of facilities, services and personnel that may be available to him through existing national and international agencies and organizations both governmental and non-governmental;

(b) Consult with the Secretary-General and the heads of the specialized agencies before appointing his principal subordinate personnel in their respective fields of competence;

(c) Make use of the advice and technical assistance of the United Nations and the specialized agencies and, where appropriate, request them to undertake specific projects and special tasks either at their own expense or with funds made available by the Agent General;

(d) Maintain close contact with the Secretary-General for the purpose of ensuring fullest co-ordination of efforts of the organs of the United Nations and the specialized agencies in support of the programme;

10. *Authorizes* the Agent General to enter into agreements with such authorities in Korea as the United Nations Commission for the Unification and Rehabilitation of Korea may designate, containing terms and con-

ditions governing measures affecting the distribution and utilization in Korea of the supplies and services furnished, in accordance with the statement of general policy on Korean relief and rehabilitation contained in section B of the present resolution;

11. *Requests* the Secretary-General to make available to the maximum extent possible, and subject to appropriate financial arrangements, such facilities, advice and services as the Agent General may request;

12. *Requests* the specialized agencies and non-governmental organizations to make available to the maximum extent possible, and subject to appropriate financial arrangements, such facilities, advice and services as the Agent General may request;

13. *Requests* the Economic and Social Council to review the reports of the Agent General and any comments which the United Nations Commission for the Unification and Rehabilitation of Korea may submit thereon, and such other data as may be available on the progress of relief and rehabilitation in Korea and to make appropriate reports and recommendations thereon to the General Assembly;

14. *Calls upon* all governments, specialized agencies and non-governmental organizations, pending the beginning of operations by the United Nations Korean Reconstruction Agency, to continue to furnish through the Secretary-General such assistance for the Korean people as may be requested by the Unified Command;

15. *Invites* countries not Members of the United Nations to participate in financing the programme of relief and rehabilitation in Korea;

#### B. STATEMENT OF GENERAL POLICY ON RELIEF AND REHABILITATION IN KOREA

16. *Approves* the following statement of general policy:

1. The United Nations programme of relief and rehabilitation in Korea is necessary to the restoration of peace and the establishment of a unified, independent and democratic government in Korea.

2. To this end, it is the objective of the United Nations to provide, subject to the limit of the resources placed at its disposal for this purpose, relief and rehabilitation supplies, transport and services, to assist the Korean people to relieve the sufferings and to repair the devastation caused by aggression, and to lay the necessary economic foundations for the political unification and independence of the country.

3. The United Nations programme of relief and rehabilitation for Korea shall be carried out in practice in such a way as to contribute to the rapid restoration of the country's economy in conformity with the national interests of the Korean people, having in view the strengthening of the economic and political independence of Korea and having in view that, in accordance with the general principles of the United Nations, such assistance must not serve as a means for foreign economic and political interference in the internal affairs of Korea and must not be accompanied by any conditions of a political nature.

<sup>4</sup> See note on page 34.

4. The United Nations programme is to be a supplement to the general recovery effort that will be undertaken by the Korean people on their own initiative and responsibility, through the most effective utilization of their own resources as well as of the aid which is rendered under the programme.

5. Whilst the programme should be consistent with the pattern of long-term economic development in Korea, it is itself necessarily limited to relief and rehabilitation, and contributions and supplies furnished under this programme shall be used exclusively for that purpose.

6. First priority shall be given to the provision of the basic necessities of food, clothing and shelter for the population of Korea and measures to prevent epidemics. Second highest priority shall be given to projects which will yield early results in the indigenous production of basic necessities; this will include the reconstruction of transport and power facilities. As the programme develops, emphasis should be shifted to the provision of other materials, supplies and equipment for the reconstruction or replacement of war-damaged facilities necessary to the economic life of the country.

7. The necessary measures shall be taken to ensure that distribution shall be so conducted that all classes of the population shall receive their equitable shares of essential commodities without discrimination as to race, creed or political belief.

8. Subject to adequate control, the distribution of supplies shall be carried out, as appropriate, through public and co-operative organizations, through non-profit-making voluntary organizations such as the Red Cross, and through normal channels of private trade. At the same time, measures shall be taken to ensure that the cost of distribution and the profit from the sale of supplies are kept to the minimum. Measures shall be taken to ensure that the special needs of refugees and other distressed groups of the population are met through appropriate public welfare programmes, and accordingly the sale of relief supplies will take place only in justifiable cases and under conditions agreed upon with the United Nations Commission for the Unification and Rehabilitation of Korea.

9. The local currency proceeds derived from the sale of relief and rehabilitation supplies or, at the discretion of the Agent General, an amount commensurate with the value of goods and services supplied, shall be paid into an account under the control of the Agent General. The Agent General, after consultation with the United Nations Commission for the Unification and Rehabilitation of Korea, and in agreement with the Advisory Committee referred to in paragraph 6 of section A of the present resolution, shall use these funds for appropriate additional relief and rehabilitation activities within Korea, for the local currency expenses of the relief and rehabilitation operations of the United Nations, or for measures to combat inflation. The proceeds shall not be used for any other purpose.

10. The necessary economic and financial measures shall be taken by the authorities in Korea to

ensure that the resources provided under the United Nations programme, as well as Korean resources, are effectively employed to aid in laying the economic foundations of the country. Among these, special attention should be given to measures to combat inflation, to sound fiscal and monetary policies, to the requisite pricing, rationing and allocation controls (including the pricing of goods imported under the programme), to the prudent use of Korean foreign exchange resources together with promotion of exports, and to the efficient management of government enterprise.

11. Import taxes shall not be imposed on relief and rehabilitation supplies received under the United Nations programme.

12. The authorities in Korea should maintain such records and make such reports on the receipt, distribution and use of relief and rehabilitation supplies as may be determined by the Agent General after consultation with them.

13. All authorities in Korea shall freely permit the personnel of the United Nations to supervise the distribution of relief and rehabilitation supplies, including the examination of all storage and distribution facilities as well as records.

14. The personnel of the United Nations shall be accorded within Korea the privileges, immunities and facilities necessary for the fulfilment of their function.

15. All authorities in Korea and the Secretary-General shall use their best efforts to inform the people of Korea of the sources and purposes of the contributions of funds, supplies and services.

16. In determining Korea's needs for relief and rehabilitation, in drawing up programmes and plans, and in implementing such programmes and plans, the Agency created to administer the relief and rehabilitation programme should consult with and utilize, to the greatest extent feasible, the services of Korean authorities.

*314th plenary meeting,  
1 December 1950.*

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*At the 326th plenary meeting on 15 December 1950, the General Assembly, on the nomination of the President, elected the following States Members to serve on the Advisory Committee established under the terms of paragraph 6 of section A of the above resolution: CANADA, INDIA, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, the UNITED STATES OF AMERICA and URUGUAY.*

## B

### *The General Assembly*

1. *Requests* the President to appoint a Negotiating Committee composed of seven or more members for the purpose of consulting, as soon as possible during the current session of the General Assembly, with Member and non-member States as to the amounts which governments may be willing to contribute towards the financing of the programme for the relief and rehabilitation of Korea;

2. *Authorizes* the Negotiating Committee to adopt procedures best suited to the accomplishment of its task, bearing in mind:

(a) The need for securing the maximum contribution in cash;

(b) The desirability of ensuring that any contribution in kind is of a nature which meets the requirements of the contemplated programmes; and

(c) The degree of assistance which can be rendered by specialized agencies, non-member States and other contributors;

3. *Requests* that, as soon as the Negotiating Committee has ascertained the extent to which Member States are willing to make contributions, all delegations be notified accordingly by the Secretary-General in order that they may consult with their governments;

4. *Decides* that, as soon as the Negotiating Committee has completed its work, the Secretary-General shall, at the Committee's request, arrange, during the current session of the General Assembly, an appropriate meeting of Member and non-member States at which Members may commit themselves to their national contributions and the contributions of non-members may be made known.

314th plenary meeting,  
1 December 1950.

\* \* \*

*In accordance with the terms of the above resolution, the President of the General Assembly, at the 318th plenary meeting on 4 December 1950, announced that he had appointed a Negotiating Committee, composed of the following States Members: CANADA, EGYPT, FRANCE, INDIA, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, the UNITED STATES OF AMERICA and URUGUAY.*

## XI

### RESOLUTIONS ADOPTED ON THE REPORT OF THE JOINT SECOND AND THIRD COMMITTEE AND THE FIFTH COMMITTEE, MEETING JOINTLY

#### 411 (V). Administrative budgets of the specialized agencies

*The General Assembly,*

Having received the sixth report<sup>1</sup> of 1950 of the Advisory Committee on Administrative and Budgetary Questions on the budgets of the specialized agencies for 1951,

1. *Urges* the specialized agencies to intensify their efforts to stabilize their regular budgets by the elimination or deferment of less urgent projects;

2. *Draws* the attention of all States Members of the United Nations and of the specialized agencies to the necessity for prompt payment of contributions to assure the adequate financing of budgets approved by them;

3. *Requests* specialized agencies participating in the technical assistance programme to provide information concerning the estimates for expenditure of technical assistance funds, as well as other extra-budgetary funds, in their regular budget documents, and to agree to the transmittal to the General Assembly of the United Nations, for examination and approval, of the audit reports relating to expenditure of technical assistance funds allocated from the Special Account after approval of the appropriate audit reports by the general conferences of the specialized agencies;

4. *Requests* the specialized agencies to consider at an early date the adoption of common financial regulations and staff regulations modelled on those adopted by the General Assembly, so far as their constitutional arrangements will permit;

5. *Requests* the Secretary-General, in consultation with the heads of the specialized agencies, to pay particular attention, in 1951, to the further development of satisfactory arrangements for the provision of common services, particularly in respect of regional and branch offices of the United Nations and specialized agencies, with a view to achieving greater efficiency and economy;

6. *Requests* the Secretary-General, after consultation with the heads of the specialized agencies and with the Advisory Committee on Administrative and Budgetary Questions, to report to the next regular session of the General Assembly in respect of progress made in achieving a common salary system, in developing common budgetary policies and a common form of budget, in increasing the utilization of soft currencies, in effi-

ciencies and economies to be achieved through further development of common services, and in dealing with arrears in contributions;

7. *Requests* the specialized agencies and the United Nations to make every effort, during 1951, to meet as fully as possible demands for expert assistance in Korea and other operational programmes where the need is urgent, by deferment of less urgent projects.

*314th plenary meeting,  
1 December 1950.*

#### 412 (V). Utilization of the services of the United Nations Investments Committee by specialized agencies

*The General Assembly,*

Noting that certain specialized agencies may require advice on the nature and extent of investment of their funds,

1. *Authorizes* the United Nations Investments Committee to provide advice to a specialized agency at the request of that agency;

2. *Requests* the Secretary-General to inform the specialized agencies that the United Nations Investments Committee is available for this purpose.

*314th plenary meeting,  
1 December 1950.*

#### 413 (V). Concentration of effort and resources

*The General Assembly,*

Recalling its responsibilities under Article 17, paragraph 3, and Article 58 of the Charter,

Recalling its resolution 310 (IV) declaring that the resources devoted to the economic and social work of the United Nations and the specialized agencies should be concentrated on tasks of primary importance,

Taking note of the work of the Economic and Social Council at its eleventh session<sup>2</sup> in determining criteria for establishing priorities within the fields allotted to the various bodies composing and associated with the United Nations,

Recognizing that the successful carrying out of the economic and social work of the United Nations and the specialized agencies may be jeopardized by undertak-

<sup>1</sup> See document A/1441.

<sup>2</sup> See Economic and Social Council resolution 324 (XI).

ing so many projects as to exceed the available technical, administrative and financial resources,

*Recognizing* that the extent of activity is determined by the programme decisions and by the budgetary appropriations of the United Nations and the specialized agencies,

*Declaring* that the resources placed at the disposal of the United Nations and the specialized agencies should be applied where they are most needed,

1. *Requests* each specialized agency to review its 1952 programme during 1951, using the criteria set forth in the report<sup>3</sup> of the Co-ordination Committee as approved by the Economic and Social Council;

2. *Requests* the Economic and Social Council and the specialized agencies to indicate, when new projects are adopted, which current projects may be deferred, modified or eliminated to ensure that the economic and social work of the United Nations and the specialized agencies will be carried on most effectively;

3. *Requests* the Economic and Social Council:

(a) To review, during 1951, the 1952 programmes of the United Nations and the specialized agencies, using the criteria set forth in the report of the Co-ordination Committee as approved by the Economic and Social Council;

(b) To seek, in reviewing the programmes, the assistance of the Advisory Committee on Administrative and Budgetary Questions on the administrative and financial aspects of this matter;

(c) To report to the sixth session of the General Assembly on the results of these reviews;

4. *Requests* the Secretary-General, in co-operation with the administrative heads of the specialized agencies, to include in annex IV to the Secretary-General's budget estimates a summary schedule of the estimated costs of the projects provided for in the budgets of the United Nations and of the specialized agencies; and, further,

*Having noted* the steps taken and progress made by the Economic and Social Council, the Secretary-General, the Administrative Committee on Co-ordination and the specialized agencies,

5. *Urges* that the efforts which are being made to ensure the fullest co-ordination of the programmes and activities of the United Nations and the specialized agencies be vigorously pursued.

314th plenary meeting,  
1 December 1950.

#### 414 (V). Membership in the specialized agencies

*The General Assembly,*

*Considering* the principle of international co-operation as an important condition for the full success of the activities of the specialized agencies,

*Noting* that some of the specialized agencies do not enjoy participation of all Member States in their work,

<sup>3</sup> See documents E/1810 and E/1810/Corr.1.

<sup>4</sup> See document A/C.2&3/93—A/C.5/375, annex II.

*Expresses the hope* that those Members not participating at the present time may find their way to assume or resume, as soon as possible, full participation in the specialized agencies.

314th plenary meeting,  
1 December 1950.

#### 415 (V). Transfer of functions of the International Penal and Penitentiary Commission

*The General Assembly,*

*Noting* resolutions 262 B (IX) and 333 H (XI) of the Economic and Social Council and the resolution<sup>4</sup> adopted by the International Penal and Penitentiary Commission on 12 August 1950,

1. *Approves* the plan contained in the report prepared by the Secretary-General, in consultation with the International Penal and Penitentiary Commission, concerning the transfer of the functions of the Commission to the United Nations and which is annexed to the present resolution;

2. *Notes* the decision of the Commission with respect to its residual assets;

3. *Expresses its appreciation* to the Commission for donating its library and its archives to the United Nations on the conditions specified in the above-mentioned plan;

4. *Notes* that these arrangements do not involve the assumption by the United Nations of responsibility for any liabilities of the Commission;

5. *Authorizes* the Secretary-General of the United Nations, in consultation with the Secretary-General of the International Penal and Penitentiary Commission, to make arrangements for the transfer of the functions of the Commission and of its library and archives to the United Nations on a mutually satisfactory date prior to 31 December 1951;

6. *Pays tribute* to the accomplishments of the Commission, during the long period of its existence, in the field of the prevention of crime and the treatment of offenders.

314th plenary meeting,  
1 December 1950.

#### ANNEX

##### *Plan<sup>a</sup> prepared by the Secretary-General of the United Nations in consultation with the International Penal and Penitentiary Commission:*

(a) All Members of the United Nations, and all existing members of the International Penal and Penitentiary Commission (IPPC) which are not Members of the United Nations, and any other States designated by the Economic and Social Council, shall be invited by the Council to appoint one or more representatives of expert qualifications or experience, professional or scientific, in the field of the prevention of crime and the treatment of offenders. The experts so appointed shall act in the first instance as individual correspondents with the United Nations Department of Social Affairs.

<sup>a</sup> For the draft plan, see annex I of document A/C.2&3/93—A/C.5/375.

(b) They shall also be called upon to meet together in appropriate groups (in the composition of which ethnical, legislative and customary affinities shall be taken into account) to consider questions of particular interest to such groups, as well as those which may be submitted by the participating governments, by the Economic and Social Council, the Social Commission or by the Secretary-General of the United Nations. The experts so appointed shall constitute "United Nations consultative groups" in the field of the prevention of crime and the treatment of offenders. The groups shall meet biennially, or more often if required. The first group set up shall be composed of the present members of the IPPC. Pending the establishment of other groups, new members may be added to the first group. As other groups are set up, any members of the first group may join such groups as is most appropriate. With respect to the composition of groups to study questions of special importance to the less-developed areas it might be practicable to utilize the procedure employed for United Nations seminars under General Assembly resolution 58 (I). Findings of fact and recommendations as to policy approved by the experts appointed under (a) or by the expert group meeting under (b) shall be transmitted to the Secretary-General of the United Nations for publication, for communication in appropriate cases to the policy-making bodies, or such other action as he considers necessary.

(c) The Secretary-General shall invite each group to submit names from among its members to assist the Secretary-General in selecting a small international *Ad Hoc* Advisory Committee of Experts. The purpose of such a committee would be to advise the Secretary-General and the Social Commission in devising and formulating programmes for study on an international basis and policies for international action in the field of the prevention of crime and the treatment of offenders and also to advise on the co-ordination of the work of the United Nations consultative groups. It is hoped that such a committee will be able to meet annually at the Headquarters of the United Nations.

(d) The United Nations shall convene every five years an international congress similar to those previously organized by the IPPC. Resolutions adopted at such international congresses shall be communicated to the Secretary-General and, if necessary, to the policy-making bodies.

(e) The expenses of attendance of the international *Ad Hoc* Advisory Committee of Experts at meetings convened at the Headquarters of the United Nations will be borne by the United Nations. The expenses of experts who participate in the biennial group meetings and in the quinquennial congresses will be borne by the respective governments. The United Nations will be financially responsible for furnishing the services required for

the efficient organization of such meetings when held at the Headquarters or at the regional offices of the United Nations. When such meetings, on the invitation of a government, are held away from the Headquarters and the regional offices, the financial responsibility for the furnishing of similar services shall be otherwise met.

(f) The United Nations shall publish an international review which shall include the recommendations and the findings of the groups mentioned under (b) and the Committee mentioned under (c), as well as a legislative and administrative series on the prevention of crime and the treatment of offenders.

(g) The United Nations welcomes the transfer of the library of the IPPC to the Library of the United Nations in Geneva. Suitable measures will be taken to indicate that the volumes donated originated from the IPPC, by arranging for appropriate markers to be used, and the preservation of the library as an entity so far as practicable. The archives of the IPPC shall also be transferred to the archives of the United Nations and shall be available to delegations and to other interested parties.

(h) In view of the enlargement of the functions of the United Nations, and in order to maintain continuity in the work, the United Nations shall invite the services of two professional officers at present employed by the IPPC. One officer specialized in the field of the prevention of crime and the treatment of offenders shall be detached for duty at the United Nations Office at Geneva.

(i) While it is for the IPPC to decide as to the disposition of its residual assets, the United Nations would welcome a decision to transfer those assets to the United Nations. Such a decision would not, however, involve the assumption by the United Nations of responsibility for any liabilities of the IPPC. In the event of the transfer of the assets or proceeds realized, all such funds would become part of the general revenue of the United Nations unless the IPPC would prefer that they be added to the capital of the Library Endowment Fund. The resulting increase in the income of the Library Endowment Fund would make it possible for the United Nations Library to become one of the most complete and up-to-date libraries in the field of social defence. The setting aside of the residual assets of the IPPC in a special fund in the United Nations is not desirable from the point of view of United Nations policy and practice, nor is such a fund necessary to ensure the continuation within the United Nations of the objectives and purposes described in article I of the constitutional regulations of the IPPC.

(j) The transfer shall take place at such time as may be agreed upon between the Secretary-General of the IPPC and the Secretary-General of the United Nations and, in any case, before the end of 1951.



## **XII**

### **RESOLUTION ADOPTED ON THE REPORTS OF THE SECOND COMMITTEE, THIRD COMMITTEE, JOINT SECOND AND THIRD COMMITTEE AND THE FIFTH COMMITTEE**

#### **416 (V). Report of the Economic and Social Council**

*The General Assembly,*

*Takes note* of the report<sup>1</sup> of the Economic and Social Council.

*325th plenary meeting,  
14 December 1950.*

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<sup>1</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 3.*

### XIII

## RESOLUTIONS ADOPTED ON THE REPORTS OF THE THIRD COMMITTEE

### 417 (V). Continuing needs of children: United Nations International Children's Emergency Fund

*The General Assembly,*

*Having considered* resolution 310 (XI) of the Economic and Social Council in the light of resolutions 57 (I) and 318 (IV) of the General Assembly,

*Recognizing* the necessity for continued action to relieve the sufferings of children, particularly in under-developed countries and countries that have been subjected to the devastation of war and to other calamities,

1. *Reaffirms* its approval of the policy of the Executive Board of the United Nations International Children's Emergency Fund to devote a greater share of the Fund's resources to the development of programmes outside Europe;

2. *Expresses* again its gratitude to governments and individuals for their generous contributions enabling the Fund to carry out its tasks;

3. *Renews* its appeal to governments and private persons to continue their contributions to the Fund, and to the various officials and private international organizations interested in child welfare to collaborate with the Fund in every possible way;

4. *Recommends* to Member States that they develop and improve their national child welfare services, providing, if possible, the necessary funds for that important purpose under their respective budgets;

5. *Requests* the Economic and Social Council, in consultation with the appropriate specialized agencies:

(a) To give greater emphasis to support of national programmes designed to aid children within the framework of existing United Nations activities for promoting the economic and social development of under-developed areas;

(b) To explore the means of procuring and financing supplies incidental to such programmes, especially those needed for demonstration purposes;

#### 6. *Decides:*

(a) That the Executive Board of the Fund shall be reconstituted as from 1 January 1951 to consist of the governments of the States represented on the Social Commission and the governments of eight other States, not necessarily Members of the United Nations, to be designated by the Economic and Social Council for appropriate terms, with due regard to geographical distribution and to the representation of the major contributing and recipient countries;

(b) That during the period of the Fund's existence, as provided in paragraph 6 (e), the Board, in accordance with such principles as may be laid down by the Economic and Social Council and its Social Commission, shall, with due regard to the urgency of the needs and available resources, formulate the policies, determine the programmes and allocate the resources of the Fund for the purpose of meeting, through the provision of supplies, training and advice, emergency and long-range needs of children and their continuing needs particularly in under-developed countries, with a view to strengthening, wherever this may be appropriate, the permanent child health and child welfare programmes of the countries receiving assistance;

(c) That the Executive Board shall take all necessary steps to ensure close collaboration between the Administration of the Fund and the specialized agencies, pursuant to the agreements between the United Nations and the specialized agencies;

(d) That the Administration of the Fund shall, as appropriate, obtain from inter-governmental and non-governmental organizations having a special interest in child and family welfare the advice and technical assistance which it may require for the implementation of its programmes;

(e) That the General Assembly will again consider the future of the Fund at the expiration of three years, with the object of continuing the Fund on a permanent basis.

*314th plenary meeting,  
1 December 1950.*

### 418 (V). Advisory social welfare services

*The General Assembly,*

*Having considered* the modifications made, in the light of General Assembly resolution 316 (IV), by the Economic and Social Council, in General Assembly resolution 58 (I) on advisory and social welfare services,

*Approves* the following text of resolution 58 (I) revised by the Economic and Social Council and amended by the Third Committee:

*"Whereas* by Articles 55 and 60 of the Charter of the United Nations the Economic and Social Council, under the authority of the General Assembly, is charged with the responsibility for promoting higher standards of living and conditions of social progress and development,

"Whereas by Article 66 of the Charter, the Economic and Social Council may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies,

"Whereas the General Assembly, after examining the recommendations<sup>1</sup> of the Economic and Social Council and the accompanying report<sup>2</sup> of services rendered for the first three years of operation, approved the recommendations and placed the advisory social welfare services originally authorized by resolution 58 (I) on a continuing basis, and requested that a review be made of the terms of that resolution and appropriate recommendations made with respect to desirable or necessary changes (resolution 316 (IV)),

"Whereas the General Assembly recognizes that the advisory social welfare services constitute a practical operational programme of direct assistance to governments and that the other activities of the United Nations in the social field should be properly correlated with these services in order to achieve maximum effectiveness, to which end the Social Commission has adjusted its long-range work programme,

"The General Assembly, therefore,

"A. Authorizes the Secretary-General:

"1. Subject to the directions of the Economic and Social Council, to make provision for the under-mentioned functions and services, such provision to be made, where appropriate, with the co-operation of the specialized agencies and in consultation with non-governmental organizations having consultative status:

- "(a) For a requisite number of social welfare experts to provide advisory services at the request of governments which show the need for them, and to put into practice, over an appropriate period, new methods in any branch of social welfare;
- "(b) For enabling suitably qualified social welfare officials to observe, and familiarize themselves with, the experience and practice of other countries in any branch of social welfare;
- "(c) For enabling suitably qualified persons who cannot receive professional training in branches of social welfare in their own country to receive appropriate training in foreign countries having the necessary facilities;
- "(d) For planning by appropriate methods projects for experimenting in or demonstrating various phases of social welfare, organizing and participating in these projects, providing the necessary tools and equipment in connexion therewith, and associating with the projects to the extent practicable, the persons referred to in paragraphs (b) and (c) above;
- "(e) For furnishing technical publications and films;

"(f) For planning and conducting seminars;

"2. To include in the budgetary estimates of the United Nations the sums necessary for carrying out an effective operational programme based on the provision of the above services;

"B. Instructs the Secretary-General to undertake the performance of the functions listed in paragraph A.1 above, in agreement with the governments concerned, on the basis of requests received from governments and in accordance with the following policies;

"1. The kind of service to be rendered to each country shall be decided by the government concerned;

"2. The furnishing of the experts and services shall be undertaken by the Secretary-General, with due regard to suggestions made by the requesting governments; the Secretary-General shall, normally, make application for experts to States which are Members of the United Nations. The selection of grant-holders shall be made by the Secretary-General on the basis of proposals received from governments, which shall indicate their preferences with regard to host countries;

"3. The amount of services and the conditions under which they shall be furnished to the various governments shall be decided by the Secretary-General with due regard to the greater needs of the under-developed areas and in conformity with the principle that each requesting government shall be expected to assume responsibility, as far as possible, for all or part of the expenses connected with the services furnished to it, either by making a contribution in cash, or in the form of services for the purposes of the programme being carried out;

"C. Requests the Secretary-General to report regularly to the Social Commission on the measures which he takes in compliance with the terms of the present resolution, and requests the Commission to formulate recommendations from time to time concerning the continued action required to carry on the essential advisory activities in the field of social welfare."

314th plenary meeting,  
1 December 1950.

#### 419 (V). Report of the Economic and Social Council (Chapter V, section VI):<sup>3</sup> proposal for a session in 1951 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The General Assembly,

Considering the importance of the studies entrusted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and having regard to the fact that, in order to enable the Sub-Commission to continue these studies, the term of office of its members was extended by three years by a decision of the Commission on Human Rights dated 16 May 1949,<sup>4</sup>

<sup>1</sup> See Economic and Social Council resolution 243 E (IX).

<sup>2</sup> See documents A/C.3/521 and A/C.3/521/Corr.1.

<sup>3</sup> See Official Records of the General Assembly, Fifth Session, Supplement No. 3, page 64.

<sup>4</sup> See Official Records of the Economic and Social Council, Fourth Year, Ninth Session, Supplement No. 10, paragraph 13.

*Considering*, moreover, that the last meeting of the Sub-Commission was held in January 1950,

*Resolves* to invite the Economic and Social Council to reconsider its resolution 336 (XI) of 16 August 1950, with a view to including in its calendar of conferences for 1951 a session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

314th plenary meeting,  
1 December 1950.

**420 (V). Report of the Economic and Social Council (Chapter V, section VII, part 2):<sup>5</sup> proposal for a session in 1951 of the Sub-Commission on Freedom of Information and of the Press**

*The General Assembly,*

*Considering* it desirable that the Sub-Commission on Freedom of Information and of the Press should continue the study of the agenda items<sup>6</sup> referred to it by the Economic and Social Council for consideration,

*Resolves* to invite the Economic and Social Council to reconsider its resolution 336 (XI) of 16 August 1950, with a view to including in its calendar of conferences for 1951 a session of the Sub-Commission on Freedom of Information and of the Press.

314th plenary meeting,  
1 December 1950.

**421 (V). Draft International Covenant on Human Rights and measures of implementation: future work of the Commission on Human Rights**

*The General Assembly,*

*Appreciating* the priority which, in accordance with General Assembly resolution 217 (III), the Commission on Human Rights during its 1949 and 1950 sessions gave to the preparation of a draft International Covenant on Human Rights and measures for its implementation,

*Noting* the decision<sup>7</sup> of the Economic and Social Council at its eleventh session to transmit the draft Covenant together with the relevant documentation and records of the discussion in the Council to the General Assembly at its fifth session for consideration with a view to reaching policy decisions on the points listed in Economic and Social Council resolution 303 I (XI),

*Considering* it essential that the Covenant should include provisions rendering it obligatory for States to promote the implementation of the human rights and fundamental freedoms proclaimed in the Covenant and to take the necessary steps, including legislation, to guarantee to everyone the real opportunity of enjoying those rights and freedoms,

<sup>5</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 3*, page 66.

<sup>6</sup> See Economic and Social Council resolution 197 (VIII) and document E/1369-E/CN.4/Sub.1/98/Rev.1.

<sup>7</sup> See Economic and Social Council resolution 303 I (XI).

*Having considered* the draft Covenant prepared by the Commission on Human Rights, particularly with reference to certain basic policies,

A

1. *Commends* the Commission on Human Rights for the important work it has thus far accomplished;

2. *Calls upon* the Economic and Social Council to request the Commission on Human Rights to continue to give priority in its work to the completion of the draft Covenant and measures for its implementation in order that the General Assembly may have before it at its sixth session the revised draft of this Covenant;

B

3. *Considers:*

(a) That the list of rights in the first eighteen articles of the draft Covenant does not contain certain of the most elementary rights;

(b) That the present wording of some of the first eighteen articles of the draft Covenant should be improved in order to protect more effectively the rights to which they refer;

(c) That in the drafting of the Covenant account should be taken of the Purposes and Principles of the Charter of the United Nations and that these Purposes and Principles should be consistently applied and assiduously protected;

4. *Calls upon* the Economic and Social Council to request the Commission on Human Rights to take into consideration in its work of revision of the draft Covenant:

(i) The views expressed during the discussion of the draft Covenant at the fifth session of the General Assembly and at the eleventh session of the Economic and Social Council, including those relating to articles 13 and 14 of the draft Covenant and, with a view to the addition in the draft Covenant of other rights, those relating to the rights set forth by the Union of Soviet Socialist Republics in document A/C.3/L.96 and Yugoslavia in document A/C.3/L.92;

(ii) The view, expressed during the discussion of the draft Covenant at the fifth session of the General Assembly and at the eleventh session of the Economic and Social Council, that it is desirable to define the rights set forth in the Covenant and the limitations thereto with the greatest possible precision;

C

5. *Calls upon* the Economic and Social Council to request the Commission on Human Rights to study a federal State article and to prepare, for the consideration of the General Assembly at its sixth session, recommendations which will have as their purpose the securing of the maximum extension of the Covenant to the constituent units of federal States, and the meeting of the constitutional problems of federal States;

## D

6. *Calls upon* the Economic and Social Council to request the Commission on Human Rights to study ways and means which would ensure the right of peoples and nations to self-determination, and to prepare recommendations for consideration by the General Assembly at its sixth session;

## E

*Whereas* the Covenant should be drawn up in the spirit and based on the principles of the Universal Declaration of Human Rights,

*Whereas* the Universal Declaration regards man as a person, to whom civic and political freedoms as well as economic, social and cultural rights indubitably belong,

*Whereas* the enjoyment of civic and political freedoms and of economic, social and cultural rights are interconnected and interdependent,

*Whereas*, when deprived of economic, social and cultural rights, man does not represent the human person whom the Universal Declaration regards as the ideal of the free man,

7. (a) *Decides* to include in the Covenant on Human Rights economic, social and cultural rights and an explicit recognition of equality of men and women in related rights, as set forth in the Charter of the United Nations;

(b) *Calls upon* the Economic and Social Council to request the Commission on Human Rights, in accordance with the spirit of the Universal Declaration, to include in the draft Covenant a clear expression of economic, social and cultural rights in a manner which relates them to the civic and political freedoms proclaimed by the draft Covenant;

(c) *Calls upon* the Economic and Social Council to request the Commission on Human Rights to take such steps as are necessary to obtain the co-operation of other organs of the United Nations and of the specialized agencies in the consideration of such rights;

(d) *Requests* the Economic and Social Council to consider, at its twelfth session, the methods by which the specialized agencies might co-operate with the Commission on Human Rights with regard to economic, social and cultural rights;

## F

8. *Calls upon* the Economic and Social Council to request the Commission on Human Rights to proceed with the consideration of provisions, to be inserted in the draft Covenant or in separate protocols, for the receipt and examination of petitions from individuals and organizations with respect to alleged violations of the Covenant; and to take into consideration in its studies of questions relating to petitions and implementation the proposals presented by Chile (A/C.3/L.81), Ethiopia and France (A/C.3/L.78), Israel (A/C.3/L.91/Rev.1) and Uruguay (A/C.3/L.93);

## G

9. *Calls upon* the Economic and Social Council to request the Commission on Human Rights to report to the Economic and Social Council at its thirteenth session concerning the above matters;

## H

10. *Requests* the Secretary-General to invite Member States to submit, by 15 February 1951, their views concerning the draft Covenant as revised by the Commission on Human Rights at its sixth session, in order that the Commission may have such views before it during its further consideration of the draft Covenant at its seventh session.

*317th plenary meeting,  
4 December 1950.*

#### 422 (V). Territorial application of the International Covenant on Human Rights

##### *The General Assembly*

*Requests* the Commission on Human Rights to include the following article in the International Covenant on Human Rights:

*"Article . . . .*

*"The provisions of the present Covenant shall extend to or be applicable equally to a signatory metropolitan State and to all the territories, be they Non-Self-Governing, Trust or Colonial Territories, which are being administered or governed by such metropolitan State".*

*317th plenary meeting,  
4 December 1950.*

#### 423 (V). Human Rights Day

##### *The General Assembly,*

*Considering* that on 10 December 1948 the General Assembly proclaimed the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations,

*Considering* that the Declaration marks a distinct forward step in the march of human progress,

*Considering* that the anniversary of this event should be appropriately celebrated in all countries as part of a common effort to bring the Declaration to the attention of the peoples of the world,

*Expressing its appreciation* to all those countries Members or non-members of the United Nations which have already celebrated this anniversary,

1. *Invites* all States and interested organizations to adopt 10 December of each year as Human Rights Day, to observe this day to celebrate the proclamation of the Universal Declaration of Human Rights by the General Assembly on 10 December 1948, and to exert increasing efforts in this field of human progress.

2. *Invites* all States to report annually through the Secretary-General concerning the observance of Human Rights Day.

*317th plenary meeting,  
4 December 1950.*

**424 (V). Freedom of information: interference with radio signals**

*The General Assembly,*

Whereas freedom to listen to radio broadcasts regardless of source is embodied in article 19 of the Universal Declaration of Human Rights,<sup>8</sup> which reads: "Everyone has the right to freedom of opinion and expression" and whereas this right "includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers",

Whereas article 44 of the International Telecommunication Convention, Atlantic City, 1947,<sup>9</sup> provides that "All stations, whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio service or communications of other members or associate members . . . [and that] Each member or associate member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of the preceding paragraph",

Considering that the duly authorized radio operating agencies in some countries are deliberately interfering with the reception by the people of those countries of certain radio signals originating beyond their territories, and bearing in mind the discussion<sup>10</sup> which took place in the Economic and Social Council and in the Sub-Commission on Freedom of Information and of the Press on this subject,

Considering that peace among nations rests on the goodwill of all peoples and governments and that tolerance and understanding are prerequisites for establishing goodwill in the international field,

1. *Adopts* the declaration of the Economic and Social Council contained in its resolution 306 B (XI) of 9 August 1950 to the effect that this type of interference constitutes a violation of the accepted principles of freedom of information;

2. *Condemns* measures of this nature as a denial of the right of all persons to be fully informed concerning news, opinions and ideas regardless of frontiers;

3. *Invites* the governments of all Member States to refrain from such interference with the right of their peoples to freedom of information;

4. *Invites* all governments to refrain from radio broadcasts that would mean unfair attacks or slanders against other peoples anywhere and in so doing to conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively;

5. *Invites* also Member States to give every possible facility so that their peoples may know objectively the activities of the United Nations in promoting peace and, in particular, to facilitate the reception and transmission of the United Nations official broadcasts.

*325th plenary meeting,  
14 December 1950.*

<sup>8</sup> See resolution 217 A (III).

<sup>9</sup> See *Final Act of the International Telecommunication and Radio Conferences, Atlantic City, 1947*, International Telecommunication Union, Geneva.

<sup>10</sup> See documents E/AC.7/SR.135 to 139, E/SR.405 and E/CN.4/Sub.1/SR.68 to 86.

**425 (V). Question of the freedom of information and of the Press in times of emergency**

*The General Assembly,*

Considering that freedom of information and of the Press is one of the fundamental freedoms and should be advanced and safeguarded,

Considering that limitations might be placed on this freedom in emergencies or on the pretext of emergencies,

Recommends to all Member States that, when they are compelled to declare a state of emergency, measures to limit freedom of information and of the Press shall be taken only in the most exceptional circumstances and then only to the extent strictly required by the situation.

*325th plenary meeting,  
14 December 1950.*

**426 (V). Draft Convention on Freedom of Information**

*The General Assembly,*

Recalling its resolution 313 (IV) of 20 October 1949, the recommendation<sup>11</sup> of the sixth session of the Commission on Human Rights regarding freedom of information and the discussion<sup>12</sup> concerning that recommendation at the eleventh session of the Economic and Social Council,

Considering that freedom of information and the Purposes of the United Nations are indivisible,

1. *Appoints* a Committee consisting of the representatives of the following fifteen countries: Cuba, Ecuador, Egypt, France, India, Lebanon, Mexico, the Netherlands, Pakistan, the Philippines, Saudi Arabia, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia, which shall meet at the Headquarters of the United Nations as soon as possible, but not later than 1 March 1951, to prepare a draft Convention on Freedom of Information, taking into consideration the draft<sup>13</sup> approved by the United Nations Conference on Freedom of Information held at Geneva from 23 March to 21 April 1948; the text<sup>14</sup> voted during the second part of the third session of the General Assembly; article 14 of the provisional text<sup>15</sup> of the draft First International Covenant on Human Rights; and the observations<sup>16</sup> contained in the summary records of the meetings of the Third Committee dealing with the question;

2. *Requests* the Committee to report to the Economic and Social Council at its thirteenth session on the results of its work and to submit recommendations, in particular, with regard to the advisability of con-

<sup>11</sup> See *Official Records of the Economic and Social Council, Fifth Year, Eleventh Session, Supplement No. 5, annex IV.*

<sup>12</sup> See *Official Records of the Economic and Social Council, Eleventh Session, 404th meeting, and document E/AC.7/SR.139.*

<sup>13</sup> See *Official Records of the General Assembly, Fourth Session, Third Committee, Annex, documents A/961 and A/C.3/518, and A/C.3/518/Corr.1.*

<sup>14</sup> See resolution 277 A (III).

<sup>15</sup> See *Official Records of the Economic and Social Council, Fifth Year, Eleventh Session, Supplement No. 5, annex I.*

<sup>16</sup> See *Official Records of the General Assembly, Fifth Session, Third Committee, 320th-324th meetings.*

vening a conference of plenipotentiaries with a view to the framing and signature of a Convention on Freedom of Information;

3. *Requests* the Secretary-General to submit the Committee's report, together with the draft or drafts of the Convention prepared by the Committee, to the various governments concerned for their consideration;

4. *Invites* the governments so consulted to transmit their suggestions and observations to the Secretary-General by 15 June 1951;

5. *Recommends* the Economic and Social Council to consider the Committee's report at its thirteenth session and if it thinks fit, in the light of the Committee's recommendations and the observations of governments, and also taking into consideration the General Assembly's wish that one or more conventions to ensure freedom of information in the world should be adopted as soon as possible, to convene a conference of plenipotentiaries to meet as soon as possible and not later than 1 February 1952, with a view to the framing and signature of a Convention on Freedom of Information, based on the draft or drafts prepared by the above-mentioned Committee and on the observations of governments.

325th plenary meeting,  
14 December 1950.

#### 427 (V). Measures for the peaceful solution of the problem of prisoners of war

*The General Assembly,*

*Mindful* that one of the principal Purposes of the United Nations is to achieve international co-operation in solving international problems of a humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all,

*Considering* that the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations,

*Believing* that all prisoners having originally come within the control of the Allied Powers as a consequence of the Second World War should either have been repatriated long since or have been otherwise accounted for,

*Recalling* that this is required both by recognized standards of international conduct and the Geneva Convention of 1949<sup>17</sup> for the protection of war victims, and by specific agreements between the Allied Powers,

1. *Expresses its concern* at the information presented to it tending to show that large numbers of prisoners taken in the course of the Second World War have neither been repatriated nor otherwise accounted for;

2. *Calls upon* all governments still having control of such persons to act in conformity with the recognized standards of international conduct and with the

<sup>17</sup> See *Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949*, International Committee of the Red Cross, Geneva 1949.

above-mentioned international agreements and conventions which require that, upon the cessation of active hostilities, all prisoners should, with the least possible delay, be given an unrestricted opportunity of repatriation and, to that end, to publish and transmit to the Secretary-General before 30 April 1951:

(a) The names of such prisoners still held by them, the reasons for which they are still detained and the places in which they are detained;

(b) The names of prisoners who have died while under their control as well as the date and cause of death, and the manner and place of burial in each case;

3. *Requests* the Secretary-General to establish an *Ad Hoc* Commission composed of three qualified and impartial persons chosen by the International Red Cross or, failing that, by the Secretary-General himself, with a view to settling the question of the prisoners of war in a purely humanitarian spirit and on terms acceptable to all the governments concerned. The Commission shall convene at a suitable date after 30 April 1951 to examine and evaluate, in the light of the information made available to the fifth session of the General Assembly, the information furnished by governments in accordance with the terms of the preceding paragraph. In the event that the Commission considers that this information is inadequate or affords reasonable ground for believing that prisoners coming within the custody or control of any foreign government as a consequence of military operations of the Second World War have not been repatriated or otherwise accounted for, the General Assembly:

(a) Requests the Commission to seek from the governments or authorities concerned full information regarding such prisoners;

(b) Requests the Commission to assist all governments and authorities who so desire in arranging for and facilitating the repatriation of such prisoners;

(c) Authorizes the Commission to use the good offices of any qualified and impartial person or organization whom it considers might contribute to the repatriation or accounting for of such prisoners;

(d) Urges all governments and authorities concerned to co-operate fully with the Commission, to supply all necessary information and to grant right of access to their respective countries and to areas in which such prisoners are detained;

(e) Requests the Secretary-General to furnish the Commission with the staff and facilities necessary for the effective accomplishment of its task;

4. *Urgently requests* all the governments to make the greatest possible efforts, based in particular on the documentation to be provided, to search for prisoners of war whose absence has been reported and who might be in their territories;

5. *Directs* the Commission to report as soon as practicable the results of its work to the Secretary-General for transmission to the Members of the United Nations.

325th plenary meeting,  
14 December 1950.

## 428 (V). Statute of the Office of the United Nations High Commissioner for Refugees

*The General Assembly,*

*In view of its resolution 319 A (IV) of 3 December 1949,*

1. *Adopts* the annex to the present resolution, being the Statute of the Office of the United Nations High Commissioner for Refugees;

2. *Calls upon* governments to co-operate with the United Nations High Commissioner for Refugees in the performance of his functions concerning refugees falling under the competence of his Office, especially by:

(a) Becoming parties to international conventions providing for the protection of refugees, and taking the necessary steps of implementation under such conventions;

(b) Entering into special agreements with the High Commissioner for the execution of measures calculated to improve the situation of refugees and to reduce the number requiring protection;

(c) Admitting refugees to their territories, not excluding those in the most destitute categories;

(d) Assisting the High Commissioner in his efforts to promote the voluntary repatriation of refugees;

(e) Promoting the assimilation of refugees, especially by facilitating their naturalization;

(f) Providing refugees with travel and other documents such as would normally be provided to other aliens by their national authorities, especially documents which would facilitate their resettlement;

(g) Permitting refugees to transfer their assets and especially those necessary for their resettlement;

(h) Providing the High Commissioner with information concerning the number and condition of refugees, and laws and regulations concerning them;

3. *Requests* the Secretary-General to transmit the present resolution, together with the annex attached thereto, also to States non-members of the United Nations, with a view to obtaining their co-operation in its implementation.

*325th plenary meeting,  
14 December 1950.*

### ANNEX

## *Statute of the Office of the United Nations High Commissioner for Refugees*

### *Chapter I*

#### GENERAL PROVISIONS

1. The United Nations High Commissioner for Refugees, acting under the authority of the General Assembly, shall assume the function of providing international protection, under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees by assisting governments and, subject to the approval of the governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities.

In the exercise of his functions, more particularly when difficulties arise, and for instance with regard to any controversy concerning the international status of these persons, the High Commissioner shall request the opinion of an advisory committee on refugees if it is created.

2. The work of the High Commissioner shall be of an entirely non-political character; it shall be humanitarian and social and shall relate, as a rule, to groups and categories of refugees.

3. The High Commissioner shall follow policy directives given him by the General Assembly or the Economic and Social Council.

4. The Economic and Social Council may decide, after hearing the views of the High Commissioner on the subject, to establish an advisory committee on refugees, which shall consist of representatives of States Members and States non-members of the United Nations, to be selected by the Council on the basis of their demonstrated interest in and devotion to the solution of the refugee problem.

5. The General Assembly shall review, not later than at its eighth regular session, the arrangements for the Office of the High Commissioner with a view to determining whether the Office should be continued beyond 31 December 1953.

### *Chapter II*

#### FUNCTIONS OF THE HIGH COMMISSIONER

6. The competence of the High Commissioner shall extend to:

A. (i) Any person who has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

(ii) Any person who, as a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality and is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to return to it.

Decisions as to eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of the present paragraph;

The competence of the High Commissioner shall cease to apply to any person defined in section A above if:

(a) He has voluntarily re-availed himself of the protection of the country of his nationality; or

(b) Having lost his nationality, he has voluntarily re-acquired it; or

(c) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or

(d) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or

(e) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, claim grounds other than those of personal convenience for continuing to refuse to avail himself of the protection of the country of his nationality. Reasons of a purely economic character may not be invoked; or



(f) Being a person who has no nationality, he can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist and he is able to return to the country of his former habitual residence, claim grounds other than those of personal convenience for continuing to refuse to return to that country;

B. Any other person who is outside the country of his nationality or, if he has no nationality, the country of his former habitual residence, because he has or had well-founded fear of persecution by reason of his race, religion, nationality or political opinion and is unable or, because of such fear, is unwilling to avail himself of the protection of the government of the country of his nationality, or, if he has no nationality, to return to the country of his former habitual residence.

7. Provided that the competence of the High Commissioner as defined in paragraph 6 above shall not extend to a person:

(a) Who is a national of more than one country unless he satisfies the provisions of the preceding paragraph in relation to each of the countries of which he is a national; or

(b) Who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country; or

(c) Who continues to receive from other organs or agencies of the United Nations protection or assistance; or

(d) In respect of whom there are serious reasons for considering that he has committed a crime covered by the provisions of treaties of extradition or a crime mentioned in article VI of the London Charter of the International Military Tribunal or by the provisions of article 14, paragraph 2, of the Universal Declaration of Human Rights.<sup>a</sup>

8. The High Commissioner shall provide for the protection of refugees falling under the competence of his Office by:

(a) Promoting the conclusion and ratification of international conventions for the protection of refugees, supervising their application and proposing amendments thereto;

(b) Promoting through special agreements with governments the execution of any measures calculated to improve the situation of refugees and to reduce the number requiring protection;

(c) Assisting governmental and private efforts to promote voluntary repatriation or assimilation within new national communities;

(d) Promoting the admission of refugees, not excluding those in the most destitute categories, to the territories of States;

(e) Endeavouring to obtain permission for refugees to transfer their assets and especially those necessary for their resettlement;

(f) Obtaining from governments information concerning the number and conditions of refugees in their territories and the laws and regulations concerning them;

(g) Keeping in close touch with the governments and inter-governmental organizations concerned;

(h) Establishing contact in such manner as he may think best with private organizations dealing with refugee questions;

(i) Facilitating the co-ordination of the efforts of private organizations concerned with the welfare of refugees.

9. The High Commissioner shall engage in such additional activities, including repatriation and resettlement, as the General Assembly may determine, within the limits of the resources placed at his disposal.

10. The High Commissioner shall administer any funds, public or private, which he receives for assistance to refugees, and shall distribute them among the private and, as appropriate, public agencies which he deems best qualified to administer such assistance.

The High Commissioner may reject any offers which he does not consider appropriate or which cannot be utilized.

The High Commissioner shall not appeal to governments for funds or make a general appeal, without the prior approval of the General Assembly.

The High Commissioner shall include in his annual report a statement of his activities in this field.

11. The High Commissioner shall be entitled to present his views before the General Assembly, the Economic and Social Council and their subsidiary bodies.

The High Commissioner shall report annually to the General Assembly through the Economic and Social Council; his report shall be considered as a separate item on the agenda of the General Assembly.

12. The High Commissioner may invite the co-operation of the various specialized agencies.

### Chapter III

#### ORGANIZATION AND FINANCES

13. The High Commissioner shall be elected by the General Assembly on the nomination of the Secretary-General. The terms of appointment of the High Commissioner shall be proposed by the Secretary-General and approved by the General Assembly. The High Commissioner shall be elected for a term of three years, from 1 January 1951.

14. The High Commissioner shall appoint, for the same term, a Deputy High Commissioner of a nationality other than his own.

15. (a) Within the limits of the budgetary appropriations provided, the staff of the Office of the High Commissioner shall be appointed by the High Commissioner and shall be responsible to him in the exercise of their functions.

(b) Such staff shall be chosen from persons devoted to the purposes of the Office of the High Commissioner.

(c) Their conditions of employment shall be those provided under the staff regulations adopted by the General Assembly and the rules promulgated thereunder by the Secretary-General.

(d) Provision may also be made to permit the employment of personnel without compensation.

16. The High Commissioner shall consult the governments of the countries of residence of refugees as to the need for appointing representatives therein. In any country recognizing such need, there may be appointed a representative approved by the government of that country. Subject to the foregoing, the same representative may serve in more than one country.

17. The High Commissioner and the Secretary-General shall make appropriate arrangements for liaison and consultation on matters of mutual interest.

<sup>a</sup> See resolution 217 A (III).

18. The Secretary-General shall provide the High Commissioner with all necessary facilities within budgetary limitations.

19. The Office of the High Commissioner shall be located in Geneva, Switzerland.

20. The Office of the High Commissioner shall be financed under the budget of the United Nations. Unless the General Assembly subsequently decides otherwise, no expenditure, other than administrative expenditures relating to the functioning of the Office of the High Commissioner, shall be borne on the budget of the United Nations, and all other expenditures relating to the activities of the High Commissioner shall be financed by voluntary contributions.

21. The administration of the Office of the High Commissioner shall be subject to the Financial Regulations of the United Nations and to the financial rules promulgated thereunder by the Secretary-General.

22. Transactions relating to the High Commissioner's funds shall be subject to audit by the United Nations Board of Auditors, provided that the Board may accept audited accounts from the agencies to which funds have been allocated. Administrative arrangements for the custody of such funds and their allocation shall be agreed between the High Commissioner and the Secretary-General in accordance with the Financial Regulations of the United Nations and rules promulgated thereunder by the Secretary-General.

\*  
\* \*

*In accordance with the terms of the above Statute, the General Assembly at its 325th plenary meeting on 14 December 1950, on the nomination of the Secretary-General, elected by secret ballot Mr. G. J. van Heuven Goedhart (Netherlands) to the office of United Nations High Commissioner for Refugees.*

#### 429 (V). Draft Convention relating to the Status of Refugees

*The General Assembly,*

*Considering* that, by its resolution 362 (IV) of 22 October 1949, it approved the recommendation of the Special Committee on Methods and Procedures that the General Assembly might decide to convene a conference of plenipotentiaries to study, negotiate, draft, and possibly sign conventions that had been drawn up by conferences in which all Members of the United Nations had not been invited to take part,

*Considering* the desirability of enabling the governments of States not Members of the United Nations to participate in the final stages of the drafting of the Convention<sup>18</sup> relating to the Status of Refugees, as prepared by the *Ad Hoc* Committee on Refugees and Stateless Persons and the Economic and Social Council,

1. *Decides* to convene in Geneva a conference of plenipotentiaries to complete the drafting of and to sign both the Convention relating to the Status of Refugees and the Protocol<sup>19</sup> relating to the Status of Stateless Persons;

2. *Recommends* to governments participating in the conference to take into consideration the draft Conven-

tion submitted by the Economic and Social Council and, in particular, the text of the definition of the term "refugee" as set forth in the annex hereto;

3. *Requests* the Secretary-General to take the steps necessary for the convening of such a conference at the earliest possible opportunity;

4. *Instructs* the Secretary-General to invite the governments of all States, both Members and non-members of the United Nations, to attend the said conference of plenipotentiaries;

5. *Calls upon* the United Nations High Commissioner for Refugees, in accordance with the provisions of the Statute of his Office, to participate in the work of the Conference.

325th plenary meeting,  
14 December 1950.

#### ANNEX

#### *Draft Convention relating to the Status of Refugees<sup>a</sup>*

##### *Chapter I*

##### ARTICLE 1

A. For the purposes of the present Convention, the term "refugee" shall apply to any person who:

(1) Since 1 August 1914 has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

Decisions as to eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of the present article;

(2) As a result of events occurring before 1 January 1951, and owing to well-founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality and is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear or for reasons other than personal convenience, is unwilling to return to it;

In the case of a person who has more than one nationality, the above term "the country of his nationality" shall mean any of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

B. The present Convention shall cease to apply to any person falling under the terms of section A if:

(1) He has voluntarily re-availed himself of the protection of the country of his nationality; or

(2) Having lost his nationality, he has voluntarily re-acquired it; or

<sup>18</sup> See documents E/1850-E/AC.32/8 and E/1850-E/AC.32/8/Annex.

<sup>19</sup> See document E/1850-E/AC.32/8.

<sup>a</sup> Text of chapter I, article 1, as amended by the General Assembly at its 325th plenary meeting.

(3) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or

(4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or

(5) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, claim grounds other than those of personal convenience for continuing to refuse to avail himself of the protection of the country of his nationality. Reasons of a purely economic character may not be invoked; or

(6) Being a person who has no nationality, he can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist and he is able to return to the country of his former habitual residence, claim grounds other than those of personal convenience for continuing to refuse to return to that country.

C. The present Convention shall not apply to persons who are at present receiving from other organs or agencies of the United Nations protection or assistance.

D. The present Convention shall not apply to a person who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

E. The provisions of the present Convention shall not apply to any person with respect to whom there are serious reasons for considering that (a) he has committed a crime specified in article VI of the London Charter of the International Military Tribunal; or (b) he falls under the provisions of article 14, paragraph 2, of the Universal Declaration<sup>b</sup> of Human Rights.

F. The Contracting States may agree to add to the definition of the term "refugee" contained in the present

article persons in other categories, including such as may be recommended by the General Assembly.

#### 430 (V). Problems of assistance to refugees

*The General Assembly,*

*Having taken cognizance of the communication<sup>20</sup> addressed to it by the General Council of the International Refugee Organization on 13 October 1950 in amplification of its memorandum of 20 October 1949 addressed to the fourth session of the General Assembly,*

*Having noted that the General Council of the International Refugee Organization has decided to continue operations until 30 September 1951,*

1. *Decides* to address an urgent appeal to all States, whether or not Members of the United Nations, calling upon them to assist the International Refugee Organization in its efforts to resettle refugees remaining under its care and particularly those in need of permanent custodial care;

2. *Decides*, in the absence of definite data, to postpone until its sixth session the examination of the problem of assistance raised by the above-mentioned communications, in the light of a further communication on the subject which the International Refugee Organization is invited to submit and of the observations which the High Commissioner will make in his report to the sixth session of the General Assembly.

*325th plenary meeting,  
14 December 1950.*

<sup>20</sup> See *Official Records of the General Assembly, Fifth Session, Third Committee, Annexes*, Agenda item 32, document A/C.3/540.

<sup>b</sup> See resolution 217 A (III).

## XIV

### RESOLUTIONS ADOPTED ON THE REPORTS OF THE FOURTH COMMITTEE

#### **431 (V). Report of the Trusteeship Council covering its first special session, its second special session, and its sixth and seventh sessions**

*The General Assembly*

1. *Takes note* of the report<sup>1</sup> of the Trusteeship Council covering its first special session, its second special session, and its sixth and seventh sessions;

2. *Expresses its confidence* that the Trusteeship Council, in a spirit of co-operation, will continue to contribute effectively to achieving the high objectives of the Trusteeship System;

3. *Recommends* that the Trusteeship Council consider at its next session the comments and suggestions made during the discussion of the report at the fifth session of the General Assembly.

*316th plenary meeting,  
2 December 1950.*

#### **432 (V). General procedure of the Trusteeship Council**

*The General Assembly,*

*Noting* the increase in the volume of work and in the length of the sessions of the Trusteeship Council,

*Considering* that, for the more effective discharge by the Council of its duties, a review of its present methods of work appears desirable,

*Recommends* accordingly that the Trusteeship Council undertake a review of its general procedure bearing in mind the observations and suggestions made during the discussion of this matter at the fifth session of the General Assembly, and include the results of such review in its report to the next regular session of the General Assembly.

*316th plenary meeting,  
2 December 1950.*

#### **433 (V). Annual reports of the Trusteeship Council**

*The General Assembly,*

*Considering* that, under Article 85, paragraph 2, of the Charter, the Trusteeship Council, operating under

the authority of the General Assembly, shall assist the General Assembly in carrying out its functions with regard to the International Trusteeship System,

*Considering* that, under Article 15, paragraph 2, of the Charter, the General Assembly shall receive and consider the reports of the Trusteeship Council,

*Considering* further that the present arrangement of the subject-matter of the report of the Trusteeship Council to the General Assembly, which conforms strictly to the various functions of the Council, might be improved so as to enable the General Assembly to form a clearer understanding of conditions in the Trust Territories,

1. *Recommends* that the Trusteeship Council, accordingly, in its future reports to the General Assembly:

(a) Present in separate sections all the relevant data examined by the Trusteeship Council concerning the political, economic, social and educational conditions in each Trust Territory, so that each section may provide the General Assembly with a comprehensive account of such conditions in each of the above-mentioned fields;

(b) Include in each such section the observations, conclusions and recommendations of the Council on the topic under review, as well as such relevant observations of its individual members as the Council may consider useful;

(c) Give in each case in the appropriate section an account of the manner in which the Administering Authority has carried out each recommendation of the General Assembly or of the Trusteeship Council;

(d) State also in the same section its conclusions on the extent of the action taken by the Administering Authority and on the measures which, in its opinion, should be adopted in view of those conclusions;

(e) Include, wherever practicable, maps of the various Trust Territories;

2. *Recommends* also that the Trusteeship Council, in preparing its future annual reports, take into consideration documents A/C.4/L.93 and A/C.4/L.94, the texts of which will be of assistance in making clear the structure of the annual report of the Trusteeship Council which the General Assembly hopes will be adopted.

*316th plenary meeting,  
2 December 1950.*

<sup>1</sup> See Official Records of the General Assembly, Fifth Session, Supplement No. 4.

**434 (V). Organization and methods of functioning of visiting missions**

*The General Assembly,*

*Considering* that, under Article 85, paragraph 1, of the Charter, the functions of the United Nations with regard to Trusteeship Agreements for all areas not designated as strategic shall be exercised by the General Assembly,

*Considering* that, under Article 87 c of the Charter, the General Assembly and, under its authority, the Trusteeship Council, may provide for periodic visits to the respective Trust Territories at times agreed upon with the Administering Authority,

*Noting* that visiting missions of the Trusteeship Council have now visited each of the Trust Territories for the first time and have submitted valuable reports to the Council,

*Noting* that these missions were the first of their kind and that the time during which they remained in each of the Trust Territories did not permit them to make a thorough study of some of the problems existing in the Trust Territories,

*Considering* that, since it has been customary for the Trusteeship Council to study the possibility of improving the organization and membership as well as the methods and functioning of visiting missions, the commencement in 1951 of a second series of visits to the Trust Territories presents an opportunity to review these matters again,

1. *Recommends* accordingly that the Trusteeship Council should undertake another such review in order to ensure that the most effective use will be made in future of this important function of the General Assembly and of the Council, taking into consideration for that purpose the observations and suggestions made during the discussion of this matter at the fifth session of the General Assembly and taking into account the advisability of:

(a) Arranging for visiting missions to remain long enough in each Trust Territory to be able adequately to fulfil their task;

(b) Reducing the number of Trust Territories to be visited by a single visiting mission;

(c) Ensuring the greatest possible flexibility in the itinerary of each visiting mission;

(d) Extending the duration of visits without diminishing their frequency;

(e) Continuing to include in the terms of reference of each visiting mission the examination of specific problems;

(f) Continuing to include in the terms of reference of each visiting mission the preliminary examination on the spot, when called for, of the petitions submitted to it, and of such other petitions as the Trusteeship Council may deem appropriate;

(g) Selecting members of each visiting mission as much as possible from among representatives who sit on the Trusteeship Council;

(h) Directing visiting missions to take advantage of every opportunity to inform the indigenous inhabitants of the workings and operations of the International Trusteeship System;

2. *Requests* the Trusteeship Council to include the results of the review in its next report to the General Assembly.

*316th plenary meeting,  
2 December 1950.*

**435 (V). Examination of petitions**

*The General Assembly,*

*Considering* that, according to Article 85, paragraph 1, of the Charter, the functions of the United Nations with regard to Trusteeship Agreements for all areas not designated as strategic shall be exercised by the General Assembly,

*Considering* that, according to Article 87 b of the Charter, the General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may accept petitions and examine them in consultation with the Administering Authority,

*Considering* that the right of petition, which is one of the fundamental human rights, is one of the most important factors in the operation of the International Trusteeship System, and that the careful study of petitions is one of the fundamental responsibilities of the Trusteeship Council,

*Considering* that it is essential, in the interest of the inhabitants of Trust Territories, to continue to improve in every possible way the procedure for the examination of petitions,

*Recommends* that the Trusteeship Council accordingly consider the possibility of:

(a) Constituting the *Ad Hoc* Committee on Petitions as a standing committee to meet, if necessary, between sessions of the Council;

(b) Requesting the Administering Authorities to submit such observations as they may wish to make on petitions which concern them, within two months of their receiving such petitions;

(c) Studying all other measures which may serve to improve the present procedure for the examination of petitions;

(d) Requesting the Administering Authorities to submit each year special information concerning action taken on the recommendations of the Council in respect of petitions examined, except in those cases where the Council does not deem it necessary.

*316th plenary meeting,  
2 December 1950.*

**436 (V). Information on the implementation of Trusteeship Council and General Assembly resolutions relating to Trust Territories**

*The General Assembly,*

*Considering* that it is necessary that both the General Assembly and the Trusteeship Council should have

at their disposal information on the implementation of the recommendations approved by both bodies in matters relating to Chapters XII and XIII of the Charter,

*Requests the Secretary-General:*

(a) To prepare a list, classified by subjects, of such resolutions, including in each case the text of the operative part of the document;

(b) To report to the sixth session of the General Assembly on the measures taken by the Administering Authorities to implement such resolutions, using as a source the reports of the Trusteeship Council;

(c) If there has been no action on the part of an Administering Authority in respect of any particular resolution, to set forth the reasons given concerning that matter.

*316th plenary meeting,  
2 December 1950.*

#### **437 (V). Educational advancement in Trust Territories**

*The General Assembly,*

*Considering* that the promotion of educational advancement of the inhabitants of Trust Territories is essential for their progressive development as early as possible towards self-government or independence,

*Recognizing* that, while notable progress has already been achieved in the educational development of the Trust Territories, considerable efforts are still required in this field,

*Considering* that the establishment, in so far as is practicable, of comprehensive and long-range plans to achieve such educational development is desirable,

1. *Recommends* that the Trusteeship Council continue to devote particular attention, in consultation with the Administering Authorities and the specialized agencies, to long-range programmes of educational development in the Trust Territories, with a view to enabling the inhabitants of those Territories to take over the responsibilities of complete self-government at the earliest possible date;

2. *Requests* that the Trusteeship Council include in its annual reports to the General Assembly its observations on the various long-range educational programmes undertaken in the Trust Territories, and the progress made in respect thereof.

*316th plenary meeting,  
2 December 1950.*

#### **438 (V). Rural economic development of the Trust Territories**

*The General Assembly,*

*Recognizing* that the equitable distribution and the proper utilization of the land together constitute one of the essential conditions in ensuring, maintaining and promoting the economic and social advancement of inhabitants of Trust Territories,

*Recognizing* that all Trust Territories are among the under-developed areas of the world,

1. *Recommends* the Trusteeship Council:

(a) To study the prevailing policies, laws and practices which in the Trust Territories relate to land, land utilization and the alienation of land, taking into account the present and future needs of the indigenous inhabitants from the standpoint of the basic objectives of the International Trusteeship System, as set forth in Article 76 of the Charter, and the future economic requirements of the said Territories, as well as the social and economic consequences of the transfer of land to non-indigenous inhabitants;

(b) To make such recommendations to the Administering Authorities concerning the prevailing policies, laws and practices referred to above as may be conducive to the economic and social development of the indigenous inhabitants of the said Territories and as the Council may see fit to make in the light of the study undertaken in pursuance of sub-paragraph (a) above;

2. *Requests* the Trusteeship Council to report to the next regular session of the General Assembly on the work done in this connexion.

*316th plenary meeting,  
2 December 1950.*

#### **439 (V). Technical assistance for Trust Territories**

*The General Assembly,*

*Considering* that, in pursuance of the objectives of the Trusteeship System as set forth in the Charter, it is indispensable that Trust Territories be developed in the interests of the indigenous inhabitants,

*Noting* that the development of the Trust Territories might be improved by additional technical assistance,

*Noting* that, under the expanded programme of technical assistance for economic development of under-developed countries (resolution 222 (IX) of the Economic and Social Council), the Trust Territories are eligible to receive technical assistance upon the request of the Administering Authorities concerned,

1. *Draws the attention* of the Administering Authorities to the facilities available under the expanded programme of technical assistance, as well as to the regular programmes of technical assistance of the United Nations and the specialized agencies for economic development, social welfare services and training for public administration;

2. *Draws the attention* of the Economic and Social Council, the specialized agencies and the Secretary-General to the need to extend to the Trust Territories such technical assistance as they may be in a position to render, in order to establish a sound basis for the progressive development of the inhabitants towards self-government or independence;

3. *Recommends* that the Administering Authorities, on behalf of the Trust Territories, make full use of these sources of technical assistance and make appropriate applications to the agencies involved;

4. *Recommends* that the Administering Authorities submit to the Trusteeship Council information on all applications made in implementation of the present resolution, and on the manner in which technical assistance received from the United Nations or the specialized agencies has been integrated into the long-range programmes for the development of the Trust Territories.

*316th plenary meeting,  
2 December 1950.*

#### **440 (V). Abolition of corporal punishment in Trust Territories**

*The General Assembly,*

*Recalling* its resolution 323 (IV) endorsing the recommendation of the Trusteeship Council for the immediate abolition of corporal punishment in the Trust Territories,

*Noting* the several statements contained in the report<sup>2</sup> of the Trusteeship Council to the present session of the General Assembly to the effect that such punishment is still being applied,

*Recommends* that measures be taken immediately to bring about the complete abolition of corporal punishment in all Trust Territories where it still exists, and requests the Administering Authorities of those Territories to report on this matter to the General Assembly at its next regular session.

*316th plenary meeting,  
2 December 1950.*

#### **441 (V). The Ewe problem**

*The General Assembly,*

*Noting* the action<sup>3</sup> taken by the Trusteeship Council in respect of the Ewe unification movement and related questions in the Trust Territories of Togoland under French administration and Togoland under British administration,

*Noting*, in particular, the endorsement<sup>4</sup> by the Trusteeship Council of the decision of the Administering Authorities concerned to establish an expanded Standing Consultative Commission for the purpose of ascertaining the real wishes and interests of the peoples concerned, and the expression<sup>5</sup> by the Council of the hope that the Administering Authorities would take all appropriate steps to ensure that the Commission would equitably represent the different sections and groups,

*Noting* the complaints made by the President of the *Comité de l'Unité togolaise* in a petition to the Secretary-General (T/Pet.7/160-T/Pet.6/194; T/Pet.7/160-T/Pet.6/194/Add.1; T/Pet.7/160-T/Pet.6/194/Add.2; T/Pet.7/160-T/Pet.6/194/Add.3; T/Pet.7/160-T/Pet.6/194/Add.4; T/Pet.7/160-T/Pet.6/194/

Add.5) against the methods of election prescribed by the Administering Authority of Togoland under French administration and the allegation that persons have been arrested and imprisoned because they wished to have indigenous customs observed in the elections,

*Noting* the comments to the contrary contained in other related petitions (T/Pet.7/163-T/Pet.6/197; T/Pet.7/165-T/Pet.6/199; T/Pet.7/165-T/Pet.6/199/Add.1),

*Noting* the declarations<sup>6</sup> made on these matters by the representative of France in the Fourth Committee on 18 and 31 October 1950,

1. *Recognizes* the great importance of the Ewe problem, and impresses upon the Trusteeship Council and the Administering Authorities concerned the importance of finding an adequate solution as soon as possible and in full accordance with the real wishes and interests of the people concerned;

2. *Impresses*, in particular, upon the Administering Authorities the necessity of conducting elections to the Standing Consultative Commission in a democratic manner that will ensure a true representation of the people;

3. *Recommends* that the Administering Authority of Togoland under French administration investigate promptly the practices complained of in the petition of the President of the *Comité de l'Unité togolaise* and in other petitions on the subject with a view to ascertaining whether the methods of election which have been applied ensure that the views of all sections of the population are faithfully reflected, and report thereon to the next session of the Trusteeship Council for such action as the Council may consider appropriate in the light of the relevant discussions in the Fourth Committee and of the results of the investigations of the Administering Authority of Togoland under French administration;

4. *Requests* that the Trusteeship Council devote a special chapter or sub-chapter of its annual report to the next session of the General Assembly to setting forth all the steps undertaken in connexion with the Ewe question.

*316th plenary meeting,  
2 December 1950.*

#### **442 (V). Trusteeship Agreement for the Territory of Somaliland under Italian administration**

*The General Assembly*

*Approves* the draft Trusteeship Agreement for the Territory of Somaliland under Italian administration, as contained in document A/1294.<sup>7</sup>

*316th plenary meeting,  
2 December 1950.*

<sup>2</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 4.*

<sup>3</sup> See Trusteeship Council resolutions 14 (II), 108 (V) and 250 (VII).

<sup>4</sup> See Trusteeship Council resolution 250 (VII).

<sup>5</sup> *Ibid.*

<sup>6</sup> See *Official Records of the General Assembly, Fifth Session, Fourth Committee*, 153rd and 162nd meetings.

<sup>7</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 10.*

**443 (V). Administrative unions affecting Trust Territories**

*The General Assembly*

*Decides to carry over the item relating to administrative unions affecting Trust Territories for consideration at the next regular session of the General Assembly.*

*320th plenary meeting,  
12 December 1950.*

**444 (V). Technical assistance to Non-Self-Governing Territories**

*The General Assembly,*

*Considering that, under the expanded programme of technical assistance for economic development of under-developed countries (resolution 222 (IX) of the Economic and Social Council), the Non-Self-Governing Territories are eligible to receive technical assistance on the request of the Administering Members concerned,*

*Noting with appreciation that resolution 321 (XI) of the Economic and Social Council draws the attention of the Administering Members to the facilities available under the expanded programme of technical assistance,*

*1. Invites the Administering Members which need technical assistance for the economic, social and educational advancement of their Non-Self-Governing Territories to submit their requests;*

*2. Recommends that the Administering Members include yearly in the statistical information transmitted under Article 73 e of the Charter as full a report as possible on all applications made in behalf of their respective Non-Self-Governing Territories and on the manner in which technical assistance received from the United Nations and the specialized agencies has been integrated into long-range development programmes in such Territories.*

*320th plenary meeting,  
12 December 1950.*

**445 (V). Work of the Special Committee on Information transmitted under Article 73 e of the Charter**

*The General Assembly,*

*1. Takes note of the report<sup>8</sup> of the Special Committee on Information transmitted under Article 73 e of the Charter on the work of its 1950 session;*

*2. Confirms its recognition of the importance of international collaboration in regard to economic, social and educational conditions in Non-Self-Governing Territories as expressed in resolution 331 (IV) adopted by the General Assembly on 2 December 1949;*

*3. Approves the special report on education<sup>9</sup> as a brief but considered indication of the importance of*

<sup>8</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 17.*

<sup>9</sup> *Ibid.*

educational advancement and the problems still to be faced in the Non-Self-Governing Territories;

*4. Invites the Secretary-General to communicate this special report to the Members of the United Nations responsible for the administration of Non-Self-Governing Territories and to the United Nations Educational, Scientific and Cultural Organization for their consideration;*

*5. Notes with interest the special studies carried out by the United Nations Educational, Scientific and Cultural Organization for the education and training of teachers, and expresses the hope that full account will be taken of such studies in the formulation of policies on this matter in the Non-Self-Governing Territories;*

*6. Notes the intention<sup>10</sup> of the United Nations Educational, Scientific and Cultural Organization to place before the Special Committee for its consideration at its 1951 session documents relating to the use of the indigenous or national languages for teaching purposes and the eradication of illiteracy;*

*7. Approves the arrangements<sup>11</sup> proposed by the Special Committee for its work in 1951;*

*8. Invites the specialized agencies concerned, with a view to the preparation of studies, based on the information transmitted under Article 73 e of the Charter and relevant supplemental information, in respect of economic conditions and development to be considered by the Special Committee in 1951, to collaborate with the Secretary-General in the study of problems of the prices of tropical export crops and arrangements for their marketing, migrant labour in Africa, the development of co-operative societies in peasant communities and the economic value of preventive medicine.*

*320th plenary meeting,  
12 December 1950.*

\*  
\* \*

*In accordance with the terms of resolution 332 (IV), the Fourth Committee, at its 191st meeting on 30 November 1950, elected, on behalf of the General Assembly, two members to the Special Committee to fill the vacancies created by the expiration of the terms of office of Sweden and Venezuela. The States Members elected were: CUBA and PAKISTAN.*

**446 (V). Information on human rights in Non-Self-Governing Territories**

*The General Assembly,*

*Recalling the recommendation contained in resolution 327 (IV) adopted by the General Assembly on 2 December 1949,*

*Noting the provision contained in article 2<sup>12</sup> of the Universal Declaration of Human Rights that no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be*

<sup>10</sup> See *Official Records of the General Assembly, Fifth Session, Fourth Committee, 186th meeting.*

<sup>11</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 17, Part One, paragraphs 113-131.*

<sup>12</sup> See resolution 217 A (III).



independent, Trust, Non-Self-Governing or under any other limitation of sovereignty,

*Having regard* to the mission which has been given by the General Assembly to the Commission on Human Rights with a view to the drafting of an International Covenant on Human Rights which will also be applicable to Non-Self-Governing Territories,<sup>13</sup>

1. *Invites* the Members responsible for the administration of Non-Self-Governing Territories to include, in the information to be transmitted to the Secretary-General in 1951 under Article 73 e of the Charter, a summary of the extent to which the Universal Declaration of Human Rights is implemented in the Non-Self-Governing Territories under their administration;

2. *Requests* the Special Committee on Information transmitted under Article 73 e of the Charter to include in its report to the General Assembly at its sixth session such recommendations as it may deem desirable relating to the application in Non-Self-Governing Territories of the principles contained in the Universal Declaration of Human Rights.

*320th plenary meeting,  
12 December 1950.*

#### **447 (V). Comparable statistical information relating to the subjects treated under Article 73 e of the Charter**

*The General Assembly,*

*Having regard* to paragraph 6 of resolution 143 (II) adopted by the General Assembly on 3 November 1947 and paragraph 3 of resolution 218 (III) adopted by the General Assembly on 3 November 1948 and relating to the use of comparable statistical information,

*Desirous* of arriving at correct conclusions from the use of such information,

1. *Invites* the Secretary-General, in making use of such information, to obtain the consent of the Member State concerned and to take into account all elements necessary for scientific and objective comparison;

2. *Invites* the Secretary-General to bear in mind that an objective comparison can be made only if the comparable information is representative of the whole region concerned.

*320th plenary meeting,  
12 December 1950.*

#### **448 (V). Development of self-government in Non-Self-Governing Territories**

*The General Assembly,*

*Considering* that resolution 222 (III) adopted by the General Assembly on 3 November 1948, while welcoming any development of self-government in Non-Self-Governing Territories, considers that it is essential that the United Nations be informed of any change in the constitutional position and status of any such Territory as a result of which the responsible government concerned thinks it unnecessary to transmit information in

respect of that Territory under Article 73 e of the Charter,

*Noting* the communication<sup>14</sup> dated 29 June 1950 from the Government of the Netherlands in which it is stated that the Netherlands will no longer present a report pursuant to Article 73 e on Indonesia with the exception of West New Guinea,

*Noting* that the full independence of the Republic of Indonesia has been followed by the admission of that State to membership in the United Nations,

1. *Takes note* with satisfaction of the communication of the Government of the Netherlands with reference to the cessation of the transmission of information on Indonesia;

2. *Requests* the Special Committee on Information transmitted under Article 73 e of the Charter to examine such information as may be transmitted in future to the Secretary-General in pursuance of General Assembly resolution 222 (III), and to report thereon to the General Assembly.

*320th plenary meeting,  
12 December 1950.*

#### **449 (V). Question of South West Africa**

**A**

*The General Assembly,*

*Considering* that the International Court of Justice, duly consulted by the General Assembly pursuant to resolution 338 (IV) of 6 December 1949, reached the conclusion<sup>15</sup> that the Territory of South West Africa is a Territory under the international Mandate assumed by the Union of South Africa on 17 December 1920,

*Considering* that the International Court of Justice is of the opinion that the Union of South Africa continues to have the international obligations laid down in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa,

*Considering* that the International Court of Justice is of the opinion that the functions of supervision over the administration of the Territory of South West Africa by the Union of South Africa should be exercised by the United Nations, to which the annual reports as well as the petitions from the inhabitants of the Territory are to be submitted,

*Considering* that, in accordance with the opinion of the International Court of Justice, the Union of South Africa is under an obligation to accept the compulsory jurisdiction of the Court as provided by Article 37 of the Statute of the International Court of Justice, by Article 80, paragraph 1, of the Charter of the United Nations and by Article 7 of the Mandate for South West Africa,

*Considering* that the International Court of Justice is of the opinion that the Union of South Africa acting alone is not competent to modify the international status of the Territory of South West Africa, and that the

<sup>13</sup> See resolution 422 (V), page 43.

<sup>14</sup> See document A/1302/Rev.1.

<sup>15</sup> See *International Status of South West Africa, Advisory Opinion*: I.C.J. Reports 1950, page 128.

competence to determine and modify the international status of the Territory rests with the Union of South Africa acting with the consent of the United Nations,

*Considering* that the Government of the Union of South Africa should continue to administer the Territory of South West Africa in accordance with the Mandate conferred by the Principal Allied and Associated Powers upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa,

*Considering* that it is incumbent upon the Government of the Union of South Africa to promote to the utmost in the administration of the Territory the material and moral well-being and social progress of its inhabitants as a sacred trust of civilization, subject to the existing Mandate, and to give effect to the obligations which it assumed under the Mandate,

1. *Accepts* the advisory opinion of the International Court of Justice with respect to South West Africa;

2. *Urges* the Government of the Union of South Africa to take the necessary steps to give effect to the opinion of the International Court of Justice, including the transmission of reports on the administration of the Territory of South West Africa and of petitions from communities or sections of the population of the Territory;

3. *Establishes* a Committee of five consisting of the representatives of Denmark, Syria, Thailand, the United States of America and Uruguay, to confer with the Union of South Africa concerning the procedural measures necessary for implementing the advisory opinion of the International Court of Justice and to submit a report thereon to the next regular session of the General Assembly;

4. *Authorizes* the Committee, as an interim measure, pending the completion of its task referred to in paragraph 3, and as far as possible in accordance with the procedure of the former Mandates System, to examine the report on the administration of the Territory of South West Africa covering the period since the last report, as well as petitions and any other matters relating to the Territory that may be transmitted to the Secretary-General, and to submit a report thereon to the next regular session of the General Assembly.

*322nd plenary meeting,  
13 December 1950.*

## B

### *The General Assembly,*

*Considering* that the General Assembly, by its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948 and 337 (IV) of 6 December 1949, recommended that the Mandated Territory of South West Africa be placed under the International Trusteeship System and invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a Trusteeship Agreement for the aforesaid Territory,

*Considering* that the International Court of Justice, duly consulted by the General Assembly in pursuance of resolution 338 (IV) of 6 December 1949, delivered the opinion<sup>16</sup> that the Territory of South West Africa is under the international Mandate assumed by the Union of South Africa on 17 December 1920,

*Considering* that in accordance with Articles 75, 77, paragraph 1a, 79 and 80, paragraph 2, of the Charter of the United Nations the Trusteeship System has been applied to all mandated territories which have not achieved independence, with the sole exception of the Territory of South West Africa,

*Considering* that, under the terms of the Charter of the United Nations, it is clear that the International Trusteeship System takes the place of the former Mandates System instituted by the League of Nations and, further, that there is no specific provision indicating the permanent co-existence of the Mandates System with the International Trusteeship System,

1. *Reiterates* its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948 and 337 (IV) of 6 December 1949 to the effect that the Territory of South West Africa be placed under the International Trusteeship System;

2. *Reiterates* that the normal way of modifying the international status of the Territory would be to place it under the Trusteeship System by means of a Trusteeship Agreement in accordance with the provisions of Chapter XII of the Charter.

*322nd plenary meeting,  
13 December 1950.*

<sup>16</sup> *Ibid.*

## XV

### RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIFTH COMMITTEE

**450 (V). Financial report and accounts of the United Nations for the financial year ended 31 December 1949, and report of the Board of Auditors**

*The General Assembly*

1. *Accepts* the financial report and accounts of the United Nations for the financial year ended 31 December 1949, and the certificate of the Board of Auditors;<sup>1</sup>

2. *Concurs* in the observations<sup>2</sup> of the Advisory Committee on Administrative and Budgetary Questions with respect to the report of the Board of Auditors.

*302nd plenary meeting,  
3 November 1950.*

**451 (V). United Nations International Children's Emergency Fund: financial report and accounts for the financial year ended 31 December 1949, and report of the Board of Auditors**

*The General Assembly*

1. *Accepts* the financial report and accounts of the United Nations International Children's Emergency Fund for the financial year ended 31 December 1949, and the certificate of the Board of Auditors;<sup>3</sup>

2. *Takes note* of the observations<sup>4</sup> of the Advisory Committee on Administrative and Budgetary Questions with respect to the report of the Board of Auditors.

*302nd plenary meeting,  
3 November 1950.*

**452 (V). United Nations Relief for Palestine Refugees: financial report and accounts for the period 1 December 1948 to 30 April 1950, and report of the Board of Auditors**

*The General Assembly*

1. *Accepts* the financial report and accounts of the United Nations Relief for Palestine Refugees for the period 1 December 1948 to 30 April 1950, and the certificate of the Board of Auditors;<sup>5</sup>

<sup>1</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 6.*

<sup>2</sup> *Ibid.*, Supplement No. 7.

<sup>3</sup> See document A/1336.

<sup>4</sup> See document A/1413.

<sup>5</sup> See document A/1354.

<sup>6</sup> See document A/1414.

2. *Takes note* of the report<sup>7</sup> of the Advisory Committee on Administrative and Budgetary Questions with respect to the report of the Board of Auditors.

*302nd plenary meeting,  
3 November 1950.*

**453 (V). United Nations Joint Staff Pension Fund: annual report of the United Nations Staff Pension Committee**

*The General Assembly*

*Takes note* of the annual report<sup>7</sup> of the United Nations Staff Pension Committee for the year ended 31 December 1949.

*302nd plenary meeting,  
3 November 1950.*

**454 (V). Organization of a United Nations postal administration**

*The General Assembly,*

*Referring to* resolutions 232 (III) of 8 October 1948 and 342 (IV) of 20 October 1949, and in particular to paragraphs 2 and 3 of resolution 342 (IV),

*Having considered* the report<sup>8</sup> of the Secretary-General on the organization of a United Nations postal administration and the observations<sup>9</sup> thereon submitted by the Advisory Committee on Administrative and Budgetary Questions,

1. *Takes note* of the annexed draft agreement between the United Nations and the United States of America for the establishment of a United Nations postal administration in conformity with the terms of the Headquarters Agreement;

2. *Requests* the Secretary-General to proceed with the conclusion of the aforesaid agreement and with the necessary arrangements for the establishment of a United Nations postal administration at the earliest possible date consistent with sound administrative arrangements;

3. *Authorizes* the Secretary-General to appoint a committee which shall be empowered to give final approval to designs for United Nations postage stamps;

<sup>7</sup> See document A/1335.

<sup>8</sup> See document A/1394/Rev.1.

<sup>9</sup> See document A/1453.

4. *Requests* the Secretary-General to submit to the General Assembly, not later than the beginning of its seventh session, a comprehensive report on the establishment and operations of the United Nations postal administration.

*305th plenary meeting,  
16 November 1950.*

## ANNEX

### ***Postal Agreement between the United Nations and the United States of America***

*Whereas*, a certain Agreement between the United Nations and the United States of America, dated the 26th day of June, 1947, regarding the Headquarters of the United Nations (said Agreement being hereinafter referred to as the "Headquarters Agreement") provides that in the event that the United Nations should propose to organize its own postal service, the conditions under which such service shall be set up shall be the subject of a Supplemental Agreement;<sup>a</sup> and

*Whereas*, the United Nations desires to establish a postal service in conformity with the Headquarters Agreement.

*Now therefore*, the parties hereto agree as follows:

#### *Section 1*

##### SCOPE OF AGREEMENT

(i) Subject to the provisions of this Agreement, there shall be established a United Nations Post Office Station in the Headquarters District of the United Nations, as defined in the Headquarters Agreement, which shall be operated by the United States Post Office Department.

(ii) The United Nations Post Office Station shall provide at the prevailing rates all the services offered by any United States Post Office having comparable operations except that the United Nations Post Office Station shall use only United Nations postage stamps.

#### *Section 2*

##### SUPPLY OF UNITED NATIONS POSTAGE STAMPS AND STAMPED PAPER

(i) The United Nations shall at its own expense furnish all United Nations postage stamps required under the terms of this Agreement.

(ii) In the event that the United Nations shall produce or authorize production of stamped envelopes and postcards, such envelopes or postcards shall conform to the specifications of the United States Post Office Department as to size and as to quality of paper used.

(iii) No United Nations postage stamps shall be distributed except in accordance with the terms of this Agreement.

#### *Section 3*

##### SALE OF UNITED NATIONS POSTAGE STAMPS

(i) The United Nations Post Office Station shall sell only United Nations postage stamps which shall be provided by the United Nations free of charge in such quantities as may be necessary to fulfil all reasonable needs of the United Nations Post Office Station. All revenue derived from such sales of United Nations postage stamps and from other services rendered by the United Nations Post Office Station shall be retained by the United States Post Office Department as full and complete compensation for performance of its obligations under the terms of this Agreement, except, however, that the United States Post Office Department shall be reimbursed for performance of any postal services resulting from use of United Nations postage stamps sold for philatelic purposes under the provisions of paragraph (ii) of this section which are used as postage on mail matter posted at the United Nations Post Office Station by being paid an amount equal to the face value of any such stamps so used as postage.

<sup>a</sup> See *Official Records of the General Assembly, Second Session, Resolution* (Headquarters Agreement, article II, section 6) page 94.

(ii) The United Nations may maintain a separate agency for the sale of United Nations postage stamps for philatelic purposes in response to orders received by mail. Subject to the provisions of paragraph (i) of this section all revenue derived from such philatelic sales of United Nations postage stamps shall be retained by the United Nations for its own use.

#### *Section 4*

##### UNITED NATIONS POSTMARKS

The United Nations shall furnish all postmarking stamps to be applied to mail posted for mailing in the Headquarters District and shall furnish all such postmarking stamps to the United Nations Post Office Station free of charge. All postmarks shall be designated as United Nations postmarks.

#### *Section 5*

##### UNITED NATIONS POST OFFICE STATION PREMISES

The United Nations shall provide the United States Post Office Department at the expense of the United Nations with the quarters, custodial services and utilities necessary to enable the United States Post Office Department to operate the United Nations Post Office Station in the Headquarters District.

#### *Section 6*

##### STAFF AND EQUIPMENT

Except as otherwise provided in this Agreement the United States Post Office Department will provide at its own expense all staff, equipment and other services and facilities necessary to enable the United States Post Office Department to operate the United Nations Post Office Station under the terms of this Agreement.

#### *Section 7*

##### POSTAL ADDRESS OF THE UNITED NATIONS

The postal address of the Headquarters District of the United Nations shall be "United Nations, New York".

#### *Section 8*

##### DURATION OF THE AGREEMENT

(i) This Agreement shall take effect on a date to be agreed upon between the United Nations and the United States Post Office Department.

(ii) This Agreement shall be subject to revision, on the written proposal of either contracting party, after one year from the date of commencement of operations.

(iii) This Agreement may be terminated by either party giving the other written notice of its intention to terminate such Agreement at least twelve (12) months in advance of the termination date fixed in such notice.

IN WITNESS WHEREOF the respective representatives have signed this Agreement and have affixed their seals hereto.

DONE in duplicate this                      day of

**455 (V). Expenses resulting from obligations placed on the United Nations by instruments relating to the control of narcotic drugs: assessment of non-member States signatories of those instruments**

*The General Assembly,*

Taking note of the report<sup>10</sup> of the Secretary-General to the fifth session of the General Assembly on the question of the assessment of signatories of international instruments relating to the control of narcotic drugs which are non-members of the United Nations, for their share of expenses resulting from obligations placed on the United Nations by those instruments,

1. *Approves* the principle proposed by the Secretary-General for determining the expenses to be considered as assessable on such non-members;

2. *Requests* the Committee on Contributions to determine the rates at which such non-members should be assessed by the same method as that followed in determining the assessment of non-members which are parties to the Statute of the International Court of Justice for their share of the expenses of the Court;

3. *Directs* the Secretary-General to seek payment of such amounts as are determined by the method established above in respect of the 1950 expenses and those of future years.

*305th plenary meeting,  
16 November 1950.*

**456 (V). Financial Regulations of the United Nations**

*The General Assembly,*

Taking note of the agreement reached in the Administrative Committee on Co-ordination to recommend a common set of financial regulations for the United Nations and the specialized agencies,

*Approving* the amendments<sup>11</sup> recommended by the Advisory Committee on Administrative and Budgetary Questions,

1. *Declares* that the Financial Regulations of the United Nations set out in the annex to the present resolution are adopted in place of those adopted by the General Assembly at its second session under resolution 163 (II);

2. *Expresses* the hope that Member States will support the adoption by the specialized agencies of the Financial Regulations approved herein for the United

Nations, with only such alterations as are required to meet the constitutional provisions and organizational structure of the respective agencies.

*305th plenary meeting,  
16 November 1950.*

**ANNEX**

***Financial Regulations of the United Nations***

*Article I*

**APPLICABILITY**

1.1 These regulations shall govern the financial administration of the United Nations, including the International Court of Justice.

*Article II*

**THE FINANCIAL YEAR**

2.1 The financial year shall be the period 1 January to 31 December inclusive.

*Article III*

**THE BUDGET**

3.1 The annual budget estimates shall be prepared by the Secretary-General.

3.2 The estimates shall cover income and expenditures for the financial year to which they relate, and shall be presented in United States dollars.

3.3 The annual budget estimates shall be divided into parts, sections, chapters and articles, and shall be accompanied by such information annexes and explanatory statements as may be requested by, or on behalf of, the General Assembly, and such further annexes or statements as the Secretary-General may deem necessary and useful.

3.4 The Secretary-General shall submit to the regular session of the General Assembly budget estimates for the following financial year. The estimates shall be transmitted to all Member States at least five weeks prior to the opening of the regular session of the General Assembly.

3.5 The Secretary-General shall, at least twelve weeks prior to the opening of the regular session of the General Assembly, submit the estimates to the Advisory Committee on Administrative and Budgetary Questions (hereinafter referred to as the "Advisory Committee") for examination.

3.6 The Advisory Committee shall prepare a report to the General Assembly on the estimates submitted by the Secretary-General. This report shall be transmitted to all Member States at the same time as the estimates.

3.7 The budget for the following financial year shall be adopted by the General Assembly after consideration and report on the estimates by the Administrative and Budgetary Committee of the Assembly.

3.8 Supplementary estimates may be submitted by the Secretary-General whenever necessary.

3.9 The Secretary-General shall prepare supplementary estimates in a form consistent with the annual estimates and shall submit such estimates to the General Assembly. The Advisory Committee shall review such estimates and report thereon.

*Article IV*

**APPROPRIATIONS**

4.1 The appropriations voted by the General Assembly shall constitute an authorization to the Secretary-General

<sup>10</sup> See document A/1418.

<sup>11</sup> See document A/1412.

to incur obligations and make payments for the purposes for which the appropriations were voted and up to the amounts so voted.

4.2 Appropriations shall be available for obligation during the financial year to which they relate.

4.3 Appropriations shall remain available for twelve months following the end of the financial year to which they relate to the extent that they are required to discharge obligations in respect of goods supplied and services rendered in the financial year and to liquidate any other outstanding legal obligation of the year. The balance of the appropriations shall be surrendered.

4.4 At the end of the twelve-month period provided in regulation 4.3 above, the then remaining balance of any appropriations retained will be surrendered. Any unliquidated prior year obligations shall at that time be cancelled or, where the obligation remains a valid charge, transferred as an obligation against current appropriations.

4.5 No transfer between appropriation sections may be made without authorization by the General Assembly.

#### Article V

##### PROVISION OF FUNDS

5.1 The appropriations, subject to the adjustments effected in accordance with the provisions of regulation 5.2, shall be financed by contributions from Member States, according to the scale of assessments determined by the General Assembly. Pending the receipt of such contributions, the appropriations may be financed from the Working Capital Fund.

5.2 In the assessment of the contributions of Member States, adjustments shall be made to the amount of the appropriations approved by the General Assembly for the financial year in respect of:

(a) Supplementary appropriations for which contributions have not previously been assessed on the Member States;

(b) Miscellaneous income for which credits have not previously been taken into account, and any adjustments in estimated miscellaneous income previously taken into account;

(c) Contributions resulting from the assessment of new Member States under the provisions of regulation 5.8;

(d) Any balance of the appropriations surrendered under regulations 4.3 and 4.4.

5.3 After the General Assembly has adopted the budget and determined the amount of the Working Capital Fund, the Secretary-General shall:

(a) Transmit the relevant documents to Member States;

(b) Inform Member States of their commitments in respect of annual contributions and advances to the Working Capital Fund;

(c) Request them to remit their contributions and advances.

5.4 Contributions and advances shall be considered as due and payable in full within thirty days of the receipt of the communication of the Secretary-General referred to in regulation 5.3 above, or as of the first day of the financial year to which they relate, whichever is the later. As of 1 January of the following financial year, the unpaid balance of such contributions and advances shall be considered to be one year in arrears.

5.5 Annual contributions and advances to the Working Capital Fund of the United Nations shall be assessed and paid in United States dollars.

5.6 Payments made by a Member State shall be credited first to the Working Capital Fund and then to the contributions due in the order in which the Member was assessed.

5.7 The Secretary-General shall submit to the regular session of the General Assembly a report on the collection of contributions and advances to the Working Capital Fund.

5.8 New Members shall be required to make a contribution for the year in which they become Members and to provide their proportion of the total advances to the Working Capital Fund at rates to be determined by the General Assembly.

5.9 States which are not Members of the United Nations but which become parties to the Statute of the International Court of Justice or treaty bodies financed from United Nations appropriations shall contribute to the estimated expenses of such bodies at rates to be determined by the General Assembly. Such contributions shall be taken into account as miscellaneous income.

#### Article VI

##### FUNDS

6.1 There shall be established a General Fund for the purpose of accounting for the expenditures of the Organization. The contributions paid by Member States under regulation 5.1, miscellaneous income, and any advances made from the Working Capital Fund to finance general expenditures shall be credited to the General Fund.

6.2 There shall be established a Working Capital Fund in an amount and for purposes to be determined from time to time by the General Assembly. The source of monies of the Working Capital Fund shall be advances from Member States, and these advances, made in accordance with the scale of assessments as determined by the General Assembly for the apportionment of the expenses of the United Nations, shall be carried to the credit of the Member States which have made such advances.

6.3 Advances made from the Working Capital Fund to finance budgetary appropriations during a financial year shall be reimbursed to the Fund as soon as and to the extent that income is available for that purpose.

6.4 Except when such advances are recoverable from some other source, advances made from the Working Capital Fund for unforeseen and extraordinary expenses or other authorized purposes shall be reimbursed through the submission of supplementary estimates.

6.5 Income derived from investments of the Working Capital Fund shall be credited to miscellaneous income.

6.6 Trust Funds, Reserve and Special Accounts may be established by the Secretary-General and shall be reported to the Advisory Committee.

6.7 The purpose and limits of each Trust Fund, Reserve and Special Account shall be clearly defined by the appropriate authority. Unless otherwise provided by the General Assembly, such Funds and Accounts shall be administered in accordance with the present Regulations.

#### Article VII

##### OTHER INCOME

7.1 All other income, except:

(a) Contributions to the budget;

(b) Direct refunds of expenditures made during the financial year; and

(c) Advances or deposits to Funds, shall be classed as miscellaneous income, for credit to the General Fund.

7.2 Voluntary contributions, whether or not in cash, may be accepted by the Secretary-General provided that the purposes for which the contributions are made are consistent with the policies, aims and activities of the Organization and provided that the acceptance of such contributions which directly or indirectly involve additional financial liability for the Organization shall require the consent of the appropriate authority.

7.3 Monies accepted for purposes specified by the donor shall be treated as Trust Funds or Special Accounts under regulations 6.6 and 6.7.

7.4 Monies accepted in respect of which no purpose is specified shall be treated as miscellaneous income and reported as "gifts" in the annual accounts.

### Article VIII

#### CUSTODY OF FUNDS

8.1 The Secretary-General shall designate the bank or banks in which the funds of the Organization shall be kept.

### Article IX

#### INVESTMENT OF FUNDS

9.1 The Secretary-General may make short-term investments of monies not needed for immediate requirements and shall inform the Advisory Committee periodically of such investments which he has made.

9.2 The Secretary-General may make long-term investments of monies standing to the credit of Trust Funds, Reserve and Special Accounts as may be provided by the appropriate authority in respect of each such Fund or Account.

9.3 Income derived from investments shall be credited as provided in the rules relating to each Fund or Account.

### Article X

#### INTERNAL CONTROL

10.1 The Secretary-General shall:

(a) Establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy;

(b) Cause all payments to be made on the basis of supporting vouchers and other documents which ensure that the services or goods have been received, and that payments have not previously been made;

(c) Designate the officers who may receive monies, incur obligations and make payments on behalf of the Organization;

(d) Maintain an internal financial control which shall provide for an effective current examination and/or review of financial transactions in order to ensure:

- (i) The regularity of the receipt, custody and disposal of all funds and other financial resources of the Organization;
- (ii) The conformity of obligations and expenditures with the appropriations or other financial provisions voted by the General Assembly, or with the purposes and rules relating to Trust Funds and Special Accounts;
- (iii) The economic use of the resources of the Organization.

10.2 No obligations shall be incurred until allotments or other appropriate authorizations have been made in writing under the authority of the Secretary-General.

10.3 The Secretary-General may make such *ex gratia* payments as he deems to be necessary in the interests of the Organization, provided that a statement of such payments shall be submitted to the General Assembly with the annual accounts.

10.4 The Secretary-General may, after full investigation, authorize the writing off of losses of cash, stores and other assets, provided that a statement of all such accounts written off shall be submitted to the Auditors with the annual accounts.

10.5 Tenders for equipment, supplies and other requirements shall be invited by advertisement, except where the Secretary-General deems that, in the interests of the Organization, a departure from the rule is desirable.

### Article XI

#### THE ACCOUNTS

11.1 The Secretary-General shall maintain such accounting records as are necessary and shall submit annual accounts showing for the financial year to which they relate:

(a) The income and expenditures of all Funds;

(b) The status of appropriations, including:

(i) The original budget appropriations;

(ii) The appropriations as modified by any transfers;

(iii) Credits, if any, other than the appropriations voted by the General Assembly;

(iv) The amounts charged against these appropriations and/or other credits;

(c) The assets and liabilities of the Organization.

He shall also give such other information as may be appropriate to indicate the current financial position of the Organization.

11.2 The annual accounts of the Organization shall be presented in United States dollars. Accounting records may, however, be kept in such currency or currencies as the Secretary-General may deem necessary.

11.3 Appropriate separate accounts shall be maintained for all Trust Funds, Reserve and Special Accounts.

11.4 The annual accounts shall be submitted by the Secretary-General to the Board of Auditors not later than 31 March following the end of the financial year.

### Article XII

#### EXTERNAL AUDIT

12.1 Subject to any special direction of the General Assembly, each audit which the Board of Auditors established under resolution 74 (I) is required to make shall be conducted in accordance with the principles set out in the appendix to the present Regulations.

12.2 At the commencement of each financial year the Board of Auditors and the Advisory Committee shall be notified as to the sum provided to defray the cost of audit of each Trust Fund, Reserve and Special Account to be performed by the Board during the year. Thereupon, the Board shall consult the Advisory Committee relative to the scope of the several audits to be made by the Board.

12.3 The Board of Auditors may allocate, subject to the concurrence of the Advisory Committee, the audit work among the members of the Board, provided that two

members shall jointly certify the annual accounts submitted by the Secretary-General in accordance with the provisions of regulation 11.4.

12.4 Whenever any financial statement is certified by only one member of the Board of Auditors, there shall be associated therewith a certificate of another member of the Board to the effect that the audit programme had been approved by the Board and that all special instructions given by the Board to the member were carried out.

12.5 Whenever it is necessary to make a local or special examination, the Board of Auditors may, subject to the budgetary provision for the audit concerned, arrange for the services of any national Auditor-General (or equivalent title) who is eligible to be appointed to the membership of the Board or of commercial public auditors of known repute.

#### *Article XIII*

##### RESOLUTIONS INVOLVING EXPENDITURES

13.1 No Council, commission or other competent body shall take a decision involving expenditure unless it has before it a report from the Secretary-General on the administrative and financial implications of the proposal.

13.2 Where, in the opinion of the Secretary-General, the proposed expenditure cannot be made from the existing appropriations, it shall not be incurred until the General Assembly has made the necessary appropriations, unless the Secretary-General certifies that provision can be made under the conditions of the resolution of the General Assembly relating to unforeseen and extraordinary expenses.

#### *Article XIV*

##### GENERAL PROVISIONS

14.1 These regulations shall be effective as of the date of their approval by the General Assembly, and may be amended only by the General Assembly.

#### *Article XV*

##### SPECIAL PROVISIONS

15.1 The estimates of the International Court of Justice shall be prepared by the Court, in consultation with the Secretary-General. These estimates shall be submitted to the General Assembly by the Secretary-General, together with such observations as he may deem desirable.

#### **Appendix to the Financial Regulations**

##### PRINCIPLES TO GOVERN THE AUDIT PROCEDURES OF THE UNITED NATIONS

1. The Board of Auditors shall perform an audit of the accounts of the United Nations, including all Trust and Special Accounts, as it may deem necessary in order to certify:

- (a) That the financial statements are in accord with the books and records of the Organization;
- (b) That the financial transactions reflected in the statements have been in accordance with the rules and regulations, the budgetary provisions and other applicable directives;
- (c) That the securities and monies on deposit and on hand have been verified by certificate received direct from the Organization's depositaries or by actual count.

2. Subject to the provisions of the Financial Regulations, the Board of Auditors shall be the sole judge as to the acceptance in whole or in part of certifications by the Secretariat and may

proceed to such detailed examination and verification as it chooses of all financial records, including those relating to supplies and equipment.

3. The Board of Auditors may affirm by test the reliability of the internal audit and may make such reports with respect thereto as the Board may deem necessary, to the General Assembly or to the Advisory Committee on Administrative and Budgetary Questions, or to the Secretary-General.

4. The several members of the Board and staff working under its direction shall subscribe to such oath as may be approved by the Advisory Committee on Administrative and Budgetary Questions. Thereupon the members of the Board and its staff shall have free access at all convenient times to all books of account and records which are, in the opinion of the Board, necessary for the performance of the audit. Information classified as confidential in the records of the Secretariat, and which is required by the Board for the purposes of the audit shall be made available on application to the Assistant Secretary-General for Administrative and Financial Services. In the event that the Board is of the opinion that a duty rests on it to draw to the attention of the General Assembly any matter respecting which all or part of the documentation is classified as confidential, direct quotations should be avoided.

5. The Board of Auditors, in addition to certifying the accounts, may make such observations as it may deem necessary with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls and, in general, the financial consequences of administrative practices.

6. In no case, however, shall the Board of Auditors include criticism in its audit report without first affording the Secretariat an opportunity of explanation to the Board on the matter under observation. Audit objections to any items arising during the examination of the accounts shall be immediately communicated to the Assistant Secretary-General for Administrative and Financial Services.

7. The Board of Auditors shall prepare a report on the accounts certified in which it should mention:

- (a) The extent and character of its examination or any important changes therein;
- (b) Matters affecting the completeness or accuracy of the accounts, such as:
  - (i) Information necessary to the correct interpretation of the account,
  - (ii) Any amounts which ought to have been received but which have not been brought to account,
  - (iii) Expenditures not properly substantiated;
- (c) Other matters which should be brought to the notice of the General Assembly such as:
  - (i) Cases of fraud or presumptive fraud,
  - (ii) Wasteful or improper expenditure of United Nations money or other assets (notwithstanding that the accounting for the transactions may be correct),
  - (iii) Expenditure likely to commit the United Nations to further outlay on a large scale,
  - (iv) Any defect in the general system or detailed regulations governing the control of receipts and expenditure, or of supplies and equipment,
  - (v) Expenditure not in accordance with the intention of the General Assembly, after making allowance for duly authorized transfers within the budget,
  - (vi) Expenditure in excess of appropriations as amended by duly authorized transfers within the budget,
  - (vii) Expenditure not in conformity with the authority which governs it;



(d) The accuracy or otherwise of the supplies and equipment records as determined by stock-taking and examination of the records;

In addition, the reports may contain reference to:

(e) Transactions accounted for in a previous year concerning which further information has been obtained, or transactions in a later year concerning which it seems desirable that the General Assembly should have early knowledge.

8. The Board of Auditors, or such of their officers as they may designate, shall certify the financial statements in the following terms:

"The financial statements of the United Nations for the financial year ended 31 December . . . have been examined in accordance with our directions. We have obtained all the information and explanations that we have required, and we certify, as a result of the audit, that, in our opinion, the financial statements are correct".

adding, should it be necessary:

"subject to the observations in our report".

9. The Board of Auditors shall have no power to disallow items in the accounts but shall draw to the attention of the Secretary-General for appropriate action any transaction concerning which it entertains doubt as to legality or propriety.

10. A representative of the Board of Auditors shall be present when the Board's report is being considered by the General Assembly.

#### **457 (V). Advances from the Working Capital Fund: application of the Food and Agriculture Organization of the United Nations for a loan from the Fund**

*The General Assembly,*

*Having considered* the request submitted by the Food and Agriculture Organization of the United Nations to the Secretary-General for a loan of \$800,000 from the Working Capital Fund of the United Nations for the purpose of financing part of the costs of the transfer of the Food and Agriculture Organization from Washington, D. C. to Rome,

*Desirous* of facilitating the work of the Food and Agriculture Organization,

*Authorizes* the Secretary-General to advance from the Working Capital Fund, as a loan to the Food and Agriculture Organization of the United Nations, sums not exceeding \$800,000 to finance the removal of its headquarters to Rome. Such a loan shall be repayable within a maximum period of four years, in annual instalments of not less than \$200,000. Interest, at a rate to be determined between the Secretary-General of the United Nations and the Director-General of the Food and Agriculture Organization, shall be payable on any balance of the loan outstanding at the end of a period of two years from the date on which the loan is made.

*305th plenary meeting,  
16 November 1950.*

#### **458 (V). Compensation to members of commissions, committees or similar bodies in case of injury or death attributable to service with the United Nations**

*The General Assembly,*

*Taking into account* the report of the Advisory Committee on Administrative and Budgetary Questions on

the problem of compensation to members of commissions, committees or similar bodies in cases of injury or death attributable to service with the United Nations,<sup>12</sup>

1. *Approves* the following basic points of the compensation plan proposed by the Advisory Committee on Administrative and Budgetary Questions:

(a) That compensation be paid solely to those members of commissions, committees or similar bodies whose service to the Organization is recognized to the extent that they receive subsistence allowance from the Organization;

(b) That compensation be payable only in the event of injury or death attributable to service with the United Nations, eligibility under this paragraph to be determined in accordance with the definition set out by the Advisory Committee on Administrative and Budgetary Questions in paragraph 342 (1) of document A/1312;<sup>13</sup>

(c) That the maximum compensation to be paid to a claimant will be \$25,000, to be awarded in case of death or total disability;

2. *Instructs* the Secretary-General to follow, in the settlement of claims, the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in document A/1312.

*305th plenary meeting,  
16 November 1950.*

#### **459 (V). Subsistence allowances for members of commissions, committees and other subsidiary bodies of the General Assembly and other organs of the United Nations**

*The General Assembly*

1. *Reaffirms* the principles and conditions for payment of transportation expenses and subsistence allowances as laid down in resolution 231 (III) of 8 October 1948;

2. *Agrees* that subsistence allowances for members of commissions and committees eligible under resolution 231 (III) meeting at Headquarters should be raised from \$20 to \$25 *per diem* as of 1 January 1951, as recommended by the Advisory Committee on Administrative and Budgetary Questions;<sup>14</sup>

3. *Agrees* that members of commissions and committees meeting away from Headquarters should continue to receive subsistence allowances of \$20 *per diem*;

4. *Concurs* with the recommendation of the Advisory Committee<sup>15</sup> that subsistence allowances for members of commissions of inquiry or conciliation meeting away from Headquarters should be paid at the local currency equivalent of \$20 *per diem*.

*314th plenary meeting,  
1 December 1950.*

<sup>12</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 7*, paragraphs 342 and 343.

<sup>13</sup> *Ibid.*

<sup>14</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 7*, paragraph 325.

<sup>15</sup> *Ibid.*, paragraph 326.

**460 (V). United Nations telecommunications system***The General Assembly*

1. *Instructs* the Secretary-General to proceed with the implementation of the proposals outlined in document A/1454 for a modified United Nations telecommunications system, provided that the capital expenditure involved does not constitute a net addition to the budget of the United Nations;

2. *Authorizes* the Secretary-General to accept for this purpose such voluntary contributions and/or donations as would be appropriate and necessary to carry out these proposals in whole or in part, it being understood that any and all facilities or funds made available to the United Nations as a result of such voluntary gifts or contributions would become the exclusive property and be under the sole control of the United Nations;

3. *Requests* the Secretary-General to report on this matter to the sixth session of the General Assembly.

*320th plenary meeting,  
12 December 1950.*

**461 (V). Headquarters of the United Nations***The General Assembly,*

1. *Takes note* of the report<sup>16</sup> of the Secretary-General on the permanent Headquarters of the United Nations;

2. *Decides* that the Headquarters Advisory Committee, established by General Assembly resolution 182 (II) of 20 November 1947, shall be continued with the existing membership;

3. *Requests* the Secretary-General to report to the General Assembly at its sixth session on the progress of construction of the Headquarters and to submit tentative plans and methods of financing the construction of a delegation building.

*320th plenary meeting,  
12 December 1950.*

**462 (V). Scale of assessments for the apportionment of the expenses of the United Nations***The General Assembly resolves*

1. That the scale of assessments for the 1951 budget shall be as follows:

<i>Country</i>	<i>Per cent</i>
Afghanistan .....	0.06
Argentina .....	1.85
Australia .....	1.92
Belgium .....	1.35
Bolivia .....	0.08
Brazil .....	1.85
Burma .....	0.15
Byelorussian Soviet Socialist Republic ...	0.24
Canada .....	3.30
Chile .....	0.41
China .....	6.00

<sup>16</sup> See document A/1392/Rev.1.

<i>Country</i>	<i>Per cent</i>
Colombia .....	0.37
Costa Rica .....	0.04
Cuba .....	0.31
Czechoslovakia .....	0.99
Denmark .....	0.79
Dominican Republic .....	0.05
Ecuador .....	0.05
Egypt .....	0.71
El Salvador .....	0.05
Ethiopia .....	0.08
France .....	6.00
Greece .....	0.18
Guatemala .....	0.06
Haiti .....	0.04
Honduras .....	0.04
Iceland .....	0.04
India .....	3.41
Iran .....	0.45
Iraq .....	0.17
Israel .....	0.12
Lebanon .....	0.06
Liberia .....	0.04
Luxembourg .....	0.05
Mexico .....	0.63
Netherlands .....	1.35
New Zealand .....	0.50
Nicaragua .....	0.04
Norway .....	0.50
Pakistan .....	0.74
Panama .....	0.05
Paraguay .....	0.04
Peru .....	0.20
Philippines .....	0.29
Poland .....	1.05
Saudi Arabia .....	0.08
Sweden .....	1.85
Syria .....	0.11
Thailand .....	0.24
Turkey .....	0.91
Ukrainian Soviet Socialist Republic .....	0.92
Union of South Africa .....	1.04
Union of Soviet Socialist Republics .....	6.98
United Kingdom of Great Britain and Northern Ireland .....	11.37
United States of America .....	38.92
Uruguay .....	0.18
Venezuela .....	0.30
Yemen .....	0.04
Yugoslavia .....	0.36

TOTAL 100.00

2. That, notwithstanding the provisions of rule 159 of the rules of procedure of the General Assembly, the scale of assessments for the apportionment of the expenses of the United Nations shall be reviewed by the Committee on Contributions in 1951 and a report submitted for the consideration of the General Assembly at its next regular session;

3. That Switzerland shall contribute 1.65 per cent of the expenses of the International Court of Justice for the year 1951, this assessment having been established after consultation with the Swiss Government, in accordance with the terms of General Assembly resolution 91 (I) of 11 December 1946;

4. That the Principality of Liechtenstein, having become a party to the Statute of the International Court of Justice on 29 March 1950, shall contribute 0.04 per cent of the expenses of the Court for 1951 and three-quarters of the assessment of 0.04 per cent of the expenses of the Court for 1950, these assessments having been established after consultation with the Liechtenstein Government, in accordance with General Assembly resolution 363 (IV) of 1 December 1949;

5. That, notwithstanding the terms of financial regulation 5.5, the Secretary-General shall be empowered to accept, at his discretion, and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the financial year 1951 in currencies other than United States dollars;

6. That, for the year 1951, the assessment for the Republic of Indonesia shall be 0.60 per cent, which shall be in addition to the scale of assessments amounting to 100 per cent set out in paragraph 1 above;

7. That, in view of the fact that the Republic of Indonesia became a Member of the United Nations on 28 September 1950,<sup>17</sup> it shall contribute for the year of admission to membership an amount equal to one-third of the percentage assessment for 1951, calculated on the basis of the budget for 1950;

8. That, notwithstanding the provisions of financial regulation 5.8, Indonesia shall not be required to provide its proportion of the total advances to the Working Capital Fund for the year 1951, but shall deposit with the United Nations an amount corresponding to 0.60 per cent of the total amount of the Fund, which shall, upon determination of the 1952 scale of assessments, be credited to the Fund subject to any necessary adjustment.

*324th plenary meeting,  
11 December 1950.*

#### **463 (V). Appointments to fill vacancies in the membership of the Advisory Committee on Administrative and Budgetary Questions**

*The General Assembly*

1. *Appoints* the following persons as members of the Advisory Committee on Administrative and Budgetary Questions:

Mr. Rafik Asha;  
Mr. Igor V. Chechetkin;  
Mr. André Ganem;  
Mr. Braj Kumar Nehru;

2. *Declares* Mr. Rafik Asha, Mr. André Ganem and Mr. Braj Kumar Nehru to be appointed for a three-year term to commence on 1 January 1951, and Mr. Igor V. Chechetkin to be appointed for a one-year term to commence on 1 January 1951.

*324th plenary meeting,  
14 December 1950.*

<sup>17</sup> See resolution 491 (V), page 79.

#### **464 (V). Appointments to fill vacancies in the membership of the Committee on Contributions**

*The General Assembly*

1. *Appoints* the following persons as members of the Committee on Contributions:

Sir Sydney Caine;  
Mr. Adolfo Nass;  
Mr. Elmer Boyd Staats;  
Miss Maria Z. N. Witteveen;

2. *Declares* Sir Sydney Caine, Mr. Adolfo Nass and Miss Maria Z. N. Witteveen to be appointed for a three-year term to commence on 1 January 1951, and Mr. Elmer Boyd Staats for a two-year term to commence on 1 January 1951.

*324th plenary meeting,  
14 December 1950.*

#### **465 (V). Appointment to fill a vacancy in the membership of the Board of Auditors**

*The General Assembly*

*Appoints* the Auditor-General of Colombia as a member of the Board of Auditors for a three-year term to commence on 1 July 1951.

*324th plenary meeting,  
14 December 1950.*

#### **466 (V). Appointment to fill a vacancy in the membership of the Investments Committee**

*The General Assembly*

*Confirms* the reappointment by the Secretary-General of Mr. Jacques Rueff, Honorary Governor of the *Banque de France*, as a member of the Investments Committee for a three-year term to commence on 1 January 1951.

*324th plenary meeting,  
14 December 1950.*

#### **467 (V). Appointments to fill vacancies in the membership of the United Nations Administrative Tribunal**

*The General Assembly*

1. *Appoints* the following persons as members of the United Nations Administrative Tribunal:

The Right Honourable Lord Crook;  
Mr. Vladimir Outrata;  
Mr. Hamed Sultan;

2. *Declares* the Right Honourable Lord Crook and Mr. Vladimir Outrata to be appointed for a three-year term ending on 30 November 1953, and Mr. Hamed Sultan for a period ending on 30 November 1952.<sup>18</sup>

*324th plenary meeting,  
14 December 1950.*

<sup>18</sup> Article 1 of the rules adopted by the Administrative Tribunal on 7 June 1950 provides that:

"Subject to any contrary decision of the General Assembly of the United Nations, the term of office of members of the Tribunal shall commence on the first day of December in the year of their appointment by the General Assembly".

## 468 (V). Supplementary estimates for the financial year 1950

*The General Assembly*

*Resolves* that for the financial year 1950:

1. The amount of \$US 49,641,773, appropriated by resolution 356 (IV) adopted on 10 December 1949, is reduced by \$8,000,000 through the cancellation of the appropriation for the establishment of a permanent international régime for the Jerusalem area and protection of the Holy Places;

2. The residual amount of \$41,641,773 appropriated by the said resolution is increased by \$2,879,000 as follows:

	Amount appro- priated as adjusted under paragraph 4 of resolution 356 (IV)	Supplementary appropriation, increase or decrease	Revised amounts of appropriation
<i>In dollars (US)</i>			
<b>A. UNITED NATIONS</b>			
<i>Part I. Sessions of the General Assembly, the Councils, Com- missions and Committees</i>			
<i>Section</i>			
1. The General Assembly and commissions and committees thereof	1,171,825	106,000	1,277,825
2. The Security Council and commissions and committees thereof	112,100	—	112,100
3. The Economic and Social Council and commissions and com- mittees thereof	275,720	—	275,720
(a) Permanent Central Opium Board and Drug Supervisory Body	36,750	—	36,750
(b) Regional economic commissions	47,390	—( 10,000)	37,390
4. The Trusteeship Council and commissions and committees thereof	176,415	—( 9,400)	167,015
<b>TOTAL, PART I</b>	<b>1,820,200</b>	<b>86,600</b>	<b>1,906,800</b>
<i>Part II. Special conferences, investigations and inquiries</i>			
5. Special conferences	115,600	—( 31,700)	83,900
6. Investigations and inquiries	3,410,200	770,000	4,180,200
(a) United Nations Field Service	337,000	—	337,000
<b>TOTAL, PART II</b>	<b>3,862,800</b>	<b>738,300</b>	<b>4,601,100</b>
<i>Part III. Headquarters, New York</i>			
7. Executive Office of the Secretary-General	510,930	—	510,930
(a) Library	449,370	—	449,370
8. Department of Security Council Affairs	793,120	—( 23,000)	770,120
9. Military Staff Committee secretariat	128,800	—( 5,000)	123,800
10. Department of Economic Affairs	2,330,840	—( 20,000)	2,310,840
11. Department of Social Affairs	1,618,050	—( 10,000)	1,608,050
12. Department for Trusteeship and Information from Non-Self- Governing Territories	916,310	—	916,310
13. Department of Public Information	3,274,280	—	3,274,280
14. Department of Legal Affairs	519,140	—	519,140
15. Conference and General Services	7,496,020	—( 40,000)	7,456,020
16. Administrative and Financial Services	2,887,360	—	2,887,360
17. Common staff costs	3,987,920	1,117,000	5,104,920
18. Common services	2,099,900	78,400	2,178,300
(a) Transfer to the permanent Headquarters	—	484,700	484,700
19. Permanent equipment	223,920	327,000	550,920
<b>TOTAL, PART III</b>	<b>27,235,960</b>	<b>1,909,100</b>	<b>29,145,060</b>
<i>Part IV. United Nations Office at Geneva</i>			
20. United Nations Office at Geneva (excluding direct costs, chapter III, secretariat of the Permanent Central Opium Board and Drug Supervisory Body)	4,134,830	125,900	4,260,730
Chapter III, the secretariat (direct costs) of the Permanent Central Opium Board and Drug Supervisory Body	53,270	—	53,270
<b>TOTAL, PART IV</b>	<b>4,188,100</b>	<b>125,900</b>	<b>4,314,000</b>

	<i>Amount appropriated as adjusted under paragraph 4 of resolution 356 (IV)</i>	<i>Supplementary appropriation, increase or decrease</i>	<i>Revised amounts of appropriation</i>
<i>In dollars (US)</i>			
<i>Part V. Information centres</i>			
<i>Section</i>			
21. Information centres (other than information services, United Nations Office at Geneva) .....	746,520	—( 15,000)	731,520
TOTAL, PART V	746,520	—( 15,000)	731,520
<i>Part VI. Regional Economic Commissions (other than the Economic Commission for Europe)</i>			
22. Economic Commission for Asia and the Far East .....	765,840	13,000	778,840
23. Economic Commission for Latin America .....	506,530	6,600	513,130
TOTAL, PART VI	1,272,370	19,600	1,291,970
<i>Part VII. Hospitality</i>			
24. Hospitality .....	20,000	—	20,000
TOTAL, PART VII	20,000	—	20,000
<i>Part VIII. Technical programmes</i>			
25. Advisory social welfare functions .....	601,500	—	601,500
(a) Technical assistance for economic development .....	508,420	—	508,420
(b) International centre for training in public administration .....	133,000	—	133,000
(c) Technical assistance administration .....	127,020	—	127,020
TOTAL, PART VIII	1,369,940	—	1,369,940
<i>Part IX. Special expenses</i>			
26. Transfer of the assets of the League of Nations to the United Nations .....	533,768	—	533,768
TOTAL, PART IX	533,768	—	533,768
<b>B. INTERNATIONAL COURT OF JUSTICE</b>			
<i>Part X. The International Court of Justice</i>			
27. The International Court of Justice .....	592,115	14,500	606,615
TOTAL, PART X	592,115	14,500	606,615
GRAND TOTAL	41,641,773	2,879,000	44,520,773

3. Miscellaneous income to be appropriated in aid of the above expenditure under paragraph 2 of resolution 356 (IV) is estimated at \$5,091,740.

324th plenary meeting,  
14 December 1950.

#### 469 (V). Permanent staff regulations of the United Nations

*The General Assembly,*

*Taking note* of the administrative problems arising out of the changes proposed in the United Nations salary, allowance and leave system for 1951,

1. *Resolves* that consideration of the question of permanent staff regulations be deferred until the sixth session of the General Assembly;

2. *Requests* the Advisory Committee on Administrative and Budgetary Questions to examine the proposals<sup>19</sup> presented by the Secretary-General on this matter and to report thereon to the General Assembly at its sixth session.

326th plenary meeting,  
15 December 1950.

<sup>19</sup> See document A/1360.

#### 470 (V). Salary, allowance and leave system of the United Nations

*The General Assembly,*

Having considered the report<sup>20</sup> and recommendations<sup>21</sup> of the Secretary-General on the salary, allowance and leave system of the United Nations, together with the reports<sup>22</sup> of the Advisory Committee on Administrative and Budgetary Questions dealing with this subject,

1. *Agrees* upon the desirability of simplifying the organization and classification of the staff in accordance with the principles<sup>23</sup> set forth by the Committee of Experts on Salary, Allowance and Leave Systems as endorsed by the Advisory Committee on Administrative and Budgetary Questions and by the Secretary-General;

2. *Resolves* that provisional staff regulation 16 be amended, with effect from 1 January 1951, to read as follows:

"Salaries of staff members shall be fixed by the Secretary-General in accordance with the provisions outlined in the attached annex I to the present regulations";

3. *Resolves* that the Secretary-General shall be guided by the following principles in applying the salary provisions specified in annex I to the Provisional Staff Regulations to staff members who, on 31 December 1950, were serving under indeterminate appointment, temporary indefinite appointment or regular fixed term appointment, and who continue in service after 1 January 1951:

(i) Subject to efficiency, staff members whose salaries on 31 December 1950 are above the ceilings of the new salary levels to which their posts are assigned shall receive the difference as a pensionable personal allowance; provided, however, that such allowance shall not exceed the equivalent of three additional steps beyond the maximum of their new salary levels;

(ii) Subject to efficiency, staff members who were proceeding to a maximum in their former grades higher than the maximum of the appropriate new salary levels shall continue to receive increments on the basis of the new scales until they have reached a point equal to the maximum of their former grades or a point equivalent to three steps beyond the maximum of their new salary levels, whichever is the lower, that part of the salary which exceeds the maximum being considered as a pensionable personal allowance;

(iii) These arrangements shall have reference only to salaries (including cost-of-living adjustment) and shall not take account of remuneration received as of 31 December 1950 in the form of any other allowances;

4. *Resolves* that, subject to transition arrangements under which all eligible staff members as of 31 December 1950 will be allowed the next home leave to which they were entitled under the provisions in effect on that date, provisional staff regulation 18 be amended with effect from 1 January 1951 by the addition of the following sentences:

"Eligible staff members shall be granted home leave once in every two years. A staff member whose home country is the country of his official duty station or who continues to reside in his home country while performing his official duties shall not be eligible for home leave";

5. *Resolves* that provisional staff regulation 30 be amended with effect from 1 January 1951 to read as follows:

"Full-time members of the staff, with the exception of those specifically excluded by resolution of the General Assembly, shall be entitled to a children's allowance of \$US200 *per annum* in respect of each child under the age of eighteen years, or, if the child is in full-time attendance at a school or a university (or similar educational institution) or is totally disabled, under the age of twenty-one years; provided that, if both parents are members of the staff of the United Nations, only one allowance will be paid in respect of each of their children; and provided further that, where the Secretary-General deems it advisable, no allowance or an allowance of an amount other than \$US200 may be paid under special circumstances, as for example, short-term assignments or assignments at duty stations where United Nations salary scales are fixed at levels varying from the Headquarters scale";

and further that provisional staff regulation 33 be amended with effect from 1 January 1951 by substituting the words "thirteen years of age" for the words "eleven years of age" in paragraph (c);

6. *Resolves* that the Provisional Staff Regulations be amended with effect from 1 January 1951 by the addition of a new regulation 35, as follows:

"The Secretary-General shall establish a scheme for the payment of repatriation grants in accordance with the maximum rates and conditions specified in annex II to the present regulations."

*326th plenary meeting,  
15 December 1950.*

#### ANNEX I

##### *Salary scales and related provisions*

1. An Assistant Secretary-General shall receive a salary of \$US23,000 (subject to the staff assessment plan at the rates laid down in General Assembly resolution 239 (III) and to such changes as may be directed from time to time by the General Assembly) together with an allowance varying from \$US7,000 to \$US10,000 at the Secretary-General's discretion.

The allowances for Assistant Secretaries-General are deemed to include all representation (including hospitality) and special allowances, such as housing, education and children's allowances, but not such reimbursable allowances as travel, subsistence and removal costs upon appointment, transfer or separation from the Organization, official travel and home leave travel.

2. A Principal Director shall receive a salary of \$US17,000 rising after two years of satisfactory service to \$US18,000 (subject to the staff assessment plan at the

<sup>20</sup> See document A/1378.

<sup>21</sup> See *Official Records of the General Assembly, Fifth Session, Fifth Committee, Annexes*, agenda item 39.

<sup>22</sup> *Ibid.*, Fifth Session, Supplements Nos. 7 and 7a, and documents A/1312/Add.1, A/1312/Corr.1 and A/1313/Corr.1.

<sup>23</sup> *Ibid.*, Fourth Session, Fifth Committee, Annex, volume II, document A/C.5/331 and Corr.1.

rates laid down in General Assembly resolution 239 (III) and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied) and if otherwise eligible shall receive the allowances which are available to staff members generally. In addition, he shall receive a representation allowance varying from \$US1,000 to \$US3,500 at the Secretary-General's discretion.

3. A Director shall receive a salary of \$US15,000 rising in two-yearly increments of \$US800 each to \$US17,400 (subject to the staff assessment plan at the rates laid down in General Assembly resolution 239 (III) and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied).

### SALARY SCALES

(Subject to the staff assessment plan at the rates laid down in General Assembly resolution 239 (III) and to such changes as may be directed from time to time by the General Assembly and to salary differentials wherever applied)

	Step I \$US	Step II \$US	Step III \$US	Step IV \$US	Step V \$US	Step VI \$US	Step VII \$US	Step VIII \$US	Step IX \$US	\$US Step X
<i>Principal Officer and Director Category</i>										
Principal Director .....	17,000	18,000								
Director .....	15,000	15,800	16,600	17,400						
Principal Officer .....	13,330	14,000	14,670	15,400	16,200	17,000				
<i>Professional Category</i>										
Senior Officer .....	11,310	11,690	12,080	12,500	13,000	13,500	14,000	14,500	15,000	
First Officer .....	9,140	9,460	9,790	10,150	10,540	10,920	11,310	11,690	12,080	12,500
Second Officer .....	7,330	7,600	7,870	8,180	8,500	8,820	9,140	9,460	9,790	10,150
Associate Officer .....	5,750	6,000	6,270	6,530	6,800	7,070	7,330	7,600	7,870	
Assistant Officer .....	4,250	4,500	4,750	5,000	5,250	5,500	5,750	6,000		

5. Salary increments within the levels set forth in paragraph 4 of the present annex shall be awarded annually on the basis of satisfactory service, provided that the period of satisfactory service required for increments at the Director and Principal Director levels shall be two years.

6. The Secretary-General shall determine the salary rates to be paid to personnel specifically engaged for conferences and other short term service, to consultants, to field service personnel, and to technical assistance experts and social welfare advisers.

7. The Secretary-General shall fix the salary scales for staff members in the General Service category and the salary or wage rates for manual workers, normally on the basis of the best prevailing conditions of employment in the locality of the United Nations office concerned, provided that the Secretary-General may, where he deems it appropriate, establish rules and salary limits for payment of a non-resident's allowance to General Service staff members recruited from outside the local area.

8. The Secretary-General shall establish rules under which an extra payment may be paid to General Service staff members who pass an appropriate test and demonstrate continued proficiency in the use of two or more official languages, such payment to be the equivalent of an additional step increment which would continue beyond the maximum of the salary level of the staff member concerned.

9. The Secretary-General may adjust the basic salary rates provided in paragraphs 1, 2, 3 and 4 for duty stations away from Headquarters, by the application of salary differentials which take into account relative costs of living, standards of living and related factors; provided that initial differentials shall be not less than 5 per

time by the General Assembly, and to salary differentials wherever applied) and if otherwise eligible shall receive the allowances which are available to staff members generally. In addition, the Secretary-General is authorized at his discretion to grant in special cases a representation allowance up to an amount of \$US1,500.

4. Except as provided in paragraph 6 of the present annex, the salary scales for staff members in the Principal Officer and Director category and in the Professional category shall be as follows (subject to the staff assessment plan at the rates laid down in General Assembly resolution 239 (III) and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied):

cent with minimum adjustments in multiples of 5 per cent, and provided further that these differentials shall be applied to only 75 per cent of base salaries.

### ANNEX II

#### Repatriation grant

In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate, except those terminated by summary dismissal. Detailed conditions and definitions relating to eligibility shall be determined by the Secretary-General. The amount of the grant shall vary with the length of service with the United Nations (exclusive of periods when an expatriation allowance was received). The maximum rates payable shall be as follows:

Years of continuous service away from home country	Staff member with neither a wife, dependent husband nor dependent child at time of separation (Weeks of salary)	Staff member with a wife, dependent husband or child at time of separation (Weeks of salary)
After 2 years .....	4	8
" 3 " .....	5	10
" 4 " .....	6	12
" 5 " .....	7	14
" 6 " .....	8	16
" 7 " .....	9	18
" 8 " .....	10	20
" 9 " .....	11	22
" 10 " .....	12	24
" 11 " .....	13	26
" 12 " .....	14	28

The maximum grant payable under this plan shall be \$US2,500 net for a staff member without dependants and \$US5,000 net for a staff member with dependants.

## 471 (V). Budget appropriations for the financial year 1951

*The General Assembly*

*Resolves that for the financial year 1951:*

1. Appropriations totalling \$US47,798,600 are hereby voted for the following purposes:

A. UNITED NATIONS		Dollars (US)	
<i>Part I. Sessions of the General Assembly, the Councils, Commissions and Committees</i>			
<i>Section</i>			
1. The General Assembly, commissions and committees.....		2,568,750	
2. The Security Council, commissions and committees.....			
3. The Economic and Social Council, commissions and committees.....	502,000		
(a) Permanent Central Opium Board and Drug Supervisory Body .....	22,900		
(b) Regional economic commissions .....	64,000	588,900	
4. The Trusteeship Council, commissions and committees.....		53,600	
TOTAL, PART I			3,211,250
<i>Part II. Investigations and inquiries</i>			
5. Investigations and inquiries .....		3,946,800	
(a) United Nations Field Service .....		450,000	
TOTAL, PART II			4,396,800
<i>Part III. Headquarters, New York</i>			
6. Executive Office of the Secretary-General .....	484,200		
(a) Library .....	450,000	934,200	
7. Department of Security Council Affairs .....		758,700	
8. Military Staff Committee secretariat .....		129,600	
9. Technical Assistance Administration .....		300,000	
10. Department of Economic Affairs .....		2,285,000	
11. Department of Social Affairs .....		1,608,550	
12. Department for Trusteeship and Information from Non-Self-Governing Territories .....		865,000	
13. Department of Public Information .....		2,687,000	
14. Department of Legal Affairs .....		430,000	
15. Conference and General Services .....		7,179,000	
16. Administrative and Financial Services .....		2,920,000	
17. Common staff costs .....		4,366,700	
18. Common services .....	2,810,000		
(a) Transfer to the permanent Headquarters .....	400,000	3,210,000	
19. Permanent equipment .....		302,200	
TOTAL, PART III			27,975,950
<i>Part IV. United Nations Office at Geneva</i>			
20. United Nations Office at Geneva (excluding direct costs, chapter III, secretariat of the Permanent Central Opium Board and Drug Supervisory Body) .....	4,328,400		
Chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body .....	55,200		
(a) Office of the United Nations High Commissioner for Refugees .....	254,000	4,637,600	
TOTAL, PART IV			4,637,600
<i>Part V. Information centres</i>			
21. Information centres (other than information services, United Nations Office at Geneva).....		840,000	
TOTAL, PART V			840,000
CARRIED FORWARD			41,061,600



# Resolutions adopted on reports of the Fifth Committee

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	Dollars (US)	
BROUGHT FORWARD	4	600
<i>Part VI. Regional economic commissions (other than the Economic Commission for Europe)</i>		
<i>Section</i>		
22. Economic Commission for Asia and the Far East.....	825,000	
23. Economic Commission for Latin America.....	503,800	
TOTAL, PART VI		1,328,800
<i>Part VII. Hospitality</i>		
24. Hospitality .....	20,000	
TOTAL, PART VII		20,000
<i>Part VIII. Contractual printing</i>		
25. Official Records (excluding chapter VI, Permanent Central Opium Board and Drug Supervisory Body).....	875,560	
Chapter VI, Permanent Central Opium Board and Drug Supervisory Body .....	12,440	888,000
26. Publications .....	962,000	
TOTAL, PART VIII		1,850,000
<i>Part IX. Technical programmes</i>		
27. Advisory social welfare functions .....	768,500	
28. Technical assistance for economic development.....	479,400	
29. International centre for training in public administration....	145,000	
TOTAL, PART IX		1,392,900
<i>Part X. Special expenses</i>		
30. Transfer of the assets of the League of Nations to the United Nations .....	649,500	
31. Amortization of the Headquarters construction loan.....	1,000,000	
TOTAL, PART X		1,649,500
B. THE INTERNATIONAL COURT OF JUSTICE		
<i>Part XI. The International Court of Justice</i>		
32. The International Court of Justice.....	595,800	
TOTAL, PART XI		595,800
		47,898,600
C. SUPPLEMENTARY PROVISIONS		
<i>Part XII. Supplementary provisions</i>		
33. Global reduction on the provision for established posts.....		-(100,000)
GRAND TOTAL		47,798,600

2. The appropriations voted by paragraph 1 above shall be financed by contributions from Members after adjustment as provided by the Financial Regulations. For this purpose, miscellaneous income for the financial year 1951 is estimated at \$ US 6,521,000;

3. The Secretary-General is authorized:

(i) To administer as a unit the appropriations provided under section 3 (a), section 20, chapter III, and section 25, chapter VI;

(ii) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to transfer credits between sections of the budget;

4. In addition to the appropriations voted by paragraph 1 above, an amount of \$ US 14,000 is hereby appropriated for the purchase of books, periodicals, maps and library equipment, from the income of the Library Endowment Fund, in accordance with the objects and provisions of the endowment.

326th plenary meeting,  
15 December 1950.

**472 (V). Unforeseen and extraordinary expenses for the financial year 1951***The General Assembly**Resolves that, for the financial year 1951,*

The Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations, is authorized to enter into commitments to meet unforeseen and extraordinary expenses; provided that the concurrence of the Advisory Committee shall not be necessary for:

(a) Such commitments not exceeding a total of \$US 2,000,000 if the Secretary-General certifies that they relate to the maintenance of peace and security or to urgent economic rehabilitation;

(b) Such commitments as may be necessary to provide for reasonable expenses for the proposed Economic Commission for the Middle East, should the Economic and Social Council decide that this Commission shall be created in 1951;

(c) Such commitments, duly certified by the President of the International Court of Justice, relating to expenses occasioned:

(i) By the designation of *ad hoc* judges (Statute, Article 31),

(ii) By the appointment of assessors (Statute, Article 30) or of witnesses and experts (Statute, Article 50),

(iii) By the holding of sessions of the Court away from The Hague (Statute, Article 22),

and which do not exceed \$24,000, \$25,000 and \$75,000 respectively, under each of these three headings;

(d) Such commitments as relate to expenses occasioned by an extraordinary session of the Economic, Employment and Development Commission which may be called by its Chairman if exceptional circumstances require;

(e) Such commitments not exceeding a total of \$40,000 as are required for the establishment of an International Bureau for Declarations of Death, in accordance with the terms of article 8 of the Convention on the Declaration of Death of Missing Persons;

(f) Such commitments as are occasioned by the convening of an inter-governmental commodity conference;

The Secretary-General shall report to the Advisory Committee and to the next regular session of the General Assembly all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the General Assembly in respect of such commitments.

*326th plenary meeting,  
15 December 1950.*

**473 (V). Working Capital Fund***The General Assembly**Resolves that:*

1. The Working Capital Fund shall be maintained to 31 December 1951 at the amount of \$US 20,000,000;

2. Members shall make advances to the Working Capital Fund in accordance with the scale<sup>24</sup> adopted by the General Assembly for contributions of Members to the sixth annual budget;

3. There shall be set off against this new allocation of advances the amounts paid by Members to the Working Capital Fund for the financial year 1950; provided that, should the advance paid by any Member to the Working Capital Fund for the financial year 1950 exceed the amount of that Member's advance under the provision of paragraph 2 hereof, the excess shall be set off against the amount of contributions payable by that Member in respect of the sixth annual budget, or any previous budget;

4. The Secretary-General is authorized to advance from the Working Capital Fund:

(a) Such sums as may be necessary to finance budgetary appropriations pending receipt of contributions, sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(b) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolution<sup>25</sup> relating to unforeseen and extraordinary expenses. The Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(c) Such sums as, together with net sums outstanding for the same purposes, do not exceed \$250,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities. Advances in excess of the total of \$250,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall submit, with the annual accounts, an explanation of the outstanding balance of the revolving funds at the end of each year;

(d) Loans to specialized agencies and preparatory commissions of agencies to be established by inter-governmental agreement under the auspices of the United Nations to finance their work, pending receipt by the agencies concerned of sufficient contributions under their own budgets. In making such loans, which shall normally be repayable within two years, the Secretary-General shall have regard to the proposed financial resources of the agency concerned, and shall obtain the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for any cash issues which would increase the aggregate balance outstanding (including amounts previously advanced and outstanding) at any one time to an amount in excess of \$3,000,000, and for any issue which would increase the balance outstanding (including amounts previously advanced and outstanding) in respect of any one agency to an amount in excess of \$1,000,000;

(e) Such sums as, together with the sums previously advanced and outstanding for the same purpose, do not exceed \$500,000 to continue the Staff Housing Fund in order to finance advance rental payment, guarantee deposits and working capital require-

<sup>24</sup> See resolution 462 (V), page 64.

<sup>25</sup> See resolution 472 (V) (this page).

ments for housing the staff of the Secretariat. Such advances shall be reimbursed to the Working Capital Fund following the recovery of rental advances, guarantee deposits and working capital advances;

(f) Such sums, if any, as may be necessary to reimburse staff members for national income taxes paid by them in respect of payments received from the United Nations during 1951, or in respect of prior years for which reimbursement has not previously been made;

(g) In consultation with the Advisory Committee on Administrative and Budgetary Questions, such sums deemed to be available for this purpose and not exceeding \$5,000,000 for assistance to Palestine refugees, to be repaid not later than 31 December 1951 in accordance with the provisions of the resolution<sup>26</sup> adopted by the General Assembly at its 315th plenary meeting on 2 December 1950;

(h) In consultation with the Advisory Committee on Administrative and Budgetary Questions, sums up to \$1,000,000 for the programme of relief and rehabilitation of Korea, repayable by 31 July 1951, these sums to include such charges for relief and rehabilitation of Korea as may have been incurred by the Working Capital Fund in 1950 for reimbursement from the special account established in accordance with the provisions of the resolution<sup>27</sup> adopted by the General Assembly at its 314th plenary meeting on 1 December 1950.

*326th plenary meeting,  
15 December 1950.*

<sup>26</sup> See resolution 393 (V), page 22.

<sup>27</sup> See resolution 410 (V), page 31.

#### 474 (V). Emoluments of the Judges and of the Registrar of the International Court of Justice

##### *The General Assembly*

*Resolves* that the emoluments of the Judges and of the Registrar of the International Court of Justice shall be fixed according to the following scale:

*Dollars (US)*

##### President:

Annual salary ..... 20,000  
Special allowance ..... 4,800

##### Vice-President:

Annual salary ..... 20,000  
Allowance equivalent to \$30 for every day on which he acts as President up to a maximum of \$3,000 *per annum*.

##### Members:

Annual salary ..... 20,000  
Judges referred to in Article 31 of the Statute: Allowance of \$35 for each day on which they exercise their functions, plus a daily subsistence allowance as provided for in the Travel and Subsistence Regulations<sup>28</sup> of the International Court of Justice.

##### Registrar:

Salary and related emoluments equivalent to those of a Principal Director, adjusted in accordance with such differential as may be applied to the staff of the Registry at The Hague.

*326th plenary meeting,  
15 December 1950.*

<sup>28</sup> See resolution 85 (I), Annex.

## XVI

### RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE

#### **475 (V). Majority required for the adoption by the General Assembly of amendments to and parts of proposals relating to important questions**

*The General Assembly,*

Considering its resolution 362 (IV) of 22 October 1949 on the methods and procedures of the General Assembly,

Having examined the report<sup>1</sup> drawn up by the Secretary-General in pursuance of paragraph 7 of the above-mentioned resolution,

1. *Resolves* to insert in its rules of procedure a new rule 84 (a) worded as follows:

*"New rule 84 (a)*

*"Decisions of the General Assembly on amendments to proposals relating to important questions, and on parts of such proposals put to the vote separately, shall be made by a two-thirds majority of the Members present and voting.";*

2. *Resolves* that this new rule of procedure shall enter into force as from the adoption of the present resolution by the General Assembly.

*298th plenary meeting,  
1 November 1950.*

#### **476 (V). Reparation for injuries incurred in the service of the United Nations**

*The General Assembly*

Takes note of the report<sup>2</sup> of the Secretary-General, pursuant to resolution 365 (IV) of 1 December 1949, on the status of claims for injuries incurred in the service of the United Nations and on the proceedings in connexion with them.

*299th plenary meeting,  
1 November 1950.*

#### **477 (V). Permanent invitation to the Secretary-General of the League of Arab States to attend sessions of the General Assembly**

*The General Assembly*

Requests the Secretary-General of the United Nations to invite the Secretary-General of the League of Arab

States to attend sessions of the General Assembly as an observer.

*299th plenary meeting,  
1 November 1950.*

#### **478 (V). Reservations to multilateral conventions**

*The General Assembly,*

Having examined the report<sup>3</sup> of the Secretary-General regarding reservations to multilateral conventions,

Considering that certain reservations to the Convention<sup>4</sup> on the Prevention and Punishment of the Crime of Genocide have been objected to by some States,

Considering that the International Law Commission is studying the whole subject of the law of treaties, including the question of reservations,<sup>5</sup>

Considering that different views regarding reservations have been expressed during the fifth session of the General Assembly, and particularly in the Sixth Committee<sup>6</sup>

1. *Requests* the International Court of Justice to give an advisory opinion on the following questions:

"In so far as concerns the Convention on the Prevention and Punishment of the Crime of Genocide in the event of a State ratifying or acceding to the Convention subject to a reservation made either on ratification or on accession, or on signature followed by ratification:

"I. Can the reserving State be regarded as being a party to the Convention while still maintaining its reservation if the reservation is objected to by one or more of the parties to the Convention but not by others?"

"II. If the answer to question I is in the affirmative, what is the effect of the reservation as between the reserving State and:

"(a) The parties which object to the reservation?

"(b) Those which accept it?"

"III. What would be the legal effect as regards the answer to question I if an objection to a reservation is made:

<sup>4</sup> See resolution 260 A (III).

<sup>5</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 12*, paragraphs 160-164.

<sup>6</sup> *Ibid.*, Sixth Committee, 217th-225th meetings

<sup>1</sup> See document A/1356.

<sup>2</sup> See document A/1347.

<sup>3</sup> See *Official Records of the General Assembly, Fifth Session, Sixth Committee, Annexes*, Agenda item 56, document A/1372.

"(a) By a signatory which has not yet ratified?

"(b) By a State entitled to sign or accede but which has not yet done so?"

2. *Invites* the International Law Commission:

(a) In the course of its work on the codification of the law of treaties, to study the question of reservations to multilateral conventions both from the point of view of codification and from that of the progressive development of international law; to give priority to this study and to report thereon, especially as regards multilateral conventions of which the Secretary-General is the depositary, this report to be considered by the General Assembly at its sixth session;

(b) In connexion with this study, to take account of all the views expressed during the fifth session of the General Assembly, and particularly in the Sixth Committee;

3. *Instructs* the Secretary-General, pending the rendering of the advisory opinion by the International Court of Justice, the receipt of a report from the International Law Commission and further action by the General Assembly, to follow his prior practice with respect to the receipt of reservations to conventions and with respect to the notification and solicitation of approvals thereof, all without prejudice to the legal effect of objections to reservations to conventions as it may be recommended by the General Assembly at its sixth session.

*305th plenary meeting,  
16 November 1950.*

#### **479 (V). Rules for the calling of non-governmental conferences by the Economic and Social Council**

*The General Assembly,*

*Having considered* the draft rules<sup>7</sup> for the calling of non-governmental conferences by the Economic and Social Council, which were submitted by the Secretary-General after consultation with the Council,

*Approves* the following rules for the calling of non-governmental conferences by the Economic and Social Council:

##### *Rule 1*

The Economic and Social Council, after consultation with the Secretary-General, may at any time decide to call a non-governmental conference on any matter within its competence.

##### *Rule 2*

1. When the Council has decided to call a conference, as provided for in rule 1, it shall:

(a) Prescribe the terms of reference;

(b) Fix the date, the place and the appropriate duration of the conference and prepare its provisional agenda;

<sup>7</sup> See *Official Records of the General Assembly, Fifth Session, Sixth Committee, Annexes, Agenda item 53, document A/1333.*

(c) Determine who shall be invited;

(d) Make recommendations for financing, subject to the applicable regulations, rules and resolutions of the General Assembly;

(e) Make such other arrangements in connexion with the conference as it sees fit.

2. In applying rule 2, sub-paragraph (c) of paragraph 1, the Economic and Social Council shall, when it decides to invite non-governmental organizations, have regard to the terms of Article 71 of the Charter. National organizations without consultative status may be invited only after consultation with the Member of the United Nations concerned.

3. The Council may decide to entrust the Secretary-General with any of the tasks mentioned in sub-paragraphs (b), (d) and (e) of paragraph 1. It may also authorize him to make such modifications as circumstances may require in carrying out any decision of the Council made pursuant to sub-paragraphs (b), (d) and (e).

##### *Rule 3*

The Secretary-General shall notify all Members of the United Nations of the conference and shall send them copies of the provisional agenda. He shall also inform each Member State of the invitations issued.

*320th plenary meeting,  
12 December 1950.*

#### **480 (V). Designation of non-member States to which a certified copy of the Revised General Act for the Pacific Settlement of International Disputes shall be communicated by the Secretary-General for the purpose of accession to this Act**

*The General Assembly*

*Decides* to defer until its sixth session consideration of the question of the designation of non-member States to which a certified copy of the Revised General Act<sup>8</sup> for the Pacific Settlement of International Disputes shall be communicated by the Secretary-General for the purpose of accession to this Act.

*320th plenary meeting,  
12 December 1950.*

#### **481 (V). Regulations to give effect to article III, section 8, of the Headquarters Agreement between the United Nations and the United States of America**

*The General Assembly,*

*Bearing in mind* the provisions of article III, section 8, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, approved by General Assembly resolution 169 (II) of 31 October 1947,

<sup>8</sup> See resolution 268 A (III).

Having considered the report<sup>9</sup> of the Secretary-General on the regulations to give effect to section 8 of the Headquarters Agreement,

1. *Requests* the Secretary-General to present to the General Assembly for approval any draft regulation within the provisions of the Headquarters Agreement which may in his opinion be necessary for the full execution of the functions of the United Nations;

2. *Decides* that, if in the opinion of the Secretary-General it is necessary to give immediate effect to any regulation within the provisions of the Headquarters Agreement, he shall have authority to make such regulation. The Secretary-General shall report any action so taken to the General Assembly as soon as possible.

*320th plenary meeting,  
12 December 1950.*

#### **482 (V). Registration and publication of treaties and international agreements**

*The General Assembly,*

Having considered the report<sup>10</sup> of the Secretary-General on the registration and publication of treaties and international agreements and the observations<sup>11</sup> in this regard of the Advisory Committee on Administrative and Budgetary Questions,

1. *Notes* with satisfaction the progress achieved in regard to the registration and publication of treaties;

2. *Invites* Member and non-member States parties to treaties or international agreements subject to publication under article 12 of the regulations to give effect to Article 102 of the Charter of the United Nations, to provide the Secretary-General, where feasible, with translations in English or French or both as may be needed for the purposes of such publication;

3. *Amends* article 7 of the regulations to give effect to Article 102 of the Charter of the United Nations to read:

“A certificate of registration signed by the Secretary-General or his representative shall be issued to the registering party or agency and also, upon request, to any party to the treaty or international agreement registered”;

4. *Amends* the first sentence of paragraph 1 of article 8 of the regulations to give effect to Article 102 of the Charter of the United Nations to read:

“1. The register shall be kept in the English and French languages”;

5. *Requests* the Secretary-General, when acting under article 12 of the regulations to give effect to Article 102 of the Charter of the United Nations, to continue, as economically as practicable, without undue delay and without sacrifice of uniformity in style and record permanence, to publish all treaties and international agreements in their full and unabridged form, including

<sup>9</sup> See *Official Records of the General Assembly, Fifth Session, Sixth Committee, Annexes*, Agenda item 55, document A/1409.

<sup>10</sup> See *Official Records of the General Assembly, Fifth Session, Sixth Committee, Annexes*, Agenda item 54, document A/1408.

all annexes, provided however that, in the reproduction of annexes, he may in his discretion employ less expensive methods of reproduction;

6. *Requests* the Secretary-General regularly to review the free mailing list with a view to its possible reduction.

*320th plenary meeting,  
12 December 1950.*

#### **483 (V). Provision of a United Nations distinguishing ribbon or other insignia for personnel which has participated in Korea in the defence of the Principles of the Charter of the United Nations**

*The General Assembly,*

*Desiring* to symbolize the valour and sacrifices of the men and women who have served on behalf of the United Nations in repelling aggression in Korea,

*Recalling* its resolution 92 (I) on the official seal and emblem of the United Nations, its resolution 167 (II) on the United Nations flag, and the resolution<sup>12</sup> of the Security Council of 7 July 1950 authorizing the Unified Command to use the United Nations flag,

*Resolves* that the Secretary-General be requested to make arrangements with the Unified Command, established pursuant to the Security Council resolution of 7 July 1950, for the design and award, under such regulations as the Secretary-General shall prescribe, of a distinguishing ribbon or other insignia for personnel which has participated in Korea in the defence of the Principles of the Charter of the United Nations.

*320th plenary meeting,  
12 December 1950.*

#### **484 (V). Review by the International Law Commission of its Statute with the object of recommending revisions thereof to the General Assembly**

*The General Assembly,*

*Considering* that it is of the greatest importance that the work of the International Law Commission should be carried on in the conditions most likely to enable the Commission to achieve rapid and positive results,

*Having regard* to certain doubts which have been expressed whether such conditions exist at the present time,

*Requests* the International Law Commission to review its Statute<sup>13</sup> with the object of making recommendations to the General Assembly at its sixth session concerning revisions of the Statute which may appear desirable, in the light of experience, for the promotion of the Commission's work.

*320th plenary meeting,  
12 December 1950.*

<sup>11</sup> *Ibid.*, Supplement No. 7, paragraphs 329-332.

<sup>12</sup> See *Official Records of the Security Council, Fifth Year*, No. 18.

<sup>13</sup> See resolution 174 (II), Annex.

**485 (V). Amendment to article 13 of the Statute of the International Law Commission**

*The General Assembly,*

*Having regard* to paragraph 21 of the report<sup>14</sup> of the International Law Commission on the work of its second session,

*Noting* the inadequacy of the emoluments paid to the members of the International Law Commission,

*Bearing in mind* the importance of the Commission's work, the eminence of its members and the method of their election,

*Considering* that the nature and scope of the work of the Commission are such as to require its members to devote considerable time in attendance at the necessarily long sessions of the Commission,

1. *Decides* to amend as follows article 13 of the Statute<sup>15</sup> of the International Law Commission:

"Members of the Commission shall be paid travel expenses, and shall also receive a special allowance, the amount of which shall be determined by the General Assembly";

2. *Fixes* the special allowance for members of the International Law Commission at \$35 per day.

*320th plenary meeting,  
12 December 1950.*

**486 (V). Extension of the term of office of the present members of the International Law Commission**

*The General Assembly,*

*Having noted* that the present three-year term of office<sup>16</sup> of members of the International Law Commission is not sufficient to enable the Commission to achieve the tasks on which it is engaged before the current period of office expires,

*Considering* that, in order to enable positive results to be achieved, the term of office of the present members should be extended,

*Resolves* that, subject to any modifications which the General Assembly may make in the Statute of the International Law Commission, and without prejudice to such modifications, the term of office of the present members of the Commission shall be extended by two years, making a total period of five years from their election in 1948.

*320th plenary meeting,  
12 December 1950.*

**487 (V). Ways and means for making the evidence of customary international law more readily available**

*The General Assembly,*

*Noting* part II (Ways and means for making the evidence of customary international law more readily

available) of the report<sup>17</sup> of the International Law Commission on the work of its second session,

*Appreciating* the work of the International Law Commission on this subject,

*Invites* the Secretary-General, in preparing his future programme of work in this field, to consider and report to the General Assembly upon the recommendations contained in paragraphs 90, 91 and 93 of part II of the report of the International Law Commission, in the light of the discussion<sup>18</sup> held and the suggestions made thereon in the Sixth Committee.

*320th plenary meeting,  
12 December 1950.*

**488 (V). Formulation of the Nürnberg principles**

*The General Assembly,*

*Having considered* part III (Formulation of the Nürnberg principles) of the report<sup>19</sup> of the International Law Commission on the work of its second session,

*Recollecting* that the General Assembly, by its resolution 95 (I) of 11 December 1946, unanimously affirmed the principles of international law recognized by the charter and judgment of the Nürnberg Tribunal,

*Considering* that, by its resolution 177 (II) of 21 November 1947, the General Assembly directed the International Law Commission to formulate those principles, and also to prepare a draft code of offences against the peace and security of mankind,

*Considering* that the International Law Commission has formulated certain principles recognized, according to the Commission, in the charter and judgment of the Nürnberg Tribunal, and that many delegations have made observations<sup>20</sup> during the fifth session of the General Assembly on this formulation,

*Considering* that it is appropriate to give the governments of Member States full opportunity to furnish their observations on this formulation,

1. *Invites* the governments of Member States to furnish their observations accordingly;

2. *Requests* the International Law Commission, in preparing the draft code of offences against the peace and security of mankind, to take account of the observations made on this formulation by delegations during the fifth session of the General Assembly and of any observations which may be made by governments.

*320th plenary meeting,  
12 December 1950.*

**489 (V). International criminal jurisdiction**

*The General Assembly,*

*Recalling* that, in its resolution 260 B (III) of 9 December 1948, it considered "that, in the course of development of the international community, there will be an increasing need of an international judicial organ

<sup>14</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 12*.

<sup>15</sup> See resolution 174 (II), Annex.

<sup>16</sup> See resolution 174 (II), annex, article 10.

<sup>17</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 12*.

<sup>18</sup> *Ibid.*, Sixth Committee, 230th and 231st meetings.

<sup>19</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 12*.

<sup>20</sup> See *Official Records of the General Assembly, Fifth Session, Sixth Committee, 231st-239th meetings*.

for the trial of certain crimes under international law", and that, in the same resolution, it invited the International Law Commission "to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction will be conferred upon that organ by international conventions",

*Having given* preliminary consideration to part IV of the report<sup>21</sup> of the International Law Commission on the work of its second session,

*Bearing in mind* article VI of the Convention<sup>22</sup> on the Prevention and Punishment of the Crime of Genocide,

*Bearing in mind*, further, that a final decision regarding the setting up of such an international penal tribunal cannot be taken except on the basis of concrete proposals,

1. *Decides* that a committee composed of the representatives of the following seventeen Member States, namely, Australia, Brazil, China, Cuba, Denmark,

Egypt, France, India, Iran, Israel, the Netherlands, Pakistan, Peru, Syria, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, shall meet in Geneva on 1 August 1951 for the purpose of preparing one or more preliminary draft conventions and proposals relating to the establishment and the statute of an international criminal court;

2. *Requests* the Secretary-General to prepare and submit to the committee referred to above one or more preliminary draft conventions and proposals regarding such a court;

3. *Requests* the Secretary-General to make all necessary arrangements for the convening of the committee and for its meetings;

4. *Requests* the Secretary-General to communicate the report of the committee to the governments of Member States so that their observations may be submitted not later than 1 June 1952, and to place the question on the agenda of the seventh session of the General Assembly.

320th plenary meeting,  
12 December 1950.

<sup>21</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 12*.

<sup>22</sup> See resolution 260 A (III), annex.



## XVII

### RESOLUTIONS ADOPTED WITHOUT REFERENCE TO A COMMITTEE

#### 490 (V). Question of the representation of China in the General Assembly

*The General Assembly,*

*Taking note* of differences of view concerning the representation of China in the United Nations,

*Establishes* a Special Committee consisting of seven Members nominated by the President and confirmed by the General Assembly to consider the question of Chinese representation and to report back, with recommendations, to the present session of the General Assembly, after the Assembly shall have considered item 62 of the provisional agenda (item proposed by Cuba);<sup>1</sup>

*Resolves* that, pending a decision by the General Assembly on the report of this Special Committee, the representatives of the National Government of China shall be seated in the General Assembly with the same rights as other representatives.

*277th plenary meeting,  
19 September 1950.*

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*At its 321st plenary meeting on 12 December 1950, the General Assembly, on the nomination of the President, elected by secret ballot the following States Members to the Special Committee: CANADA, ECUADOR, INDIA, IRAQ, MEXICO, the PHILIPPINES and POLAND.*

#### 491 (V). Admission of the Republic of Indonesia to membership in the United Nations

*The General Assembly,*

*Noting* the recommendation<sup>2</sup> of the Security Council of 26 September 1950 that the Republic of Indonesia should be admitted to membership in the United Nations,

*Noting* also the declaration<sup>3</sup> made by the representative of the Republic of Indonesia to the effect that it will accept the obligations contained in the Charter of the United Nations,

*Admits* the Republic of Indonesia to membership in the United Nations.

*289th plenary meeting,  
28 September 1950.*

#### 492 (V). Continuation in office of the Secretary-General of the United Nations

*The General Assembly,*

*Having received* communications<sup>4</sup> from the President of the Security Council, dated 12 October and 25

October 1950, stating that the Security Council has been unable to agree on a recommendation to the General Assembly regarding the appointment of a Secretary-General,

*Considering* the necessity to ensure the uninterrupted exercise of the functions vested by the Charter in the office of the Secretary-General,

*Considering* that the Security Council recommended<sup>5</sup> to the first regular session of the General Assembly the appointment of Mr. Trygve Lie as Secretary-General and that, on 1 February 1946, the General Assembly appointed<sup>6</sup> Mr. Trygve Lie as Secretary-General for a five-year term,

*Decides* that the present Secretary-General shall be continued in office for a period of three years.

*298th plenary meeting,  
1 November 1950.*

#### 493 (V). Convention on the Declaration of Death of Missing Persons: International Bureau for Declarations of Death

*The General Assembly,*

*Having regard* to article 15 of the Convention on the Declaration of Death of Missing Persons established by the United Nations Conference on Declaration of Death of Missing Persons,<sup>7</sup>

1. *Decides* to approve the establishment of the International Bureau for Declarations of Death provided for in article 8 of the aforementioned Convention;

2. *Decides* that the expenses of the International Bureau should be assessed upon such non-member States as may become parties to the Convention, in accordance with the principle adopted in this respect in connexion with the expenses of the International Court of Justice.

*305th plenary meeting,  
16 November 1950.*

#### 494 (V). Development of a 20-year programme for achieving peace through the United Nations

*The General Assembly,*

*Having considered* the "Memorandum<sup>8</sup> of points for consideration in the development of a 20-year programme for achieving peace through the United Nations" submitted by the Secretary-General,

<sup>1</sup> See *Official Records of the Security Council, First Year, First Series*, No. 1, page 44.

<sup>2</sup> See *Official Records of the General Assembly, First part of the first session, Plenary Meetings*, page 304.

<sup>3</sup> See *United Nations Conference on Declaration of Death of Missing Persons*, United Nations Publications, sales number: 1950.V.1.

<sup>4</sup> See document A/1304.

<sup>1</sup> Item 61 of the agenda as approved by the General Assembly.  
<sup>2</sup> See *Official Records of the Security Council, Fifth Year*, No. 45.

<sup>3</sup> See document A/1393.

<sup>4</sup> See documents A/1439 and A/1460.

*Noting* that progress has been made by the present session of the General Assembly with regard to certain of the points contained in the memorandum of the Secretary-General,

*Reaffirming* its constant desire that all the resources of the United Nations Charter be utilized for the development of friendly relations between nations and the achievement of universal peace,

1. *Commends* the Secretary-General for his initiative in preparing his memorandum and presenting it to the General Assembly;

2. *Requests* the appropriate organs of the United Nations to give consideration to those portions of the memorandum of the Secretary-General with which they are particularly concerned;

3. *Requests* these organs to inform the General Assembly at its sixth session, through the Secretary-General, of any progress achieved through such consideration.

*312th plenary meeting,  
20 November 1950.*

#### **495 (V). Admission of new Members to the United Nations**

*The General Assembly,*

*Recalling* its resolutions 296 (IV) A to I and K of 22 November 1949 concerning the reconsideration, by the Security Council, of pending applications for membership,

*Noting* that the General Assembly has not received recommendations for the admission of any of the applicants,

*Requests* the Security Council to keep the applications under consideration in accordance with the terms of the above-mentioned resolutions.

*318th plenary meeting,  
4 December 1950.*

#### **496 (V). International control of atomic energy**

*The General Assembly,*

*Recognizing* that the effective regulation and reduction of national armaments would substantially diminish the present danger of war, relieve the heavy economic burden placed upon the peoples of the world in the absence of a system of armaments control, and permit the greater use of man's resources to projects devoted to his betterment,

*Recognizing* that the regulation and reduction of armaments to be effective must cover weapons of all kinds, must be based on unanimous agreement, and so must include every nation having substantial armaments and armed forces,

*Recognizing* further that any plan for the regulation and reduction of armaments and armed forces must be based upon safeguards that will secure the compliance of all nations,

*Recognizing* the inability to date to achieve agreement among nations on the elimination of atomic weapons under a system of effective international control of atomic energy and on the regulation and reduction of other armaments and armed forces,

*Recalling* that a plan<sup>9</sup> has been developed in the United Nations Atomic Energy Commission, and approved<sup>10</sup> by the General Assembly, for the international control of atomic energy, which would make effective the prohibition of atomic weapons; and that much useful planning work has been accomplished in the Commission for Conventional Armaments,

*Desiring*, however, to carry this work forward toward a comprehensive system of armaments control,

*Decides* to establish a committee of twelve, consisting of representatives of the members of the Security Council as of 1 January 1951, together with Canada, to consider and report to the next regular session of the General Assembly on ways and means whereby the work of the Atomic Energy Commission and the Commission for Conventional Armaments may be co-ordinated and on the advisability of their functions being merged and placed under a new and consolidated disarmament commission.

*323rd plenary meeting,  
13 December 1950.*

#### **497 (V). Place of meeting of the sixth regular session of the General Assembly**

*The General Assembly,*

*Considering* that the building intended for the holding of the General Assembly will not be completed until 1952,

*Considering* that in these circumstances there may arise technical difficulties liable to impede the normal functioning of the General Assembly and the convenience of its deliberations,

1. *Decides*, in conformity with rule 3 of its rules of procedure, to convene its sixth regular session in Europe;

2. *Instructs* the President of the General Assembly and the Secretary-General to select the city most suitable for the above purpose and to make the necessary arrangements.

*324th plenary meeting,  
14 December 1950.*

<sup>9</sup> See *Official Records of the Atomic Energy Commission, Special Supplement, Report to the Security Council*, Part II C and Part III; and *Ibid.*, *Second Year, Special Supplement, Second Report to the Security Council*, Part II.

<sup>10</sup> See resolution 191 (III).