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**NATIONS**

**REPORT  
OF THE SECURITY COUNCIL  
TO THE GENERAL ASSEMBLY**

**Covering the period from 16 July 1952 to 15 July 1953**

**GENERAL ASSEMBLY**

**OFFICIAL RECORDS: EIGHTH SESSION**

**SUPPLEMENT No. 2 (A/2437)**

**NEW YORK, 1953**

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### **NOTE**

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## INTRODUCTION

The present<sup>1</sup> report is submitted to the General Assembly by the Security Council in accordance with Article 24, paragraph 3, and Article 15, paragraph 1, of the Charter.

Essentially a summary and guide reflecting the broad lines of the debates, the report is not intended as a substitute for the records of the Security Council, which constitute the only comprehensive and authoritative account of its deliberations.

With respect to the membership of the Security Council during the period covered, it will be recalled that the General Assembly, at its 389th plenary meeting on 25 October 1952, elected Colombia, Denmark and Lebanon as non-permanent members of the Council for a term of two years, beginning 1 January 1953, to replace Brazil, the Netherlands and Turkey, the retiring members. The newly-elected members of the Security

Council also replaced the retiring members on the Disarmament Commission, which was established under the Security Council by the General Assembly in accordance with its resolution 502 (VI) of 11 January 1952, to carry forward the tasks originally assigned to the Atomic Energy Commission and the Commission for Conventional Armaments.

The period covered in the present report is from 16 July 1952 to 15 July 1953. The Council held twenty-six meetings during that period.

Part I of the report contains a summary account of the proceedings of the Security Council in connexion with its responsibility for the maintenance of international peace and security.

Part II covers other matters considered by the Security Council.

Part III deals with the work of the Military Staff Committee.

Part IV provides an account of matters brought to the attention of the Security Council but not discussed in the Council.

<sup>1</sup> This is the eighth annual report of the Security Council to the General Assembly. The previous reports were submitted under the symbols A/93, A/366, A/620, A/945, A/1361, A/1873 and A/2167.

## PART 1

# Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

### Chapter 1

## THE INDIA-PAKISTAN QUESTION

**INTRODUCTORY NOTE:** On 30 April 1951 the Security Council appointed Mr. Frank P. Graham as United Nations Representative for India and Pakistan. After consultation with the Governments of India and Pakistan, the United Nations Representative was to effect the demilitarization of the State of Jammu and Kashmir on the basis of the resolutions adopted on 13 August 1948 and 5 January 1949 by the United Nations Commission for India and Pakistan.<sup>2</sup> Failing the achievement of that objective or agreement on demilitarization, the United Nations Representative was to report to the Security Council those points of difference between the parties in regard to the Commission's resolutions which he considered must be resolved to enable demilitarization to be carried out. A summary of his first three reports and an account of their consideration by the Security Council were given in the last annual report (A/2167) of the Security Council.<sup>3</sup>

### A. Fourth report of the United Nations Representative for India and Pakistan

1. Following the submission of his third report (S/2611 and Corr.1)<sup>4</sup> on 22 April 1952, the United Nations Representative for India and Pakistan informed the Security Council on 29 May 1952 that negotiations with the parties had been renewed. By a letter of 31 July (S/2727) he further informed the Council that the Governments of India and Pakistan had agreed to a meeting of representatives of the two Governments at ministerial level under the auspices of the United Nations Representative at the European office of the United Nations in Geneva, beginning 25 August 1952.

2. On 16 September, the United Nations Representative submitted his fourth report to the Security Council (S/2783 and Corr.1).<sup>5</sup> The report covered the negotiations carried out in agreement with the two Governments from 29 May to 16 July 1952 in New York, and the conference held at ministerial level from 26 August to 10 September 1952 in Geneva. The United Nations Representative stated that, as a result of meetings and conversations with the parties, he had submitted, on 2 September 1952, a revision of the draft agreement consisting of twelve proposals which he had submitted

on 7 September 1951 (A/2167, para. 75) suggesting in paragraph 7 (a) (iii) and (b) (ii) a minimum force of 6,000 on the Pakistan side of the cease-fire line, and of 18,000 on the Indian side. He had made it clear that those figures did not include the Gilgit and Northern Scouts on the Pakistan side nor the State militia on the Indian side. In addition to suggesting definite minimum figures, the redraft of his proposals had attempted to accommodate the concern expressed during the conversations by including a provisional clause to the effect that the agreement should not come into effect until the programme (schedule) of the demilitarization had been approved by the two Governments. The draft of that programme was to be drawn up in meetings between the representatives of India and Pakistan, assisted by their military advisers, under the auspices of the United Nations, the first meeting to be held two weeks after signature of the agreement.

3. On 3 September it had appeared that no agreement could be secured on the basis either of the figures proposed or of those of 3,000 to 6,000 on the Pakistan side and 12,000 to 18,000 on the Indian side which had been proposed to the parties on 16 July 1952. As it had not been possible under the circumstances to secure agreement on the minimum forces to be left on each side of the cease-fire line, the United Nations Representative had thought that it might be possible for the two Governments to agree on some principles based on the requirements of each side, which principles could then serve as the criteria for fixing the quantum of forces. He had accordingly submitted a further draft on 4 September 1952, according to which, at the end of the demilitarization period, there would be on each side of the cease-fire line the minimum number of forces required for the maintenance of law and order and of the cease-fire agreement, with due regard (in the case of the Indian side) to the security of the State and (in the case of both sides) to the freedom of the plebiscite.

4. Concerning that draft, he reported, the position of the Government of India was that the principles enumerated were conceived in the right spirit, having regard to the two UNCIP resolutions. As a basis for the evolution of a suitable definition of the functions of forces on both sides of the cease-fire line, they contained the germs of a settlement. The Government of India could not, however, accept any equation of its responsibilities with those of the local authorities on the Pakistan side of the cease-fire line or agree that the maintenance of public order in that area by those authorities should have anything more than a local character. The defence of the entire State was the concern of the Government of India, which alone was en-

<sup>2</sup> See *Official Records of the Security Council, Third Year, Supplement for November 1948*, document S/1100, para. 75, and *ibid.*, *Fourth Year, Supplement for January 1949*, document S/1196, para. 15.

<sup>3</sup> See *Official Records of the General Assembly, Seventh Session, Supplement No. 2*.

<sup>4</sup> See *Official Records of the Security Council, Seventh Year, Special Supplement No. 2*.

<sup>5</sup> See *Official Records of the Security Council, Seventh Year, Special Supplement No. 2*.

titled to maintain a military armed force for that purpose.

5. The Government of Pakistan had been prepared to accept the draft proposals of 4 September, subject to the observation that the references to "due regard to the freedom of the plebiscite" and the "security of the State" should be deleted to avoid recurrence in the military sub-committee of the political controversies that had held up progress in the main conference.

6. In conclusion, the United Nations Representative stated that in order to reach an agreement on a plan of demilitarization, it was in his view necessary either (a) to establish the character and number of forces to be left on each side of the cease-fire line at the end of the period of demilitarization; or (b) to declare that the forces to remain on each side of the cease-fire line at the end of that period should be determined in accordance with the requirements of each area, and accordingly, principles or criteria should be established which would serve as a guide for the civil and military representatives of the Governments of India and Pakistan in the meeting contemplated in the provisional clause of the revised proposals.

### **B. Consideration of the third and fourth reports by the Security Council**

7. The Security Council considered the third and fourth reports of the United Nations Representative for India and Pakistan in the course of seven meetings held between 10 October and 23 December 1952.

8. At the 605th meeting (10 October), the UNITED NATIONS REPRESENTATIVE made a statement summarizing the main points of his report, in which he dealt with the obstacles that had been found in the way of demilitarization and the twelve proposals which he had made to overcome those obstacles. The narrowing of the difference to the number and character of forces to remain on each side of the cease-fire line emphasized the depth of the difference on that point. Recalling the alternative approaches which he had suggested with a view to reaching an agreement on that remaining difference, he stressed the great importance of solving the Kashmir problem peacefully, not only for the peoples of the State and of the sub-continent, but for the whole world.

9. On 5 November 1952, the representatives of the UNITED KINGDOM and the UNITED STATES OF AMERICA submitted the following joint draft resolution (S/2839 and Corr.1):

*"The Security Council,*

*"Recalling its resolutions of 30 March 1951, 30 April 1951 and 10 November 1951;*

*"Further recalling the provisions of the United Nations Commission for India and Pakistan resolutions of 13 August 1948 and 5 January 1949 which were accepted by the Governments of India and Pakistan and which provided that the question of the accession of the State of Jammu and Kashmir to India or Pakistan would be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations;*

*"Having received the third report, dated 22 April 1952, and the fourth report, dated 16 September 1952, of the United Nations Representative for India and Pakistan;*

*"Endorses the general principles on which the United Nations Representative has sought to bring*

about agreement between the Governments of India and Pakistan;

*"Notes with gratification that the United Nations Representative has reported that the Governments of India and Pakistan have accepted all but two of the paragraphs of his twelve-point proposals;*

*"Notes that agreement on a plan of demilitarization of the State of Jammu and Kashmir has not been reached because the Governments of India and Pakistan have not agreed on the whole of paragraph 7 of the twelve-point proposals;*

*"Urges the Governments of India and Pakistan to enter into immediate negotiations at the Headquarters of the United Nations in order to reach agreement on the specific number of forces to remain on each side of the cease-fire line at the end of the period of demilitarization, this number to be between 3,000 and 6,000 armed forces remaining on the Pakistan side of the cease-fire line and between 12,000 and 18,000 armed forces remaining on the India side of the cease-fire line, as suggested by the United Nations Representative in his proposals of 16 July 1952 (S/2783, annex 3), such specific numbers to be arrived at bearing in mind the principles or criteria contained in paragraph 7 of the United Nations Representative's proposal of 4 September 1952 (S/2783, annex 8);*

*"Records its gratitude to the United Nations Representative for India and Pakistan for the great efforts which he has made to achieve a settlement and Requests him to continue to make his services available to the Governments of India and Pakistan to this end;*

*"Requests the Governments of India and Pakistan to report to the Security Council not later than thirty days from the date of the adoption of this resolution; and further Requests the United Nations Representative for India and Pakistan to keep the Security Council informed of any progress."*

10. At the 606th meeting (6 November 1952), the representative of the UNITED KINGDOM, introducing the joint proposal, said that his Government had always recognized the great delicacy of the issues involved with regard to the future accession of the State of Jammu and Kashmir. Encouraged by the firm agreement of the two Governments concerned on the principles to be followed in order to achieve a settlement, it continued to hope, however, that agreement could be reached on how those principles could be put into effect. Paying a tribute to Mr. Graham, he noted that the action which it was proposed that the Council should take was based on certain of the detailed suggestions made by the United Nations Representative. In sponsoring the joint draft resolution, his delegation had been guided by its belief that the dispute could not be left simply to settle itself, and that the efforts of the United Nations to achieve a settlement could not in any way be relaxed. His Government had in no sense closed its mind to the possibility of a settlement on lines different from those considered so far in the Council and had always insisted that the solution could come only as a result of an agreement by the two Governments concerned. Since the only agreement so far was that contained in the two resolutions of the UNCIP, his delegation had always supported a settlement on that basis and would continue to do so unless there was some indication from both Governments that they preferred a settlement in some other form.



11. The joint draft resolution therefore concentrated attention on resolving the main difficulties standing in the way of agreement on the demilitarization of the State and the holding of a plebiscite. The United Kingdom representative considered of great significance the acceptance by the parties of the United Nations Representative's proposal that demilitarization should be conducted in such a way as to involve no threat to the cease-fire agreement either during or after the demilitarization period. If taken as a criterion in deciding the stages by which the military forces on each side of the cease-fire line should be reduced, that principle should provide a way of resolving at least the major differences of view. He believed that Mr. Graham had been guided by that principle in suggesting the limits within which the final number of armed forces on each side should be fixed. If the two Governments could decide on final figures within those limits, a free and impartial plebiscite could be arranged and they could assure themselves that the reduction in the strength of the armed forces would involve no threat to the integrity or to the security of the territory on either side. The sponsors of the joint draft resolution, he explained, considered that the Kashmir Militia and the Gilgit Scouts, which occupied a special position, need not be included in the total of the forces to be determined.

12. Recalling the proposal, put forward by the United Kingdom and the United States on 21 February 1951 (S/2017), that a neutral force might be used to facilitate demilitarization of the State, he suggested that, should the fear that demilitarization might lead to a renewal of the conflict in Kashmir still exist, whichever of the parties felt that fear might be urged to reconsider the proposal that such a force be made available. That device would of course not be necessary if demilitarization on the lines suggested by the United Nations Representative and in the joint draft resolution could be brought about.

13. As for the character of the forces to remain on each side of the cease-fire line, the hope was that agreement could quickly be reached on the basis of the principle that at no stage should demilitarization involve a threat to the cease-fire agreement. That would mean that the forces on each side of the line should be, broadly speaking, of the same kind.

14. At the 607th meeting (5 December), the representative of the UNITED STATES OF AMERICA said that the principles on which the Council was trying to proceed to assist the parties to carry out their Charter obligations were the following: (1) a lasting political settlement must be an agreed one; (2) the Council would always welcome agreement of the parties on any basis consistent with the Charter which would settle the dispute; (3) the role of the Council was to assist the parties to reach agreement; (4) agreement was reached most frequently step by step through negotiation, and negotiation involved an element of compromise; and (5) the Council should consider with care the views and the recommendations of its Representative and indicate to him and to the parties its views on the position he had taken.

15. Reviewing the joint draft resolution in the light of those principles, the United States representative thought that the limits within which the number of the forces to remain on each side of the cease-fire line should be fixed had been suggested by Mr. Graham on the basis of careful consideration, bearing in mind the basic agreement of the parties in the form of the two

UNCIP resolutions. He pointed out that it had been on the basis of those ranges of figures that Mr. Graham had reported the willingness of the parties to negotiate in Geneva. The representative of the United States cited the principles or criteria suggested by Mr. Graham on 4 September 1952 and observed that they must be the consideration which had led the Representative to arrive at the concrete figures put before the parties. The joint draft resolution accordingly urged the parties to negotiate "bearing in mind" those principles or criteria. It was clear, considering what the functions of the remaining *Azad* Kashmir forces would be at the close of the demilitarization period, that those forces would be separated from the administrative and operational control of the Pakistan High Command, as envisaged in Mr. Graham's proposals of 16 July 1952. The United Nations Representative had also indicated that the role of the forces on the Indian side of the cease-fire line, which would consist of armed forces of the Indian Army and of the State, would call for the minimum number required for the maintenance of law and order and of the cease-fire agreement, with due regard for the security of the State. Both those indications were entirely consistent with the UNCIP resolutions of 13 August 1948 and 5 January 1949. Expressing the hope of the sponsors that there would be no tendency on the part of either the Government of India or the Government of Pakistan to reopen questions on which agreement had already been reached under the two UNCIP resolutions, he stressed his Government's interest in a solution of the matter by the parties, as well as the dangers involved in allowing the case to drift.

16. At the 608th meeting (8 December), the representative of INDIA pointed out that five years had passed since the Government of India had requested the Security Council to call upon the Government of Pakistan to put an end immediately to its assistance to, and participation in, the invasion of the State of Jammu and Kashmir, which was an act of aggression against India. Despite the Government of Pakistan's denial of the charges, the complaint had later been proved to be true in an aggravated form. The Pakistan authorities themselves admitted that the regular Pakistan Army had invaded the State of Jammu and Kashmir on 8 May 1948. That invasion had taken place despite the fact that the Council had already been seized of the question and had been engaged in searching for a peaceful solution. No solution had yet been found because the root cause of the conflict continued, namely, the illegal occupation by Pakistan of the territory of the State and the creation of subversive forces and authorities therein. Until the Council was prepared to face that central issue, no just and lasting solution could be found.

17. The representative of India said that the validity of the accession of the State of Jammu and Kashmir to India had never been and could not be questioned by the Council, by the UNCIP or by any other authority set up or appointed by the Council. Pakistan's status in Kashmir, in contrast, was based on an act of aggression. That was why the two resolutions of the UNCIP had drawn a distinction between the commitments of the two sides in furtherance of an armistice agreement. Under them the sovereignty of the Jammu and Kashmir Government over the entire State and the Government of India's constitutional responsibility for protecting the State against external aggression had been admitted and duly recognized. Similar recognition had been contained in Mr. Graham's proposals of 16 July 1952, under which the forces to remain on the Pakistan

side of the cease-fire line would be separated from the administrative and operational control of the Pakistan High Command, and would be officered by neutral and local officers under the surveillance of the United Nations, whereas on the Indian side there would be an Indian armed force. Mr. Graham's seventh proposal of 4 September 1952, which laid down that, in considering the final number of forces on the Indian side, due regard would be paid to the security of the State, also recognized India's moral and constitutional responsibility for the protection and security of the State, which had twice suffered invasion at the hands of Pakistan. The Government of India was not prepared to abdicate that responsibility, or to share it with others, least of all with the aggressor.

18. Paying a tribute to the efforts made by Mr. Graham, the representative of India emphasized that the UNCIP resolutions of 13 August 1948 and 5 January 1949 had made it clear that the requirements of maintaining law and order as well as the over-all security of the State, which included adequate defence, had to be taken into account in assessing the requirements of the forces to be maintained on the Indian side of the cease-fire line. It should be borne in mind that the Government of Pakistan would be free to locate its forces as it liked within its own borders, which for a considerable length were within striking distance of the cease-fire line and vital areas of the State. In the light of those considerations, and after careful study, the Government of India had come to the conclusion that a minimum force of 28,000 was required to carry out its responsibilities. However, on complete disbandment and disarmament of the *Azad* Kashmir forces, and as a further contribution towards a settlement, the Government of India was prepared to effect a further reduction of 7,000 to a figure of 21,000, which was the absolute and irreducible minimum. That figure, which included the former State armed forces, represented less than one-sixth of the Indian forces at the time of the cease-fire. The force would have no supporting armour or artillery and, in addition to its other duties, it would be responsible for policing the cease-fire line on the other side of which was the aggressor.

19. The Government of India had agreed that United Nations surveillance over the local authorities in the area evacuated by the Pakistan army should continue until the plebiscite had been carried out. Those authorities could not be entrusted with any responsibilities under the cease-fire agreement, since that agreement was between the Governments of India and Pakistan, while the local authorities could have no international status. They could at best be entrusted, therefore, only with a civil armed force. Considering the pre-aggression strength of similar forces policing the area, a civil armed force of 4,000 would be on the liberal side, but the Government of India would be prepared to make some increase in those forces, which would be operating under the surveillance of the United Nations Representative, provided the latter could make out a case that the proposed strength was inadequate. The United Kingdom representative's argument that the presence of troops on the Indian side with only a civil armed force on the other side would be inconsistent with a really free plebiscite ignored not only the provisions of the UNCIP resolutions, but also the proximity of the Pakistan frontier and of Pakistan forces. Any departure from the position recognized by the two UNCIP resolutions aimed at establishing parity of any kind, either

of character or of quantum, between India on the one hand and Pakistan or the local authorities on the other, was unacceptable to the Government of India. The representative of India found it significant, therefore, that no mention was made in the joint draft resolution of the character of the forces to remain. Indeed, the sponsors had inadvertently or unjustifiably combined the essentially independent and alternative approaches envisaged by the United Nations Representative. Where Mr. Graham envisaged two alternative and flexible procedures, the draft resolution proposed one procedure, restricted in advance, and leading to a predetermined result. Moreover, Mr. Graham's proposal of 16 July had also stipulated a radically different character for the forces on either side of the cease-fire line, a difference which, incidentally, Pakistan had rejected. The Government of India had therefore been forced to refer once again to the essential difference in the status of the parties and to show that that was totally disregarded in the draft resolution.

20. As for the reference to a so-called "neutral" force, a proposal originally made by the representative of Pakistan, the United Kingdom representative should know that the Government of India had long since rejected the idea of the imposition of a foreign force on Indian territory as being derogatory to the dignity and territorial integrity of an independent nation.

21. The United Kingdom representative's reference to the principle that demilitarization should be carried out in such a way as to involve no threat to the cease-fire agreement was misleading, since the relevant paragraph of Mr. Graham's proposals, paragraph 8, had no bearing at all on the principles for determining the character and the quantum of the forces.

22. The figures suggested in the proposals of 16 July, namely 12,000 to 18,000 troops for the Indian side, were entirely arbitrary, and the United Nations Representative had never explained satisfactorily how they had been arrived at. They were unrelated to the normal considerations determining the minimum need for security. In that connexion, the representative of India pointed out that no outside advice could supersede that of those who were themselves responsible for the security and protection of the State. Any alternative figures for the figure considered by India to be the absolute minimum must be justified on realistic considerations of security and not be put forward merely as a matter of political bargaining or appeasement.

23. The view that the limits suggested by Mr. Graham represented the United Nations Representative's considered judgment was also incorrect in view of Mr. Graham's definition of his functions—which had been accepted by both parties—that his position was that of a mediator whose duty was to find an approach acceptable to both Governments.

24. The United Kingdom representative's conclusion that the forces on each side of the cease-fire line should be of the same kind went beyond the terms of the two UNCIP resolutions and could rest only on the totally inadmissible basis of equating the aggressor with the victim. That representative's reference to the requirements of security on each side of the cease-fire line had no basis in the UNCIP resolutions or in any of Mr. Graham's proposals, which recognized that the security of the State was the sole responsibility of the Government of India. The Government of India could not accept any decisions which violated the two UNCIP res-

solutions to which the parties had agreed. But it was always willing to explore every avenue which might lead to a peaceful solution of the problem and which did not ignore or violate the basic principles vital to a correct appreciation, principles which had been accepted by the UNCIP and the parties themselves.

25. Stressing India's attempts to secure a peaceful settlement, the representative of India pointed out that her Government had repeatedly declared that on no account would it initiate military operations. The Government of Pakistan, on the other hand, had refused to make that declaration. Despite its undertaking to discourage warlike propaganda, constant threats of holy war were being hurled at India from across the border.

26. The Security Council had failed to address itself to the central and basic issue of aggression against India. The Government of India had to reject the proposals in the joint draft resolution, which appeared to go beyond the UNCIP resolutions or to ignore the vital elements of principle contained in them.

27. At the 609th meeting of the Security Council (16 December), the representative of PAKISTAN declared that the charge that Pakistan had twice been guilty of aggression against India was a very grave and serious one. The allegation was obviously based on the assumption, altogether inconsistent with the facts, that Kashmir was part of the territory of India.

28. Recalling the background of the question, he emphasized that the people of the State had revolted against the authority of the Maharajah long before both the accession and the invasion of tribesmen, the root of the trouble being their suspicion or their fear that the Maharajah was inclined to accede to India. The current Prime Minister of Kashmir had admitted on 21 October 1947, before a single tribesman had entered the territory of Kashmir, that the Kashmir State forces had been forced to withdraw in certain areas as the result of popular resistance. Forced to flee from his capital, the Maharajah had asked for military aid from India. India had made it clear that it could not give him military aid unless he offered to accede, so he had written a letter of accession on 26 October 1947. The Governor-General of India had signified acceptance of the accession on 27 October, on the morning of which day Indian troops had already occupied Kashmir. The Pakistan representative asked whether that had been aggression on the part of Pakistan or whether it had not rather been aggression on the part of India against the people of Kashmir in support of the tyranny of the Maharajah.

29. The Government of Pakistan could not be expected to acquiesce in such an arrangement. The acceptance of the so-called accession by India could not but be regarded by the Government of Pakistan as an encroachment on Pakistan's sovereignty and territory inconsistent with the friendly relations that should have existed between the two Dominions. The action of the Government of India had been considered by the Government of Pakistan to be a clear attempt to cause disruption in the integrity of Pakistan by extending the influence and the boundaries of the Dominion of India in utter violation of the principles on which partition had been agreed upon and effected. The representative of Pakistan noted that the words he had used were precisely the same as those used by the Prime Minister of India on 22 September 1947, in a telegram to the Prime Minister of Pakistan regarding the accession to Pakistan of Junagadh, a State in a position

parallel to that of Kashmir. The Indian case on the accession of the States to either Dominion had been that sovereignty vested in the people and that, although the instrument for intimating the decision was to be the ruler, where there was a difference between the ruler and his people, the wishes of the latter had to be ascertained and the verdict of the people had to be communicated by the ruler for the purposes of accession. When those tests were applied to Kashmir, it was clear that the aggression, in the words of the Prime Minister of India himself, had been committed by India and not by Pakistan.

30. As for the second instance of alleged aggression, the representative of Pakistan pointed out that, from the time of submission of the matter to the Council, the effort of the Government of India had been to secure the withdrawal of the tribesmen so that Indian armed forces could then crush the freedom movement by military action. Sheikh Abdulla had said as much to the then President of the Security Council who was trying to arrange a settlement by conversations between the parties. The Security Council, however, had persistently refused to endorse that position. In the meantime, despite the Security Council's resolutions, on-the-spot preparations had been made to launch an offensive so as to bring about a military decision.

31. It had been in the face of a general offensive by the Indian Army in Kashmir, launched with the declared intention of occupying the whole State, that the Commander-in-Chief of the Pakistan Army had recommended to the Government of Pakistan, in April 1948, that the Indian army should not be allowed to advance beyond a certain line for various reasons vital to Pakistan, including the disruption that would have been caused by a further great influx of refugees. Among the objectives of the offensive had been the capture of the headworks located in Kashmir, of the irrigation system supplying the Pakistan part of the Punjab. In that connexion, the Pakistan representative emphasized his country's dependence upon its water supplies and the fact that India had on 1 April 1948 already taken advantage of its position to cut off for a period the flow of the waters of rivers rising in India and flowing through Pakistan. In the situation, the Pakistan Government had decided to send its own troops to stop the further advance of the Indian Army. Pakistan had had no international obligation of any kind towards India in respect of that territory. His Government would have been a traitor to its trust had it not taken that action. All that Pakistan had done had been to attempt to ward off the dangers which its Commander-in-Chief had pointed out. That was not aggression. It could not possibly have been aggression because the territory involved had at no time been under the control or military occupation of India, even as the result of the supposed accession.

32. Reiterating that the assumption that there had been a valid accession of Kashmir to India was entirely erroneous and unfounded and has never been accepted by Pakistan or the Security Council, the representative of Pakistan recalled that, in his reply to the Maharajah on 27 October 1947, Lord Mountbatten had stated that the question of the State's accession should be settled by a reference to the people. That was indeed the question to be decided. The telegram of the Prime Minister of India of 8 November 1947 had also made that clear by calling for a joint request of the

two Governments to the United Nations to undertake a plebiscite in Kashmir at the earliest possible date. The Security Council had consistently taken the position that the parties had agreed that the question of the accession of the State to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite. However, it had gradually been insinuated that the question to be decided was whether the people of the State desired to continue the accession or not. The representative of Pakistan considered that to be on a par with other efforts made on behalf of the Government of India to evade its obligations undertaken by way of acceptance of resolutions or agreements, or expressed through official documents. He emphasized that paragraph 1 of the UNCIP's resolution of 5 January 1949 stated that "The question of the accession of the State . . . to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite".

33. In any case, the representative of Pakistan continued, the question was academic in view of the acceptance by the two Governments of the two resolutions of the UNCIP. The crux of the matter, as the representative of India had said, was the implementation of that agreement. He endorsed the position that no decision violating the two UNCIP resolutions could be accepted, but the difference was that while Pakistan had a record of being willing to translate its agreements into actual fact, there was a sad record of evasion on the other side. The Pakistan Government had fully accepted the obligations laid upon it and had throughout been willing to carry them into effect. The United Nations Commission, however, had reported (S/1430) on 9 December 1949, that ". . . India is not prepared to withdraw such part of her forces in Kashmir as might be characterized as the 'bulk', whether measured quantitatively or qualitatively, unless agreement with Pakistan on the large-scale disbanding and disarming of the *Azad* forces is reached". But the language of the resolution of 13 August 1948 made it perfectly clear that there was no such requirement. Yet it was argued that India would not accept any violation of the UNCIP resolutions. There was nothing in those resolutions, moreover, which might cause misunderstanding on the part of the Government of India regarding that question. The UNCIP had consistently taken the line that the resolution of 13 August 1948 did not contemplate the disarming or disbanding of *Azad* Kashmir forces. The Government of India had known that fact and it was quite clear that they had understood the two resolutions correctly. The Commission had informed the Government of India on 14 March 1949 that it had explained to the Government of Pakistan in August 1948 that the resolution of 13 August provided for a military balance during the truce period in that it did not call for the disarming or disbanding of the *Azad* Kashmir forces, which the Commission had understood to number approximately thirty-five battalions.

34. The two sides had agreed, under paragraph 8 of Mr. Graham's proposals, that the demilitarization would be carried out in such a way as to involve no threat to the cease-fire agreement. Yet, according to India, there should be substantial military forces on its side of the cease-fire line and none at all on the other side. The representative of Pakistan asked whether there would not be a serious threat to the cease-fire line in that event. It was clear that a certain number of forces had to remain on the *Azad* Kashmir side to maintain law and order and to maintain the cease-fire line.

35. Pakistan had repeatedly accepted proposed solutions which had been rejected by India. Despite its public support for submission of disputes to international arbitration and despite the obligation in this respect which was laid upon the Government of India by its own Constitution, India had refused several proposals for such arbitration on the meaning of the obligations undertaken under the two UNCIP resolutions. It had rejected the Commonwealth Prime Ministers' proposal to make available Commonwealth troops to facilitate a plebiscite. India had rejected in all fourteen different proposals for solution of the question which had been accepted by Pakistan.

36. If the course of the dispute proved anything, it was that Pakistan was anxious to proceed to the holding of a plebiscite and that India was not. It was an academic question, therefore, to suggest that upon withdrawal of the bulk of India's forces from Kashmir, Pakistan would march in, discarding any possibility of a plebiscite's being held and inviting India to attack it from the rear and occupy it. Though Pakistan's forces had long been established in cantonments on the Kashmir border, which were the result of a pre-partition geographical distribution, India's troops were massed on the Pakistan borders in West Punjab and India was establishing permanent stations in that area.

37. Another question to which the representative of India had referred was that of the declaration by the two Prime Ministers that all outstanding issues should be settled peacefully. The representative of Pakistan cited the exchange of correspondence between the Prime Ministers of the two countries in 1950, when the Prime Minister of Pakistan had stated his Government's readiness to reaffirm with the Government of India the solemn engagements undertaken under the Charter of the United Nations. The Prime Minister had at that time declared that the solution would come when each side accepted adjudication of all issues that were justiciable and arbitration of all other issues and had stated his Government's readiness to do so on every issue. The trouble had been that India had been in possession of the greater part of Kashmir and refused to move towards a plebiscite. India had the power—which it had exercised once—to cut off Pakistan's water and to convert the whole of Pakistan into a desert. It was to preserve that power that India had suggested that the two countries should never fight with each other over anything. Pakistan's reply had been to propose that the two Governments should settle the procedure through which their disputes could be settled and then proclaim to the people that that was how they were going to reach peaceful solutions.

38. Dealing with the joint draft resolution, he submitted that, having regard to the agreements that existed and the needs on both sides, the numbers suggested were not fair to the Pakistan side of the cease-fire line. He suggested that the proposal would set up an imbalance that would cause apprehension on one side that the cease-fire line might not be adhered to. Despite those considerations, Pakistan was prepared to go forward on the basis of that resolution also. Nevertheless, there were two matters in which the proposal did not appear to aim at achieving progress: first, the parties were to seek out each other and go into conference; and secondly, the parties were to report the results to the Council. The Council owed it to the United Nations Representative, to the parties to the dispute and to the people of Kashmir to ensure that the United Nations

Representative would retain the initiative in the matter, that the conversations would take place under his auspices and that he would report to the Security Council.

39. In conclusion, the representative of Pakistan, noting that the representative of India had indicated India's view that a minimum force of 28,000 was required to carry out its responsibilities, proposed that the resolution of 13 August 1948 be implemented immediately on the basis that India would retain that number of forces on its side of the cease-fire line, including State armed forces, and without armour or artillery. On the Pakistan side, Pakistan would carry out the full obligations undertaken by it under that resolution. The Plebiscite Administrator would then take over and carry out the functions entrusted to him by the resolution of 5 January 1949.

40. At the 610th meeting (23 December), the representative of INDIA pointed out that the invasion of Kashmir by the tribesmen and Pakistan nationals had started on 22 October, while the Maharajah had executed the instrument of accession on 27 October 1947. It was a cynical distortion of facts to describe that Pakistan-inspired and directed movement as a "popular revolt" against the Maharajah's rule. The popular movement in Kashmir, which had started twenty years earlier, had been an entirely non-violent one.

41. The legal requisites of accession had been fully completed by the signing and acceptance of the instrument by the Maharajah and the Governor-General. The latter had unilaterally expressed the wish, in accepting the accession, that the question be settled by a reference to the people as soon as law and order had been restored and the State had been cleared of the invader. Unfortunately, the invader remained, and subversive forces and elements continued to function in the territory they occupied. That was why reference to the people of Kashmir was being delayed.

42. It had been argued that the invasion of the State could not be regarded as aggression since it had preceded accession. But Pakistan had at that time had a stand-still agreement with Kashmir. The invasion of a neighbouring State was an act of aggression which was even more flagrant when that State was a small and peaceful one. After the accession it had become aggression against India as well. The reference to Junagadh was irrelevant, for the principle of geographical contiguity, an essential feature in the accession of all former Indian States to one Dominion or the other, did not apply in the case of Junagadh.

43. Dealing with the Pakistan representative's attempt to defend the second act of aggression by Pakistan, the representative of India recalled that her Government had pointed out that Article 51 of the Charter imposed two limitations on the right of self-defence: there must be an armed attack on the Member that exercised that right and measures taken in virtue of it must be immediately reported to the Security Council. Moreover, Pakistan contended that it had merely held a certain line, but both the majority and minority reports of the UNCIP had made it clear that Pakistan had extended its military control over the northern areas between August 1948 and January 1949. Pakistan continued to hold the territory it had been able to seize forcibly, while India did not seek to occupy an inch of Pakistan territory.

44. India relied on peaceful methods for settlement of disputes and did not threaten war or have recourse

to warlike acts. The Pakistan representative had attempted to dismiss the request for a joint "no-war" declaration by asserting that it had no meaning unless agreement was first reached on methods and procedures for settlement of pending issues. The representative of India asked whether the fact that such an agreement could not immediately be reached was a reason for not declaring that force was to stand outlawed. As the Prime Minister of India had pointed out in his reply to the Prime Minister of Pakistan, such a declaration could assist in bringing about a change of atmosphere and details of procedure would only weaken the effect.

45. The Pakistan representative's attempt to claim merit for acceptance of various proposals and at the same time to discredit India for inability to concur was misleading. Pakistan had accepted and India rejected the Council's resolution (S/726) of 21 April 1948 (286th meeting). But that had been followed by Pakistan's invasion of the State, on one hand, and by India's co-operation and negotiation with the UNCIP, on the other hand, despite the grave provocation offered by Pakistan's acts. Again, Pakistan had accepted Mr. Graham's proposals of 16 July 1952, but on conditions that had nullified that acceptance. In the same way, Pakistan had nullified its acceptance of Mr. Graham's proposals of 4 September 1952, to which the representative of Pakistan had not referred, while India had considered that those proposals contained the germ of a settlement.

46. As for the question of canal waters in the Punjab, the representative of India continued, the interruption that had occurred in 1948 had been due to lack of action by Pakistan and had been terminated on the initiative of the Prime Minister of India. Fears regarding that question, particularly when unfounded, could not justify invading the territory of a neighbour. India's forces had been moved back from the border in the Punjab with the lessening of tension, the representative of India stated. India continued to adhere to its unequivocal assurance that it wished to live in peace and friendship with Pakistan, despite the latter's provocation.

47. Dealing with the proposal made by the representative of Pakistan, she noted that according to it, apparently, the formidable *Azad* Kashmir forces, which were indistinguishable from the regular army of Pakistan, were to be regarded as a normality, and were not even to be subject to the restrictions in regard to armour and artillery that were to apply to the Indian and State forces. The proposal was ingenuous enough, but it also reversed Mr. Graham's approach and was basically inconsistent with the two UNCIP resolutions. India's position, fully in conformity with those resolutions, was that all proposals had to be based on a recognition of the integrity of the entire territory of Jammu and Kashmir and of the responsibility which India had for its defence. It followed from the UNCIP resolution of 13 August 1948 that all Pakistan troops had to be withdrawn and all armed formations, including the *Azad Kashmir* forces and Gilgit scouts, which were under Pakistan's control, fully disarmed and disbanded. Under the resolution of 5 January 1949, the representative of India continued, the Plebiscite Administrator was only responsible for the disposition, that is, the location, of the Indian forces, and could not by himself bring about any reduction in their number. There could be no reduction of Indian forces below the minimum necessary for the maintenance of law and order.



48. The representative of Pakistan had already pointed out that the position of the Government of India on the issue of accession had been that, on the acquisition of independence, the sovereignty of the States vested in the people, and he had stressed the fact that, long before the alleged accession, there had been a difference between the Maharajah and his people which had reached the point of revolt.

49. The representative of India had recalled her Government's undertaking to submit the question to a plebiscite and had said that that had not taken place because the invader was still in Kashmir. The tribesmen had withdrawn, however, and the regular Pakistan Army had always been ready to withdraw in accordance with the UNCIP resolution of August 1948. It could not be argued that the people of the State, who had taken up arms in August 1947, were invaders who had to withdraw. What was delaying progress in organizing and holding the plebiscite was the refusal of the Government of India to withdraw its forces in accordance with the two UNCIP resolutions that it had accepted. Nowhere in those resolutions was the security of the State made the sole responsibility of India. The reference to "due regard to the security of the State and the freedom of the plebiscite" dealt with the functions of the United Nations Representative, succeeding the UNCIP, and the Plebiscite Administrator, who, after the withdrawal of the bulk of the Indian forces and when the Representative was satisfied that peaceful conditions had been restored, were to determine, in consultation with the Government of India, the final disposal—not disposition—of Indian and State armed forces.

50. The difficulty had been to determine what was the "bulk" of the Indian forces. Since the representative of India had indicated that her Government needed a force of 28,000 to carry out its responsibilities, he had been prepared to accept that figure and not insist on the fact that the determination was to be made by the Commission according to the resolution of August 1948. The question of disarming the *Azad* Kashmir forces was a controversial one, and that was why that question and the Indian figure of 21,000 had been left aside. Though the figure of 28,000 was a high one, his Government was prepared to accept it in order to go forward. The question of the disbanding and disarming of the *Azad* Kashmir forces would arise when the Plebiscite Administrator took over. The wording of the UNCIP resolutions in that respect was exactly the same as that used with regard to the Indian and State forces: "final disposal". It must have the same meaning in both cases.

51. The Pakistan representative agreed that the matter of armour and artillery was relevant. Whatever armour and artillery was withdrawn from one side should also be withdrawn from the other. As for Pakistan control of the *Azad* Kashmir forces, he pointed out that upon its withdrawal the Pakistan Army would cease to exercise any operational control over those forces.

52. His Government agreed with the view that there should be no departure from the two UNCIP resolutions. India maintained that view, yet, when called upon to adhere to the resolutions, it started asking for a great deal more which was not provided for at all by the resolutions or which was not provided for during the stages in which India required it.

53. Turning to other points he reiterated that the Pakistan forces, even in the northern areas, did not take over any area which had been occupied by or had been under the control of, the Indian armed forces at any time. As regards the question of Junagadh, the representative of Pakistan said that it was not as irrelevant as it had been made out to be since it was one of the matters pending before the Security Council. The fact that Junagadh was not contiguous to Pakistan by land would not take it out of the category of an independent state, the ruler of which belonged to one community while the majority of the people belonged to another. He had cited the case of Junagadh merely to show India's inconsistency in having different criteria in different cases. Referring to the Canal Waters Dispute between the two countries he declared that West Punjab as a result of the diversion of water by India had become a deficit food area while East Punjab was beginning to be surplus. The representative of India had stated that officers of the International Bank were investigating the possibility of greater utilization of available waters, but in spite of repeated requests, and in spite of India's agreement that supplies would not be interfered with, India was going on with the construction of works, by which India could divert every drop of water from West Punjab.

54. At the 611th meeting (23 December) the representative of the NETHERLANDS said that the delay in reaching a solution of the question was a matter of great regret, the more so since the parties involved had agreed on the fundamental point that the question of the accession of the State of Jammu and Kashmir to India or Pakistan would be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations. He thought that it was agreed that the presence in the State of a considerable number of forces belonging to one or both of the parties would not create or facilitate the conditions necessary for a free and impartial plebiscite. It followed that the territory had to be demilitarized to the greatest possible extent in order to ensure absolute freedom of choice, and there also had to be a reasonable proportion between the military forces on either side of the cease-fire line.

55. Pointing out that the parties had not revoked the agreement embodied in the UNCIP resolutions of 13 August 1948 and 5 January 1949, he observed that any attempt to revert to the origin of the conflict would be a step backwards. For the previous two years, the Council had endeavoured to pave the way for the truce agreement. The United Nations Representative had succeeded in narrowing the problem to the number and character of forces to remain on each side of the cease-fire line, and it was that issue which the joint draft resolution sought to settle. The joint proposal took into account a difference in the basic position of the two parties and recognized a difference in the responsibility of the remaining forces on both sides of the cease-fire line in that it referred to the principles and criteria contained in the United Nations Representative's proposal of 4 September 1952.

56. The representative of the Netherlands felt that it would be advisable to allow some flexibility in the proposed negotiations and also that the role of the United Nations Representative should be clarified. He therefore submitted an amendment (S/2881) to the joint draft resolution providing in the fourth operative paragraph that the negotiations between the parties

would be "under the auspices of the United Nations Representative" and deleting the provision in that paragraph that the negotiations be held "at the Headquarters of the United Nations". The representatives of the UNITED KINGDOM and the UNITED STATES accepted the amendment.

57. The representative of the UNITED KINGDOM did not see any inconsistency between the joint draft resolution and the two agreed UNCIP resolutions. Analysing the provisions of the joint draft resolution from that point of view, he noted that it had been accepted by both parties that the provisions of the two UNCIP resolutions should be combined so as to produce one continuous demilitarization process. The only extra element which had been introduced into Mr. Graham's proposals of 4 September, and consequently into the joint draft resolution, was that the number of forces should be determined with due regard to the maintenance of the cease-fire agreement. But that did no more than reflect the agreement already reached in paragraph 8 of Mr. Graham's proposal that demilitarization would be carried out in such a way as to involve no threat to the cease-fire agreement. He submitted that provision was made for the disposal of the *Azad* Kashmir forces under paragraph 4 (b) of the UNCIP resolution of 5 January 1949. Mr. Graham had covered that question by providing, in paragraph 7 of his proposals of 4 September, for a large-scale disbanding and disarming of the *Azad* Kashmir forces. There would therefore be, at the end of the period of demilitarization, the minimum number of forces on the *Azad* Kashmir side of the cease-fire line required for the maintenance of law and order and of the cease-fire agreement with due regard to the freedom of plebiscite. For the Indian side, Mr. Graham's proposal was that there would be the minimum of forces required for the maintenance of law and order and of the cease-fire agreement, with due regard to the security of the State and the freedom of the plebiscite. The condition that demilitarization should be carried out in such a way as to involve no threat to the cease-fire agreement had been accepted by both Governments, and Mr. Graham was therefore entirely logical in including, in paragraph 7 of his proposals, maintenance of the cease-fire agreement as one of the requirements to be borne in mind in fixing the final number of forces on each side of the cease-fire line. The United Kingdom representative understood that the Pakistan Government had agreed that the forces on the *Azad* Kashmir side would have to be separated from the administrative and operational control of the Pakistan Command.

58. The two alternative approaches mentioned by Mr. Graham had been combined in the joint draft resolution only after the most careful thought. The United Kingdom Government thought it wise to avoid the possibility that one of the parties might choose to negotiate in accordance with one of the alternatives and the other party in accordance with the other. The sponsors of the joint draft resolution believed there was no incompatibility between the two alternatives, which were complementary to each other. As for the question whether the United Nations Representative was competent to assess the strength of military forces to be left behind in the State at the end of the demilitarization process, the resolution of 5 January 1949 made it clear that the Representative, as the successor of the Commission, together with the Plebiscite Adminis-

trator, would be responsible for determining the final disposal of the armed forces, in consultation with the Government of India, such disposal to be "with due regard to the security of the State and the freedom of the plebiscite". The freedom of the plebiscite and the security of the State were both matters to which considerable weight had to be attached and in regard to which some kind of balance might have to be struck. Clearly, the United Nations Representative and the Plebiscite Administrator would pay the fullest attention and attach the greatest weight to the views of the Government of India when they consulted it on the matter. So far as the other side of the cease-fire was concerned, the resolution of 5 January 1949 made the United Nations Representative and the Plebiscite Administrator responsible for the final disposal of the armed forces "in consultation with the local authorities".

59. The joint proposal dealt with the character of the forces to remain by incorporating, by reference, the provisions of paragraph 7 of Mr. Graham's proposal of 4 September 1952. The United Kingdom representative believed that it was entirely consistent with the two UNCIP resolutions that the forces on each side of the cease-fire line should be, broadly speaking, of the same kind.

60. Referring to the demilitarization proposal made by the representative of Pakistan, the United Kingdom representative believed it to be entirely in accordance with the first UNCIP resolution. If it was considered together with Pakistan's undertaking to accept whatever decision the United Nations Representative and the Plebiscite Administrator might jointly take under the resolution of 5 January 1949, regarding the strength of the forces, including the *Azad* Kashmir forces, eventually to be left on each side of the cease-fire line at the time of the plebiscite, it seemed to his delegation to be a proposal which, at any rate, deserved careful and sympathetic study.

61. The representative of the UNITED STATES OF AMERICA said that nothing contained in the joint draft resolution stood in the way of either one or both of the parties coming forward with suggestions of their own. The joint proposal rested four-square on the agreement embodied in the two UNCIP resolutions. In that connexion, he observed that it was unnecessary to re-examine the basis of those resolutions. He therefore did not propose to discuss the charge of aggression. The Council must not lose sight of the United Nations Representative's view that an early agreement on demilitarization would have as one immediate practical result the induction into office of the Plebiscite Administrator, who could then proceed with his necessary study of the entire problem of a plebiscite.

62. The representative of BRAZIL supported the joint draft resolution. He found it hard to believe that two nations with so many ties and so much in common would be unable peacefully to settle their differences. A new effort should be made to reach agreement on the question of demilitarization, as envisaged in the joint proposal.

63. The representative of CHINA observed that no member of the Council, apart from the parties involved, had ever discussed the charges of aggression. Instead, the Council had accepted the basic agreement of the parties that the question of the accession of the State should be decided by a fair and impartial plebiscite under the auspices of the United Nations. He hoped

that the joint proposal might serve as a basis for the renewal of successful negotiations.

64. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS said the fourth report of Mr. Graham, like the preceding documents submitted earlier, showed the futility of attempts to seek agreement between India and Pakistan on the demilitarization of Jammu and Kashmir and on the holding of a plebiscite under United Nations auspices. All of the successive measures adopted at the insistence of the United Kingdom and the United States of America had not brought the parties any nearer to a common ground for solution of the question.

65. The policy of the United States and the United Kingdom regarding Jammu and Kashmir was, he said, clearly imperialistic in character. Those countries were unceremoniously intervening in the internal affairs of Kashmir under cover of the United Nations. Taking on the noble role of "peacemakers", the United States and the United Kingdom for five years had done all in their power to delay a settlement of the question, to aggravate the situation in the subcontinent and to create such conditions as would justify the introduction of so-called "neutral", that is, foreign, troops into the territory of Jammu and Kashmir in order to turn the area into their strategic base.

66. The USSR delegation had already drawn attention to the fact that Mr. Graham, without authorization from the Security Council, had asked the Governments of India and Pakistan whether they were ready to agree to the United Nations making armed forces available despite India's rejection of the same proposal in the draft resolution submitted by the United Kingdom and the United States of America on 21 February 1951 (S/2017). Despite repetition of India's position, Mr. Graham had returned to that question in his fourth report, where the proposal took the form of operational and administrative control by the United Nations through "neutral" or local officers over part of the *Azad* Kashmir troops, so as to remove them from the authority of the Pakistan High Command. The proposal to send United Nations troops into Kashmir was being used by the authors of the joint draft resolution as a weapon of intimidation designed to make the parties accept the joint draft, which itself was tantamount to an ultimatum requiring the parties to agree on the number of troops set forth in it.

67. Like all earlier resolutions on the question, the joint draft resolution, which was based on the inadmissible principle of intervention in the internal affairs of Kashmir, excluded any possibility of settlement of the Kashmir question by the people of the State without outside pressure or Anglo-American interference, and ruled out any possibility of the Kashmiri people using their lawful right to self-determination.

68. The only correct way for the Security Council to solve the question would be to refrain from sanctioning interference in the internal affairs of Kashmir and to enable the people of Kashmir to decide freely their own fate in accordance with the principles of the right of self-determination set forth in the Charter of the United Nations. That could be done, he declared, by having the status of Kashmir determined by a constituent assembly elected by the people of Kashmir themselves on a democratic basis.

69. For those reasons, the Soviet Union delegation could not support the joint draft resolution.

70. The representative of the UNITED KINGDOM observed that if the United Kingdom and the United States of America had been actively engaged in trying to establish an aggressive base in Kashmir, they had been singularly unsuccessful. It would be a reflection on the integrity of the Governments of India and Pakistan to suggest that they would be likely to agree to any such proposal which, it must be obvious, would be completely opposed to the known policies of both parties. Should the Council ever consider recommending the establishment of a neutral force in Kashmir, it would always be open to the USSR representative to oppose the relevant resolution. He did not see, however, what the USSR could do should the parties ever agree on some proposal for establishing a neutral force.

71. The representative of INDIA pointed out that his Government had already stated that it was unable to accept the joint draft resolution. It was not prepared to be a party to any talks on the basis suggested in the seventh paragraph of that proposal. With those explicit reservations, however, the Government of India, in line with its readiness to explore all avenues towards a peaceful settlement, would be prepared to join and continue in any talks in connexion with the dispute. If the Council still considered it useful or necessary to proceed with the draft resolution, his Government could only profoundly regret the decision.

**Decision:** *The joint draft resolution as amended (S/2883) was adopted at the 611th meeting, on 23 December 1952, by 9 votes to none, with 1 abstention (USSR). Pakistan did not participate in the voting.*

### C. Fifth report of the United Nations Representative for India and Pakistan

72. On 23 January 1953, the United Nations Representative informed the Security Council (S/2910) that the Governments of India and Pakistan had agreed that a meeting of representatives of the two Governments at ministerial level should be held in Geneva, under the auspices of the United Nations Representative beginning 4 February 1953. The negotiations were to be continued on the basis of the UNCIP resolutions of 13 August 1948 and 5 January 1949, bearing in mind the assurances, clarifications and elucidations given to the Governments of India and Pakistan by UNCIP. That basis was to be without prejudice to a further consideration, if necessary, of the twelve proposals of the United Nations Representative.

73. By a letter dated 27 March 1953 (S/2967), the United Nations Representative transmitted his fifth report to the Security Council.<sup>6</sup> In the report, the Representative set forth the views of the parties on the implementation of part II, A (1) and (2), and B (1) and (2) of the UNCIP resolution of 13 August 1948. The results of the meetings and conversations on that question, the United Nations Representative reported, had led him to the conclusion that agreement was not possible at that time between the two Governments on a truce agreement based solely on part II of the 13 August 1948 resolution, and it had appeared to him that the same difficulties which had existed as early as 1949 were still the main obstacles in the way of carrying out the commitments embodied in part II.

<sup>6</sup> See *Official Records of the Security Council, Eighth Year, Special Supplement No. 1.*



He had not felt that he could continue that approach because the figures proposed by each side were not negotiable with the other side. In accordance with the terms of reference agreed upon between the two Governments for the conference, further consideration of the Representative's twelve proposals had ensued.

74. Having met separately with the representatives of the two Governments, on 14 February, the United Nations Representative had presented to them for discussion revised proposals, the text of paragraph 7 providing, *inter alia*, that, at the end of the period of demilitarization, there would remain on the Pakistan side of the cease-fire line an armed force of 6,000 separated from the administrative and operational command of the Pakistan High Command and without armour or artillery. At the end of that period an Indian armed force of 21,000, including State armed forces, was to remain on the Indian side of the cease-fire line. That force was also to be without armour or artillery.

75. Among the comments of the parties on paragraph 7 of the revised proposals were the following. The Government of India was unable to agree to retention of any military forces in the so-called *Azad* Kashmir territory. It held that the function of preventing violations of the cease-fire line on the *Azad* Kashmir side could be effectively performed by a civil armed force consisting of 2,000 armed and 2,000 unarmed men. The Government of India was willing to agree to some increase in the numbers of that proposed civil armed force.

76. The Government of Pakistan held that paragraph 7 contravened the Security Council resolution (S/2883) of 23 December 1952. The arbitrary raising of the figure of the numbers on the Indian side to 21,000, as against 6,000 *Azad* Kashmir forces, would put the security of the *Azad* Kashmir area in serious jeopardy and would destroy the safeguard that the demilitarization should be carried out in such a way as to involve no threat to the cease-fire agreement either during or after the period of demilitarization. The figures proposed, the Government of Pakistan main-

tained, amounted to a clear indication to the Government of India that its sustained attitude of intransigence would ultimately procure the formulation of a truce agreement on its own terms.

77. After thorough consideration and further conversations with the parties, the United Nations Representative had felt that there was no ground left at that stage on which to continue the conference and therefore, in agreement with the two representatives, he had decided to end it.

78. Dealing with the issue covered in paragraph 7 of his proposals, namely the number and character of forces to remain on each side of the cease-fire line, the United Nations Representative said that he held no brief for the lower figures of 3,000 to 12,000 or the higher figures of 6,000 to 21,000. As a mediator whose responsibility had been to keep striving for a settlement, he had hoped that a basis for the negotiation of an agreement might be found. It appeared obvious that the Government of India, under the two UNCIP resolutions, had some larger responsibilities on its side of the cease-fire than had the local authorities in the evacuated territory on the other side. Without recognition of the *Azad* Kashmir Government and without prejudice to the sovereignty of the State, it also appeared obvious that there should be in the evacuated territory effective local authorities and effective armed forces. In the *Azad* Kashmir territory those armed forces would be organized out of the remainder of the *Azad* Kashmir forces without armour or artillery, and thereafter would be commanded by local officers under the local authorities, under the surveillance of the United Nations. The United Nations Representative observed that the difference over definite numbers, important as it was, was not as great as the difference between inducting and not inducting the Plebiscite Administrator into office. The transformation in the situation which would come from the simple fact of induction into office of the Administrator was most important for the great objective of the self-determination of the people of the State.

## PART II

### Other matters considered by the Security Council

#### Chapter 2

#### ADMISSION OF NEW MEMBERS

INTRODUCTORY NOTE: As indicated in the previous annual report (A/2167, paras. 407 f.), the question of admission of new Members was included in the agenda of the Security Council at the 577th meeting on 18 June 1952, with the following two sub-paragraphs under that general heading:

(a) "Adoption of a recommendation to the General Assembly concerning the simultaneous admission to membership in the United Nations of all fourteen States which have applied for such admission";

(b) "Consideration of General Assembly resolution 506 (VI)".

The Council also had before it the following USSR draft resolution (S/2664):

*"The Security Council*

*"Recommends that the General Assembly should simultaneously admit to membership in the United Nations the following States which have applied therefor: Albania, Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Hashemite Kingdom of Jordan, Austria, Ceylon, Nepal and Libya."*

At its 591st meeting (9 July 1952), the Council decided to postpone consideration of the question until 2 September 1952.

#### A. Adoption of the agenda

79. The Council resumed discussion of the question at its 594th meeting (2 September 1952), when the representative of the UNITED STATES OF AMERICA (the President for the month of August) stated that a meeting of the permanent members of the Security Council had been held on 21 August 1952 to give the permanent members an opportunity to confer on the pending applications for membership. An effort had been made to find a basis for agreement, but agreement had not been possible and the permanent members had not changed their positions.

80. Under the item "Admission of new Members" the provisional agenda of the 594th meeting included, in addition to the two sub-items noted above, a new sub-item (c): "New applications for membership (S/2446, S/2466, S/2467, S/2672, S/2673 and S/2706)". The PRESIDENT (the representative of Brazil) explained that he had felt it advisable to include the sub-item so as to enable the Council to consider the applications on which it had not yet reported to the General Assembly and which it had not considered on an individual basis.

81. At that stage, the Security Council had before it the following proposals:

(i) A draft resolution submitted by Pakistan on 17 January 1952 (S/2483) concerning the admission of the United Kingdom of Libya:

*"The Security Council,*

*"Having considered the application of the United Kingdom of Libya for admission to membership in the United Nations,*

*"Takes into account that on 24 December 1951, in pursuance of General Assembly resolutions 289 (IV) of 21 November 1949 and 387 (V) of 17 November 1950, the United Kingdom of Libya has been constituted as an independent and sovereign State;*

*"Decides that in its judgment the United Kingdom of Libya satisfies the conditions for membership in the United Nations laid down in Article 4, paragraph 1, of the Charter; and*

*"Recommends to the General Assembly that it admit the United Kingdom of Libya to membership in the United Nations."*

(ii) A draft resolution submitted by the United States of America on 28 August 1952 (S/2754) concerning the admission of Japan:

*"The Security Council,*

*"Having received and considered the application of Japan for membership in the United Nations (S/2673 of 23 June 1952),*

*"Decides that in its judgment Japan is a peace-loving State and is able and willing to carry out the obligations contained in the Charter; and accordingly*

*"Recommends to the General Assembly that it admit Japan to membership in the United Nations."*

(iii) A draft resolution submitted by France on 2 September 1952 (S/2758) concerning the admission of Viet-Nam:

*"The Security Council,*

*"Having received and considered the application of Vietnam for admission to membership in the United Nations (documents S/2446 of 19 December 1951 and S/2756 of 29 August 1952),*

*"States that in its opinion Vietnam is a peace-loving State, able and willing to carry out the obligations imposed upon it by the Charter; and, therefore,*

*"Recommends the General Assembly to admit Vietnam to membership in the United Nations."*

(iv) A draft resolution submitted by France on 2 September 1952 (S/2759) concerning the admission of Laos:

*"The Security Council,*

*"Having received and considered the application of Laos for admission to membership in the United Nations (document S/2706 of 16 July 1952),*

*"States that in its opinion Laos is a peace-loving State, able and willing to carry out the obligations imposed upon it by the Charter; and, therefore,*

*"Recommends the General Assembly to admit Laos to membership in the United Nations."*

(v) A draft resolution submitted by France on 2 September 1952 (S/2760) concerning the admission of Cambodia:

*"The Security Council,*

*"Having received and considered the application of Cambodia for admission to membership in the United Nations (documents S/2672 and S/2675 of 23 June 1952),*

*"States that in its opinion Cambodia is a peace-loving State, able and willing to carry out the obligations imposed upon it by the Charter; and, therefore,*

*"Recommends the General Assembly to admit Cambodia to membership in the United Nations."*

82. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS stated that consideration of the applications listed in the new sub-item, in particular the applications of Japan, Laos, Cambodia and Bao Dai's Viet-Nam, would not be opportune. The USSR draft resolution included all of the applications on which a decision could be reached. He added that there was no need to include Libya's application under the proposed sub-item since that application had already been considered by the Council and by the General Assembly and it was, in any case, covered by the USSR draft resolution. Moreover, Libya's application was included by implication under sub-item (b), since General Assembly resolution 506 (VI) covered the application of Libya.

83. After some discussion, the Security Council decided, by 10 votes to none, with 1 abstention (USSR), to include the new sub-item (c) in the agenda.

## **B. Consideration of the USSR draft resolution (S/2664)**

84. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS, reviewing the meeting of the permanent members, said that the United States representative had tried as usual to throw on the USSR the responsibility for the deadlock on the question of the admission of new Members, holding that it had thwarted the will of the "majority". The USSR representative had therefore had to recall that the real reason for the deadlock was not the position of the USSR, according to which all fourteen States should be admitted to membership regardless of their internal régime, but the unwillingness of the United States to admit to membership those States whose internal structure was not to the liking of the ruling circles of the United States. In that connexion, he pointed out that in the voting on the applications of Albania, the Mongolian People's Republic, Hungary, Romania and Bulgaria, the United States had used the veto six times. A negative vote by a permanent member of the Security Council constituted a veto, he declared, irrespective of whether it was accompanied by the negative votes

of the other members of the Security Council. In addition, the United States had resorted nine times to the "hidden veto", that is, by abstaining it had made it impossible for an applicant to obtain the necessary number of votes. The case of the abstention on the Tunisian question by the United States and other members of the Council had shown that such "abstention" was in fact nothing but a vote "against", since it prevented, or interfered with, the adoption of a decision by the Council. Once again it had been demonstrated that the United States and its supporters, the United Kingdom and France, had no intention of reaching agreement on the admission of the fourteen States to membership in the United Nations.

85. Dealing with the economic progress and broad democratic development in the peoples' democracies, the USSR representative cited various facts and statistics which, he said, showed the pacific policies and genuine democratic development of those countries after the Second World War, and decisively refuted the assertions of the United States and United Kingdom representatives that the peoples' democracies were not peace-loving, that they did not meet the requirements of Article 4 of the Charter, and consequently could not be admitted to membership. Such assertions were nothing but hostile slanders fabricated by the Anglo-American imperialists in an effort to mask their own policy of hostility and hatred towards the Hungarian, Romanian, Bulgarian and Albanian peoples. Contrasting those countries with the States regarded by the ruling circles of the United States as "peace-loving", he said that the United States had revealed the real motive involved, namely, that the ruling circles of the United States opposed the admission of the peoples' democracies and tried to force them to change their internal system of government because of the hatred of the Anglo-American monopolies for countries which were free, independent and sovereign in the true sense of the word, which had freed themselves forever from the domination of foreign capital, and which had closed their resources to predatory foreign monopolies. In that connexion he recalled the \$US100 million allocated by the United States Government in 1951 for the purpose of organizing sedition, sabotage and anti-popular acts against the peoples' democracies and the USSR.

86. The United States' position, he said, was not only a gross violation of the international obligations it had assumed at Teheran and at Potsdam, and under the peace treaties, but was also directly contrary to the United Nations Charter. The Charter required the development of friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples, and it required the promotion and encouragement of respect for human rights and fundamental freedoms for all. The policy and internal structure of the peoples' democracies fully conformed to those principles; their peoples enjoyed full democratic rights without any racial discrimination or distinction as to race, sex, language or religion, which was more than could be said for the United States and for the British Empire.

87. The proposals of the United States and the United Kingdom representatives that all fourteen applications should again be considered "individually" was nothing more than a pretext designed to conceal their opposition to the admission of the peoples' democracies and to provoke a new series of so-called USSR "vetoes" for propaganda purposes. The USSR representative

said that if, in the interest of justice and in defence of the legal rights of the States whose admission the United States and the United Kingdom were preventing, a USSR veto was necessary, it would be applied. Every USSR veto was a legal and just action taken by the USSR for the purpose, first, of defending its own legal rights and interests in strict accordance with the provisions of the United Nations Charter and its main principle—unanimity of the permanent members of the Council—and secondly, of defending the legal rights and interests of States whose right and interests the Anglo-American imperialists were trying to trample underfoot.

88. The problem of the admission of new Members had reached such dimensions that it could only be solved in the way suggested by the USSR, namely by admitting simultaneously the fourteen States which had applied for membership. There was nothing in the Charter to prevent the admission of several States under a single resolution. Moreover, the United States itself had created a precedent at the 54th meeting of the Council on 28 August 1946 by proposing that the eight States which had then applied for membership should be admitted simultaneously. That proposal had been supported by the Secretary-General, and also by the representatives of Brazil, China, Mexico and Egypt. The method being advocated by the USSR was the same as had been advocated by the United States in 1946; and it did not involve any threat to the Charter.

89. At the 595th meeting (3 September), the representative of the NETHERLANDS said it was clear that there was a growing tendency to make the United Nations as nearly universal an organization as possible—subject, of course, to the requirements of Article 4 of the Charter. At the same time, the Advisory Opinion given by the International Court of Justice on 28 May 1948,<sup>7</sup> according to which the admission of one State could not be made conditional upon the admission of another, could hardly be neglected. Since the General Assembly had felt at its sixth session that the whole problem of the admission of new Members should once again be thoroughly examined at the seventh session and since the gap between the opposing points of view in the Security Council continued to exist, little progress could be expected from further discussions in the Council at that time. His Government therefore favoured postponing further consideration of the matter until the General Assembly had had an opportunity at its seventh session to give a clearer picture of the views of all the members of the Organization. Should the Council decide to pronounce itself on the various proposals before it, however, his delegation would reaffirm its previous position, which was based on Article 4, paragraph 1, of the Charter, and the Advisory Opinion of the International Court of Justice of 28 May 1948.

90. The representative of TURKEY pointed out that the USSR draft resolution departed from the rule laid down in Article 4, paragraph 1, of the Charter in that it made the admission of countries which fully met the qualifications required under that Article dependent upon the admission of other countries backed by the USSR. He recalled that, during the discussion of the question by the Council in 1946, to which reference had been made by the USSR representative, the then

representative of the USSR, Mr. Gromyko, had held that the Council was bound to discuss each application separately and had said that he was unable to agree to the proposal that the Council should adopt a resolution for the "wholesale" admission of eight countries. The Council should act in accordance with the Charter by considering each application separately, and by taking a decision on the merits of each case.

91. The representative of GREECE pointed out that the United States proposal of 1946, to which the USSR representative had referred, had called for the admission of all the then eligible and qualified applicants. The strong stand of the USSR representative in defence of Article 4 in 1946 had been taken at a time when the applications of the eight countries in question had been thoroughly examined by the Committee on the Admission of New Members. The USSR proposal was based on a false interpretation of the principle of universality as embodied in the Charter. To set aside the conditions of Article 4 by admitting candidates *en bloc*, when some of the candidates were, to say the least, not qualified for admission, would be a flagrant violation of the principles of the Charter, including the principle of universality. He contended that the "popular democracies" were not qualified for admission under Article 4. The argument that the opposition to the admission of Albania, Bulgaria, Hungary, Romania and the Mongolian People's Republic was due only to the internal structure of those countries did not correspond to the facts. Yugoslavia was also a communist State, but that did not prevent his country and all other non-communist Member nations from having peaceful and friendly relations with it. Although his delegation would readily vote for the admission of the other States listed in the USSR proposal, and regretted their exclusion from the United Nations by the USSR veto, he would vote against the USSR draft resolution.

92. The representative of CHINA opposed the USSR proposal. It did not include the Republic of Korea whose exclusion his Government could not accept. Moreover, the Charter required that admission to the United Nations must be by individual State. How Article 4 of the Charter should be interpreted had been authoritatively stated by the International Court of Justice: the admission of any State could not be made conditional upon the admission of other States. He therefore requested that the applications of the fourteen countries listed in the USSR proposal be put to the vote separately. Should the USSR representative object to such a separate vote, the USSR draft resolution would be in contradiction to the Charter and should be ruled out of order. If the Council were forced to vote on that draft resolution as a whole, without a preliminary separate vote, he would vote against it. He also pointed out that the USSR draft resolution included certain States which his delegation regarded as not qualified for membership. He challenged the facts adduced by the USSR representative in support of the applications of the so-called peoples' democracies. Citing developments and conditions in Eastern Europe, he declared that every organization had certain unwritten laws and unwritten articles. For admission to the United Nations, States must meet certain minimum conditions not laid down in the Charter because the framers of the Charter had thought that those conditions could be taken for granted. The five States backed by the USSR did not meet those mini-

<sup>7</sup> See *Advisory Opinion on Conditions of Admission of a State to Membership in the United Nations (Article 4 of the Charter)* I.C.J. Reports 1948, page 57.

mum standards. Indeed, consideration should be given to the question as to whether Members which did not live up to those elementary conditions should be expelled.

93. The representative of the UNITED STATES OF AMERICA also opposed the USSR draft resolution. Each applicant for membership was entitled to separate consideration and there were certain applicants listed in the USSR proposal which his Government did not consider qualified for membership. Moreover, there were other applicants which were not listed in the USSR draft, such as the Republic of Korea, which had a particularly close connexion with the United Nations, and whose just claim to membership would not be forgotten by the United States. Of the countries listed in the USSR proposal, his delegation considered that Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal and Portugal, were fully qualified and should be admitted to membership.

94. There had been no instance, the United States representative continued, in which a draft resolution dealing with the question of membership, or with any other question, had failed of adoption in the Council because of the negative vote of the United States. His delegation had in the past voted against various applications which it felt did not meet the requirements of the Charter, but in no instance had the United States vote alone prevented a recommendation since none of those applications had received seven affirmative votes. A negative vote became a veto only when it thwarted the will of the majority. That was what the negative vote of the USSR had done repeatedly.

95. The representative of the UNITED KINGDOM emphasized that the "obligations" supposedly undertaken by the United States and the United Kingdom under the Potsdam Agreement and the peace treaties—stated in the preamble to the peace treaties in the following form: "... thereby enabling the Allied and Associated Powers to support . . . 's application to become a Member of the United Nations . . ." were merely "enabling clauses", a statement of the fact that the signatories would be enabled to support an application.

96. The United Kingdom Government attached great importance to the broadening of the base of the United Nations, and was influenced by the concept of what was called universality. The United Nations should include countries with different ideologies and systems of government, and the United Kingdom had no intention whatsoever of discouraging the entry of a country because it might have an ideology or a system of government which his Government disliked. Nevertheless, the United Kingdom still believed that the application of each candidate should be considered separately, in accordance with Article 4 of the Charter, and that, as stated in the opinion of the International Court of Justice, it was wrong to attach to the admission of one applicant a condition to the effect that another applicant had to be admitted at the same time. Even given the most liberal interpretation of Article 4, some of the countries listed in the USSR draft resolution could hardly be said to fulfil the conditions of that Article, although most of the countries, such as Italy and Ceylon, were fully qualified for membership.

97. At the 596th meeting (5 September), the representative of FRANCE said that his delegation maintained the attitude which it had stated with regard to a similar

USSR proposal in February 1952 (573rd meeting). Nothing had happened since to make his delegation change those views. The USSR delegation, which claimed to respect the principles of Article 4 of the Charter, could not without contradiction maintain that Italy, Jordan, Ireland and Portugal were not peace-loving States and at the same time request their admission to the United Nations, even as part of a collective admission simultaneously with the applicants sponsored by the Soviet Union. The USSR thus agreed to violate the principles of the Charter and overlook the criteria established in Article 4 by accepting the applications recommended by the other members of the Council, on condition that those members did the same for the USSR protégés. His delegation did not accept the bargain. The French representative added that he did not think that it was the simultaneous admission of the fourteen States that the USSR really proposed, but their collective admission, in a manner which made the admission of any one conditional upon that of the others.

98. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS emphasized that not one of the applications of the States the indiscriminate admission of which had been proposed by the United States in 1946 had then been considered by the Security Council. Contrary to what other speakers had endeavoured to argue, the USSR delegation had at that time expressed the view that it would be proper first to consider each application separately and then to settle the question of the admission of all the States. The USSR had never objected to individual consideration of each application and did not object to individual consideration at present. He pointed out, however, that each of the five applications from the peoples' democracies—Hungary, Romania, Bulgaria, Albania and the Mongolian People's Republic—had been considered by the Council not once but three times. He also cited the fact that the other applications listed in the USSR draft resolution had been considered "separately" and "individually" from two to five times each. It would consequently be senseless once again to consider each of the applications from the beginning.

99. The USSR was not haggling; it was proposing a broad political approach to the solution of the question. The USSR was prepared to withdraw its objection to the favourites of the Anglo-American bloc despite the fact that it was legally entitled under the Charter to oppose the admission of some of those States. On the other hand, it urged the Anglo-American bloc, and particularly the United States of America, to refrain from its policy of discrimination and *diktat* towards the group of applicants whose internal structure was not to the liking of the ruling circles of the United States. That proposal provided a basis for agreement and a way out of the existing situation. Explaining why the USSR had chosen that position, he stated that it had become clear that the principal aim of the United States ruling circles was to turn the United Nations into a blind and obedient instrument of their aggressive policy and their preparation for an aggressive world war, and to prevent the Organization from continuing as a world organization of free nations. Indeed, it was clear also that the United Nations was, in fact, no longer so much a world organization as an American one acting in accordance with the interests and needs of the United States aggressors. The United States thus considered every application for admission through the prism of

its policy of aggression and preparation for a new world war, and it was prepared to support only the applications of States which were either members or at least prospective members of such organizations as NATO, ANZUS and MEDO.

100. The United States and the United Kingdom went so far as flagrantly to violate their definite and direct obligations, assumed at Teheran and Potsdam and under the peace treaties, to support the applications of Bulgaria, Hungary, Romania, Finland and Italy for admission to the United Nations.

101. As for the contention that the United States had not used the veto, the USSR representative declared that the United States had voted against the admission of the peoples' democracies no less than six times. It had also voted against the USSR proposal for the admission of fourteen States on 6 February 1952 (573rd meeting). The argument that the proposals involved had not received seven votes was not valid in view of the fact that the United States exerted all its efforts to prevent seven favourable votes from being cast. In conclusion, the USSR representative stated that the Soviet Union supported the position that the United Nations should be an international organization of free and sovereign States with different political structures, different ideologies and different ways of life, but united in one noble idea and desire—to live in peace together and jointly to fight for the strengthening of international peace and security on the basis of free and equal relations. Guided by those principles, which were just and fully in accordance with the Charter, the Soviet Union urged that the Security Council should recommend to the General Assembly the admission to membership in the United Nations of all fourteen States.

102. At the 597th meeting (8 September), the President, speaking as representative of BRAZIL, opposed the USSR draft resolution, not only because it did not call for admission of all the States which had applied, but also because of the reiterated view of his delegation that Article 4, paragraph 1, of the Charter should constitute the sole guide of the Council in acting upon a request for admission. He considered the arbitrary use of the veto to be juridically inconsistent with the letter and spirit of the Charter. The USSR draft resolution was incompatible both with Article 4 and the Advisory Opinion of the International Court of Justice of 28 May 1948 in that it clearly linked different individual applications for admission.

103. Speaking as PRESIDENT, he asked the USSR representative whether he concurred with the request made by the representative of China, under rule 32 of the provisional rules of procedure, for a separate vote on each of the applicants listed in the USSR draft resolution.

104. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS stated that his delegation did not accept that proposal, pointing out that under that rule the request could not be maintained if the representative who had submitted the draft resolution did not agree with the proposed change.

105. The PRESIDENT said that in view of the objection of the USSR representative he was unable to comply with the request made by the representative of China.

**Decision:** *At the 597th meeting, on 8 September 1952, the USSR draft resolution (S/2664) was rejected by 5 votes to 2 (Pakistan, USSR), with 4 abstentions (Chile, France, Turkey and the United Kingdom).*

## C. Consideration of resolution 506 (VI) of the General Assembly and of new applications for admission

106. The Security Council then proceeded to take up the General Assembly's recommendation (resolution 506 (VI)) that it reconsider all pending applications for admission. There was some discussion as to whether or not the action already taken by the members of the Council had in effect fulfilled that recommendation.

107. The representative of CHILE noted that the prospect did not seem very promising since the situation foreshadowed the failure of the reconsideration requested by the Assembly. He believed that the only thing that could be done was to stress a number of considerations which his delegation had already set forth previously with a view to creating favourable conditions for a future change in the situation, which might assume such a serious aspect in the General Assembly that the permanent members of the Council might well be convinced. While the application of the rule of unanimity in matters of security could have political justification, it had no such justification with regard to the admission of new Members. He also believed that the requirements of Article 4 of the Charter should be interpreted in a realistic manner. It was obviously impossible to admit a State which openly and flagrantly violated the most essential principles, as in the case of a country committing acts of aggression. The standard generally applied, however, could not be more rigorous than the standard used in judging the acceptability of States which were already Members. Unfortunately, there were many Member States in which fundamental human rights were not observed to the extent laid down in the Universal Declaration of Human Rights. The presence in the United Nations of applicants which were considered to be dominated by other States could only serve to hasten their progress towards independence, since the United Nations was working for individual freedom, for respect for human rights and for the independence and self-determination of nations.

108. After further discussion at the 598th meeting (10 September), the Council decided to proceed to the examination of new applications for membership under sub-item (c), leaving open for the time being the question of the consideration, under sub-item (b), of General Assembly resolution 506 (VI).

109. The PRESIDENT, noting that none of the applications listed under sub-item (c) had been referred to the Committee on the Admission of New Members, raised the question of what procedure the Council wished to follow.

110. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS considered that in accordance with rule 59 of the provisional rules of procedure, the Council should follow its normal practice of referring a new application to the Committee as soon as it was received.

111. After considerable discussion on the issue, including the meaning of rule 59 and the previous practice of the Security Council, in the course of the 598th and 599th meetings (10 and 12 September), the representative of PAKISTAN proposed that the application of Libya be considered by the Council without reference to the Committee on the Admission of New Members.

**Decision:** *The Pakistan proposal was adopted by 8 votes to 1 (Chile), with 2 abstentions (France, USSR).*



112. The representative of CHILE explained that he had voted against the proposal because of his feeling that Libya would stand a better chance of being admitted to the United Nations if the matter were discussed in the Committee than if its application were considered directly. For the same reason he would not support any request for direct consideration of the applications under discussion.

113. The representative of the UNITED STATES OF AMERICA proposed that the application of Japan be considered by the Security Council without reference to the Committee on the Admission of New Members.

**Decision:** *The United States proposal that the application of Japan should be considered without reference to the Committee was adopted by 8 votes to 1 (USSR), with 2 abstentions (Chile, France).*

114. The representative of FRANCE said that in view of the decisions taken by the Council, the only possibility open to his delegation was to submit a formal proposal to the effect that the applications of Viet-Nam, Cambodia and Laos be examined directly by the Security Council.

**Decision:** *The French proposal that the applications of Viet-Nam, Cambodia and Laos should be considered directly by the Security Council was adopted by 8 votes to 1 (USSR), with 2 abstentions (Chile, Pakistan).*

115. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS, pointing out that no decision had been taken with regard to the application of the Democratic Republic of Viet-Nam, urged that that application be dealt with in accordance with rule 59 of the provisional rules of procedure of the Council and be referred to the Committee on the Admission of New Members.

116. The representative of CHINA proposed that the Council cease consideration of that application.

117. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS regarded that proposal as illegal, since it had been submitted by a speaker who did not represent anyone. In any case, the Government of the Democratic Republic of Viet-Nam was the only legal government of the people of Viet-Nam.

118. The representative of FRANCE supported the Chinese proposal on the grounds that the Vietminh authorities could not be considered as forming a government or representing a State.

119. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS considered that the Council could not take a decision of substance on that application without full discussion of the question.

120. At the 600th meeting (16 September) the representative of CHINA said that while his delegation maintained its stand on the application contained in document S/2466, he would withdraw his proposal so as to avoid a protracted procedural debate.

121. The representative of FRANCE said that his delegation still took the view that the so-called Democratic Republic of Viet-Nam could not be regarded as a State and that any discussion on the question of its admission was pointless.

122. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS, referring to the statement of the representative of France, noted that in the application submitted by the Democratic Republic of Viet-Nam

on 22 November 1948,<sup>8</sup> there was a declaration to the effect that the Democratic Republic had been recognized by the French Government as a sovereign, independent State under an agreement dated 6 March 1946.

#### APPLICATION OF LIBYA

123. At the 600th meeting (16 September), the representative of PAKISTAN said that his delegation had supported the USSR draft resolution calling for the admission of fourteen States because that course seemed to be the easiest and quickest way to remedy the paralysis with which the Council was seized in connexion with the admission of new Members, because it believed that admission of the countries listed would be a source of great strength to the Organization and because, to be useful and real, the United Nations must reflect as faithfully as possible the political state of the world. His delegation had hoped, at the time when Libya applied for membership, that Libya would not be added to the list in the USSR draft resolution. He now hoped that it would not be difficult to detach Libya from that list. It was important to do so because the case of Libya was unique in the United Nations, which could easily claim that the independence of Libya was one of its greatest achievements. He recalled that the question of Libyan membership in the Organization had been mentioned in clear terms in resolutions adopted by the General Assembly at its fourth, fifth and sixth sessions (resolutions 289 (IV), 387 (V) and 515 (VI)). Fifty delegations had voted for the last resolution on Libya adopted by the General Assembly. Any delegations that had voted in favour of that resolution had the moral duty to vote for the admission of Libya.

124. The representative of GREECE said that the judgment of the Organization that Libya was a peace-loving State, able and willing to carry out the obligations of the Charter, was embodied in resolution 515 (VI) of the General Assembly. He also cited the fact that not a single dissenting vote had been cast against the paragraph of the resolution dealing with the question of Libya's admission to membership in the United Nations. In view of the clear and categorical expression of the General Assembly's will, the duty of the Council, which acted on behalf of the Members of the Organization, was clear. Whoever opposed a favourable recommendation was violating the letter and the spirit of Article 24 of the Charter and was betraying the confidence that all Member States had placed in the Security Council.

125. The representative of the UNITED KINGDOM said that his country, which had been responsible for the temporary administration of part of Libya during and after the Second World War, warmly welcomed the achievement by Libya of independence and sovereignty and strongly supported the application of Libya for membership in the Organization.

126. The representative of the NETHERLANDS noted that the purpose of the examination of applications by the Security Council was to enable the Council to determine whether the applicant fulfilled the conditions stipulated in Article 4, paragraph 1, of the Charter. The United Nations, including the countries represented on the Council, knew that Libya fulfilled those conditions because the very existence of that State and its

<sup>8</sup> Issued as document S/2780 at the request of the USSR representative on 16 September 1952.

sovereignty and independence had been brought about with the assistance of the Organization. In view of that fact, and of the General Assembly resolution to which other representatives had referred, the Council was amply justified in making a favourable recommendation immediately.

127. The representative of CHILE, stressing the responsibility of the United Nations towards Libya, said that it was incumbent upon the Organization to help to maintain the independence of a country born under its auspices. The United Nations had given Libya its independence at a time when social and economic conditions in that country had been deplorable. Referring to various facts in that connexion, he said that the people of Libya must be given the right to speak and to vote so as to be able to demand that the United Nations should meet the responsibility it had undertaken towards them.

128. As for the allegations, expressed in the course of the sixth session of the General Assembly, that the Libyan Government was taking orders from other governments and had granted them certain bases, the representative of Chile said that he did not believe that the Libyan Government was taking orders. If Libya was actually dependent upon other Powers, its absence from the United Nations would merely increase its dependence. If it was not dependent, its absence would cause it to become so.

129. The representative of CHINA had no doubt about Libya's qualifications for membership and said that the admission of Libya was but the completion of the policy pursued by the United Nations with regard to that country.

130. The representative of TURKEY emphasized that Libya fulfilled the conditions for admission. He warned the members of the Council that failure to accomplish an obvious duty might have a more depressing effect than was realized on the hopes of millions of people and on world public opinion as a whole.

131. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS reiterated his delegation's view that Libya's application could not be regarded as a new one, since it had already been discussed both by the General Assembly and by the Security Council. He declared that the USSR had never opposed in the past and did not then oppose the admission of Libya to membership in the United Nations on the same basis as other, equally eligible, States. The USSR favoured the simultaneous admission to membership of the fourteen States, including Libya, whose applications had already been considered in the United Nations on several occasions, and categorically opposed the admission of certain selected States and the rejection of others. He declared that it must be perfectly clear that Libya had not yet been admitted solely because of the attitude adopted by the United States Government and those who followed its lead on that question. Had the United States and the countries following it adopted an objective and fair-minded attitude on the question of the admission of new Members, without discriminating against some States and favouring others, Libya would long since have received the positive recommendation of the Security Council.

132. He pointed out that the USSR delegation had already given the United States two opportunities to make good its pledge to vote in favour of Libya's admission at the first opportunity. The United States had

not only failed to take advantage of those opportunities to permit Libya to become a Member but, on the contrary, had twice voted against the proposal to admit Libya together with the other thirteen States which had applied for admission. It was no longer a secret that the United States supported the admission of only those countries which were already members of its aggressive bloc or which it considered as possible allies in case of war. The existence of military bases on Libyan territory and the position of Libya in the military plans of the United States were no longer a secret. The imperialistic colonial Powers were the ones responsible for the extreme poverty of Libya, to which the representative of Chile had referred.

133. The representative of the UNITED STATES OF AMERICA said that the repetition of the unrealistic condition laid down in the case of the application of Libya was apparently the only obstruction to the admission of that country. Referring to the various resolutions of the General Assembly on Libya, he said that membership in the United Nations was no more than that country deserved from the Organization, which was so intimately connected with the creation of Libya.

134. The representative of FRANCE said that Libya was a State which undoubtedly fulfilled all the conditions laid down by the Charter. He drew attention to the fact that his country had administered part of Libya for several years and to the role played by France in the development of that country. The friendly and good-neighbourly relations between France and Libya were an additional reason for his delegation's desire that the Council should unanimously recommend that Libya be admitted to membership.

135. The President, speaking as representative of BRAZIL, pointed out that the United Nations had sponsored and promoted the establishment of Libya as an independent State and urged that that work should not be undone by a vote or by a veto in the Council. He appealed to the USSR delegation to reconsider its position in the specific case of Libya, stating that he did not see why the USSR should not, as in the case of Indonesia, forego its so-called right of veto under the existing circumstances.

136. The representative of CHILE reiterated his belief that Libya, like all under-developed countries, could only emerge from its state of poverty and dependence with the decisive help of the United Nations and through effective participation in the Organization's activities.

137. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS declared that no mention of Indonesia had ever been made in the peace treaties, which did refer, however, to Libya and also to Italy, Bulgaria, Romania, Hungary and Finland. The USSR, the United States and the United Kingdom had undertaken in those treaties to support the applications of those States for membership in the United Nations. However, while the USSR respected the treaties, the United States violated them, and as long as it continued to do so, the Council would not be in a position to take a decision on the question of the admission of new Members, including Libya. The President should rather appeal to the United States to fulfil its obligations under the treaties and not to intervene in the domestic affairs of other States, and should urge the United States to be guided by the provisions of Article 4 of the Charter in considering applications for membership.



**Decision:** *At the 600th meeting on 16 September 1952 the Pakistan draft resolution recommending the admission of Libya (S/2483) was put to the vote. The result of the vote was 10 in favour and 1 against (USSR). The draft resolution was not adopted, the negative vote being that of a permanent member of the Council.*

#### APPLICATION OF JAPAN

138. At the 601st meeting (17 September) the representative of the UNITED STATES OF AMERICA said that the Japanese people had succeeded in their undertaking to rebuild a new Japan and had produced a new structure of government, bringing into leadership those who knew the ways of freedom and of peace. The application of Japan came as a logical consequence of the Treaty of Peace with Japan which had entered into effect on 28 April 1952, re-establishing Japan as a sovereign and independent State. Japan had recognized its duties as a member of the family of nations in declaring, in the preamble of the Treaty, its intention to apply for membership in the United Nations and in all circumstances to conform to the principles of the Charter. By its acts, Japan had shown that it honoured that pledge and had taken its place in the organized international community. He pointed out that Japan had co-operated with the United Nations in many fields. It had co-operated in combatting aggression by complying with the resolutions of the General Assembly and of the Security Council. It was a responsible member of most of the specialized agencies of the United Nations. His Government was of the opinion that Japan was a peace-loving State, able and willing to carry out its obligations under the Charter. As a State which lacked the necessary armaments for self-defence, Japan needed collective security as envisaged in the Charter. The United Nations needed that nation of 85 million people.

139. The representative of the UNITED KINGDOM declared that it was so obvious that Japan ought to be a Member of the United Nations that it was only necessary to say that his delegation considered that Japan qualified for membership since it was fully sovereign, peace-loving, and able and willing to carry out the obligations of the United Nations Charter.

140. The representative of the NETHERLANDS said that though the role of Japan in the Second World War could not be easily forgotten, his delegation hoped and believed that Japan, which had been restored as a sovereign nation, would adopt in its international relations ways and standards which would enable it to become and remain a loyal Member of the Organization. In that connexion, he pointed out that the Treaty of Peace with Japan, which his Government had signed and ratified, stated that Japan, even before becoming a Member of the United Nations, accepted the obligations contained in Article 2 of the Charter. He supported the United States draft resolution.

141. The representative of PAKISTAN recalled that his country was among the forty-eight countries that had signed and the twenty-five that had ratified the Treaty of Peace with Japan, which had been characterized by the Foreign Minister of Pakistan as a treaty of reconciliation and justice. During recent years the great Japanese people had dedicated themselves to new ideals and they had been working most sincerely to implement those ideals. Pointing out that any step taken in the direction of remedying the fact that certain countries in Asia were not yet represented in the United

Nations, provided it was in accordance with the Charter, was doubly welcome to his country, he said that his delegation had not the slightest doubt that Japan fulfilled the conditions of Article 4 of the Charter.

142. The representative of TURKEY said that Japan was a great and peace-loving country which fulfilled the conditions required by the Charter. He supported the United States draft resolution.

143. The representative of CHILE believed that the admission of Japan, which met the requirements set forth in Article 4, would serve the interests of all Members of the United Nations and particularly those of his own country, which was also situated on the Pacific Ocean, as well as those of the Japanese people. For those reasons, and because his country had ratified the peace treaty, which explicitly called for admission of Japan to the United Nations, he would vote in favour of the United States draft resolution.

144. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS reiterated his view that the time had not come to consider the application of Japan. Dealing with the current position of Japan as a State, he said that the principles that were to guide the governments of countries at war with Japan in their relations with that country had been laid down in such international agreements as the Cairo Declaration of 1943, the Potsdam Declaration of 1945 and the Yalta Agreement of 1945. The first of those principles had prohibited any revival of Japanese militarism, and the second had called for the removal of all the obstacles placed by that militarism in the way of the movement towards democracy among the Japanese people. Following Japan's surrender, the United States had nevertheless violated those recognized principles and had treated Japan as a conquered province. The USSR, guided by those principles, had repeatedly pressed for the rapid conclusion of a peace treaty with Japan on a democratic basis in the interests of the people rather than an imperialistic one. He said that Japan should be a peaceful democratic country and that it should enjoy peaceful relations on a basis of equality with other countries, and especially with its neighbours. Planning to convert Japan into an obedient instrument of its policy of aggression in the Far East, the United States had imposed upon Japan a separate peace treaty. That treaty, both in its content and the action taken to implement it, was not a peace treaty, but a treaty for the preparation of a new war. It contained no guarantees against the revival of Japan as an aggressive State, and no restrictions with regard to the size of the Japanese armed forces, whereas the peace treaties concluded with other States after the Second World War, especially that concluded with Italy, contained clear and precise provisions limiting the size of their armed forces. There was no justification for placing Japan in such a special, privileged position.

145. Describing the military, naval and air bases established in Japan by the United States and the extent to which Japan's resources and manpower were being used for the war in Korea, which was being conducted illegally by the United States under the flag of the United Nations, the USSR representative stated that the United States Government had grossly violated the international obligations which it had assumed jointly with other States and was doing everything possible to restore Japanese militarism, and to convert Japan and the Japanese war industry into a United States base and a military arsenal, thus inevitably creating a threat

to peace and security in the Far East. Japan was still under foreign military occupation, from which the Japanese people were suffering greatly. Progressive leaders were being persecuted mercilessly and the activities of democratic organizations were being suppressed. Since the aggressive war in Korea, the occupation of Japan had been intensified. It had become a dependent and, in fact, a colonial country. It was quite obvious that it could not be regarded as an independent and self-sufficient sovereign State since it had been deprived of all independence in both its internal and its external policy. Under the circumstances, Japan would not be in a position independently to fulfil the obligations incumbent on Members under the United Nations Charter.

146. Furthermore, by their action the ruling circles of the United States had imposed on Japan a separate peace treaty, thereby depriving Japan of the possibility of concluding a normal peace with its nearest neighbours, the USSR and the People's Republic of China. The United States was preventing the establishment of normal relations between Japan, on the one hand, and the Soviet Union and China, on the other, in order to keep Japan as a submissive and obedient tool for carrying out their aggressive policy against China, Korea, the USSR and the peoples of Asia and the Far East. Japan continued to be in a state of war with two States which were permanent members of the Security Council.

147. The USSR representative stated that the United States ruling circles were using not only Japanese war industries but also Japanese manpower for aggression against the Korean people. In those circumstances, Japan could not be regarded as a peaceful and peace-loving State. He concluded that it was quite obvious that Japan's application for admission was, to say the least, untimely. Its admission would cover up the United States policy in Japan and would also serve as a smoke-screen for the exploitation of Japan's manpower in the war against the Korean people. The United States Command was already using Japanese for that purpose, but was obliged to do so secretly. The admission of Japan to the United Nations would enable the United States openly to accept Japan as a co-participant in the aggression against Korea under the cover of "Japanese aid" to the United Nations. Admission of a country which had been deprived of its independence and sovereignty and had already been dragged into the war by the American aggressors would be not only harmful, but dangerous. It would also constitute a crude violation of the Charter. When the Japanese people and State were free, independent and sovereign and when Japan concluded normal peace treaties with the USSR and the People's Republic of China, it would be possible, under normal conditions and in accordance with normal procedure, to consider the question of its admission and accept it into the United Nations on the basis of free and equal relations.

148. The representative of CHINA declared that his Government had decided, in the midst of its resistance against Japanese aggression, that every effort should be made after the war to turn the Far East into a shining example of countries living as close neighbours and strong friends. The roads of peaceful endeavour were to be kept wide open to the Japanese people. For that reason, and because of the close bonds of blood and culture between his country and Japan, his delegation strongly supported the application of Japan. He stated that there was no desire in Japan for war,

although there was secret worry over the fact that the Yalta Agreement had placed the USSR power at the very door of Japan. Individual freedoms and standards of living in Japan, he considered, were on a par with the world level and were considerably superior to those existing in the countries behind the "iron curtain".

149. The representative of GREECE said that his country, one of those that had signed the Treaty of Peace with Japan and thus assumed a moral obligation to work for its admission to the United Nations, regarded Japan as fully qualified for membership in the United Nations. It was to be regretted that Japan was, from a strictly formal point of view, still at war with the USSR, but certainly Japan was not to be blamed for that state of affairs. In that connexion, he cited a report to the effect that the Japanese Foreign Office had indicated that Japan was ready to conclude a peace treaty with the USSR at any time.

150. The representative of FRANCE said that since the entry into effect of the Treaty of Peace of San Francisco, which his Government had signed and ratified, there was no doubt that Japan had recovered its full status and its full capacity as a sovereign and independent State. There was every reason to believe the assurances given by the Japanese Government dissociating itself from the past and affirming the determination of Japan to attune all the acts of its international life to the principles of peace and co-operation incorporated in the Charter of the United Nations. A democratic and peaceful Japan would make a valuable and fruitful contribution to the work of the United Nations.

151. The President, speaking as representative of BRAZIL, said that his delegation was fully satisfied that upon the signature of the Treaty of Peace, which his country had signed, Japan had regained its status as an independent and sovereign State. The time had come when every possible effort should be made to eliminate the remaining post-war factors that stood in the way of sound and stable international co-operation. The admission of Japan would ensure the fuller participation of Asia in the work of the United Nations. He regretted that the USSR, considering itself as still at war with Japan, seemed determined to oppose any settlement of the situation in the Far East.

152. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS replied that if the representative of Brazil could prevail upon the United States to withdraw its armed forces from Japan and to give that country and its people their complete freedom and independence, Japan would be admitted sooner to the United Nations on a free and equal footing with other States. In the position in which it then found itself, Japan could not become a Member of the United Nations.

153. At the 602nd meeting of the Council (18 September), the representative of the UNITED STATES OF AMERICA stated that what the USSR representative called a "separate peace treaty" was one signed by the forty-eight States, all of which were Members of the United Nations or applicants for membership. If the USSR was still at war with Japan, that was the wish of the Soviet Union. He recalled that the USSR had refused to become a party to the settlement reached with Japan, although it had sent a delegation to San Francisco ostensibly for the purpose of signing the treaty. As for the charge that Japan was still under foreign military occupation, he pointed out that the signatories of the peace treaty, including Japan, had

recognized that Japan, lacking the means of self-defence, could not exist in a power vacuum with the danger of aggression in the world. The treaty had therefore recognized that foreign armed forces might be stationed in Japan under agreement between one or more of the Allied Powers, on the one hand, and Japan, on the other. The Japanese people, clearly seeing the danger of aggression, had concluded a security pact with the United States, under which United States troops would be retained in Japan temporarily, until the danger had passed or until international peace and security had been assured under United Nations auspices or a collective security arrangement. Regarding the allegation that the United States was fostering the resurgence of militarism in Japan, he stated that Japan had only a national police reserve of some 75,000 men to maintain internal order and security, a force which was being expanded to 110,000 men. Its armed forces had been completely demobilized after its surrender in 1945. There had been no Japanese participation in the United Nations action in Korea. The USSR charges that Japan was undemocratic, that it was being tyrannized by the United States, that its sovereignty was subject to United States control and that it was therefore ineligible for membership, had already been repudiated by the members of the Security Council supporting Japan's admission.

154. The Soviet Union's opposition to Japan's application and its threat of a veto should, he said, strengthen the interest of those who had long considered improvement of the means of executing policies and principles under Chapter VI or the Charter, "Pacific Settlement of Disputes", and of the procedure for admitting new Members. In that connexion he recalled a statement made to the General Assembly on 17 September 1947 in which the Secretary of State of the United States had said that his Government would be willing to accept the elimination of the unanimity requirement with respect to matters arising under Chapter VI of the Charter and such matters as applications for membership.<sup>9</sup>

155. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS replied that the so-called lack of defence measures in Japan had been invented by the United States as an excuse to continue the occupation of Japan by United States forces. The myth of aggression on the part of the USSR was being exploited by the United States to frighten and deceive a number of countries including, in particular, Japan, in order to hold those countries in subjugation, impose on them conditions favourable for the United States monopolies, press them into military alliances and tie them up in a network of military and economic agreements. The USSR, however, was a peace-loving State and was not preparing to attack anyone. Whereas the USSR was fighting for peace, the United States had revived and strengthened Japanese militarism. In that connexion, he cited reports on the setting up of aviation schools in Japan and on the training of Japanese military pilots under United States instructors and press reports concerning the increase of the reserve Japanese police corps to a total of 300,000, including artillery and aircraft. He also cited figures on the purchase of war supplies from Japan by the American Army. Japan was included as one of the principal links in the United States aggressive bloc in the Pacific.

<sup>9</sup> See *Official Records of the General Assembly, Second Session, Plenary Meetings, volume I, 82nd meeting.*

156. There was no factual basis for the statement that the USSR had opposed the Treaty of Peace with Japan. The USSR representative at San Francisco had submitted six amendments calling respectively for the prohibition of the revival of Japanese militarism; for the withdrawal of foreign occupation forces and for the prohibition of the establishment of foreign military bases on Japanese soil; a provision that Japan should not be allowed to enter into coalitions or military alliances directed against any States which had taken part in the war against Japan; the settlement of territorial problems in strict conformity with the existing international agreements on that question; the ensuring of democratic rights and freedom for the Japanese people; and the unhampered development of peaceful Japanese industries, the development of Japan's trade with other countries and its access to sources of raw material. Although those amendments were fully in line with the Charter and with the principles of other treaties of peace with European countries, they had been opposed by the United States. In explanation of the United States opposition as regards the sixth amendment submitted by the USSR, the USSR representative cited figures indicating the extent of American control over, and exploitation of, Japanese industry and trade. It was in view of that control and exploitation that the USSR said that Japan had been turned into an American dependency. The Japanese people would not be misled as to who threatened them.

157. The remarks of the United States representative on the question of liberalizing the voting procedure of the Security Council meant that he wished to be able to impose any proposal favourable to the United States by manipulating a subservient majority. The "veto" had been provided for in the United Nations Charter so that no single permanent member of the Security Council would be able to turn the United Nations into its blind and obedient weapon, since such a situation was fraught with serious consequences for peace and international security. The United States representative's remarks were in fact aimed at destroying the United Nations. The fatal illness from which the United Nations was suffering was not caused by the veto; it was caused by the indiscriminate use which the United States was making of the mechanical majority it possessed. So long as that situation continued, there could be no solution to the question of the admission of new Members.

**Decision:** *At the 602nd meeting, on 18 September 1952, a vote was taken on the United States draft resolution recommending the admission of Japan (S/2754). There were 10 votes in favour and one against (USSR). The draft resolution was not adopted, the negative vote being that of a permanent member.*

#### APPLICATIONS OF VIETNAM, CAMBODIA AND LAOS, AND OF THE DEMOCRATIC REPUBLIC OF VIET-NAM

158. In addition to the three draft resolutions submitted by France proposing the admission of Viet-Nam, Laos and Cambodia, the Security Council had before it the following draft resolution (S/2773), which had been submitted by the representative of the USSR on 15 September 1952:

*"The Security Council,*

*"Having received and considered the application of the Democratic Republic of Vietnam for admission to membership in the United Nations (document S/2466),*

"Decides that in its opinion the Democratic Republic of Vietnam is a peace-loving State, which is able and willing to carry out the obligations contained in the Charter; and

"Recommends that the General Assembly should admit the Democratic Republic of Vietnam to membership in the United Nations".

159. The representative of FRANCE said that Viet-Nam, Cambodia and Laos had already been recognized, by the great majority of the governments represented on the Council, as sovereign and independent States associated with France. The State of Viet-Nam, successor to the ancient Empire of Annam, was one of the three States now forming the State of Indo-China. Placed under French protectorate by the Treaty of 1884, it had regained its full independence by the agreement of 8 March 1949. Dealing with a reference by the representative of the USSR (600th meeting) to the so-called "agreement of 6 March 1946", he stated that, in the text concerned, which had been a "preliminary convention", the French Government had recognized the principle of the independence and sovereignty of Viet-Nam; it had never withdrawn that recognition and all that it had done since had been to amplify its terms and solemnly confirm its scope. It had not been the fault of France if the government with which it had conducted negotiations in 1946 and with which it had subsequently signed the *modus vivendi* of 14 September 1946, had later violated the clauses of that instrument and, after progressively disintegrating, had ceased to be the qualified representative of the country and had become the spokesman of a minority group, finally taking refuge in the jungle, from which it directed the clandestine activities of its partisans. France had dealt with the State of Viet-Nam and not with the Vietminh party. It was that State whose independence and sovereignty it had recognized, and it was with the new Government of Viet-Nam, called to power by the failure and disappearance of the 1946 government, that it had concluded the instruments ratified by the French Parliament, which sanctioned its renunciation of the protectorate, defined the position of Viet-Nam in the French Union, and thus enabled Viet-Nam to take its place on a footing of equality as a free, sovereign and independent State in the community of nations. Viet-Nam had a government freely appointed by the Head of the State, national representation and its own administration and army. Its existence as an international entity had been recognized by more than thirty Powers. It had participated in the San Francisco Conference on the Treaty of Peace with Japan and belonged to many international bodies. Viet-Nam fulfilled the conditions of Article 4 of the Charter and was constantly proving its ability to carry out the obligations of the Charter by its efforts to organize the democratic foundations of the State, despite all the difficulties still caused by the action of subversive elements with foreign support.

160. The democratic constitution of the Kingdom of Laos had been proclaimed on 11 May 1947 and the treaty solemnizing its entry into the French Union as a free, sovereign and independent State had been signed on 19 July 1949. It had been recognized by more than thirty States, was a member of most of the specialized agencies and undoubtedly met the requirements of Article 4 of the Charter.

161. The Kingdom of Cambodia had had a constitutional democratic régime since 6 March 1947. The

Cambodian people had elected its legislative assembly in 1941 in free and proper elections, and its institutions were functioning normally throughout its territory. France had recognized the full independence and sovereignty of Cambodia, and associated States of the French Union, by the treaty of 8 November 1949. That example had since been followed by thirty-three States, with several of whom Cambodia entertained diplomatic relations. There was no doubt that Cambodia was fully qualified for admission.

162. In being the first to recognize those three States as free, sovereign and independent, the French Government had acted in the same spirit as had inspired the provisions of the Charter concerning the development of national institutions by Non-Self-Governing Territories. There was no better proof of the French Government's sincerity than its request for the admission of those States to the Organization, in which the relations of the three States with all Members and with France itself could be based solely on the principle of respect for sovereign equality, a principle on which their relations with all the members of the French Union and with all the States which had recognized them were already based.

163. The representative of GREECE regarded Viet-Nam, Laos and Cambodia as fully qualified for admission to the United Nations. They were peace-loving States which were able and willing to carry out the obligations contained in the Charter, and their admission was the more desirable because Asia was undoubtedly under-represented in the Organization.

164. The representative of the NETHERLANDS, reviewing the rapid emancipation of some of the peoples of South-East Asia since the Second World War, said that in Indo-China the people and the administering Power had been faced with an extremely difficult and complex situation, despite which the French administrators had laboured unceasingly to encourage local autonomy and to further the evolution of those nations towards statehood and independence. That work had proved a success. His Government was satisfied that Viet-Nam, Laos and Cambodia had attained a full measure of sovereignty and independence. It was convinced that they were peace-loving and considered that their admission to the Organization might contribute to the achievement of a just peace in their part of the world. It would also bring them into the growing system of collective security.

165. The representative of the UNITED KINGDOM said that his Government considered Viet-Nam, Cambodia and Laos fully qualified for membership. In their capacity as representatives of Asia, those States should be able to make a special and valuable contribution to the United Nations.

166. At the 603rd meeting (19 September), the representative of the UNITED STATES OF AMERICA, citing the constructive contributions made by Viet-Nam, Laos and Cambodia to the United Nations and to the principles of the Charter, said that those applicants had shown their desire to participate in and contribute to the development of international co-operation. The United States would support each of those three applications.

167. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS said that, as early as 1940, the French ruling circles had concluded an agreement with the Japanese imperialists, giving them full control over Indo-China and affording them every opportunity to

exploit the territory of Indo-China in the struggle against the Chinese people. Long before the outbreak of the war in the Pacific, France had thus renounced Indo-China. The answer of the people of Indo-China to that transfer from one colonizer to another had been a courageous, heroic struggle. The partisan army and the democratic front for the independence of Viet-Nam had been established in 1941. The strength of the movement had been such that the Japanese imperialists had had to set up a "puppet" national State under their control, headed by feudal and reactionary elements which had previously served the French colonizers. The territories liberated by the democratic front had been officially combined into a single liberated area. In Hanoi, on 19 August 1945, authority had passed into the hands of the National Liberation Committee, and on 25 August, Bao Dai, the puppet both of the French colonizers and of the Japanese, had been compelled to renounce the throne and recognize the Provisional Government of the Republic. The Democratic Republic of Viet-Nam had been proclaimed on 2 September 1945 and a Declaration of Independence had been adopted. The defeat and surrender of imperialistic Japan had made it possible to establish the authority of the Republican Government throughout Viet-Nam before the arrival of French and other foreign troops. In general elections held on 6 January 1946, 92 per cent of the electorate of the Republic had taken part. On 8 November 1946, a democratic constitution had been introduced embodying the achievement of the Viet-Nam people's struggle for liberation. The Viet-Nam people had taken up the task of peaceful construction. British and Kuomintang troops, however, had invaded Viet-Nam under the pretext of disarming the Japanese, and after them the French colonizers had returned and, with the help of British colonial troops, had begun a predatory colonial war to restore their suzerainty in Indo-China. Without sufficient forces at their disposal, and meeting with staunch resistance, the French authorities had been obliged to begin a series of manoeuvres. On 6 March 1946, the French Government had signed a formal agreement with the Government of the Republic of Viet-Nam under which the Republic had been recognized by France as a free State having its own Government, parliament, army and finances. France had also assumed the obligation not to allow the number of its troops in Viet-Nam territory to exceed 15,000 and to ensure that all French troops were withdrawn from Viet-Nam territory by April 1951. The treaty had soon been crudely violated by the French, who had initiated a widespread colonial war by an attack which had enabled them to seize several coastal towns, including Hanoi. As the result of national resistance, however, 90 per cent of the territory of Viet-Nam had been under the control of the Government of the Democratic Republic at the beginning of 1952. The Democratic Republic of Viet-Nam had established normal diplomatic relations with a number of countries.

168. Despite all the efforts of the French Government, with the support of the ruling circles of the United States, the puppet régimes set up by the French did not enjoy the support of the people. In that connexion, the USSR representative cited various French and United States Press reports concerning the hopelessness of the situation in Indo-China. Indeed, in its application for membership in the United Nations (S/2756) Bao Dai's Viet-Nam admitted that it had not been able to set up representative assemblies because of "circumstances beyond its control". Extra-

ordinary measures were therefore being taken to increase the authority of those puppet régimes, such as proposing their admission to membership in the United Nations. The French Command had been urged by the United States Secretary of State to establish a puppet military force in Indo-China so as to use the tried and proven colonial method of pitting Viet-Namese against Viet-Namese. It was not difficult to understand the attempt to have the Franco-American puppets in Indo-China admitted to the United Nations when those facts were considered. The ruling circles in the United States intended to use them as a screen behind which United States forces could openly and publicly be sent to participate in the aggressive war against the people of Viet-Nam, using the same technique as had been used against the Korean people. To admit those puppets would be a national insult to the people of Indo-China. The only State which could conceivably be considered for admission was the free and independent Democratic Republic of Viet-Nam, the Government of which had stated, in its application (S/2466) on 29 December 1951, that it was the only legitimate Government of Viet-Nam. It had been acknowledged as such by France under the treaty of 1946, which the French Government now disavowed.

169. The representative of CHINA praised France for having taken the step of restoring independence to Indo-China, a step which was viewed by his Government and people as part of the policy followed by the United States in restoring independence to the Philippines, by the United Kingdom in restoring independence to India, Pakistan, Ceylon and Burma, and by the Netherlands in restoring independence to Indonesia. Unfortunately, the new States of Viet-Nam, Laos and Cambodia faced difficulties. There was in Viet-Nam a rebellion inspired and sustained by international communism, the purposes and interests of which it was designed to serve. As those difficulties were removed, the energy of the three new States would be devoted more and more to peaceful development and they would rely less on the friendly aid of France. In so far as those difficulties were relevant to the debate, they argued for the admission of the three States because admission to membership in the United Nations would give them the moral encouragement and comfort deserved by any country or people struggling to be free.

170. The President, speaking as representative of BRAZIL, said that his delegation felt that there was no reason for delaying the admission of Viet-Nam, Laos and Cambodia. By admitting them, the United Nations would express its appreciation for, and give its endorsement to, the successful effort made by those Asian peoples towards a fuller participation, on an equal footing, in the normal, peaceful relations of the community of nations.

**Decision:** *At the 603rd meeting, on 19 September 1952, the French draft resolutions (S/2758, S/2759 and S/2760) recommending respectively the admission of Viet-Nam, Laos and Cambodia were put to the vote. In each case there were 10 votes in favour and 1 against (USSR). The draft resolutions were not adopted, the negative vote in each case being that of a permanent member of the Council.*

171. The representative of FRANCE considered that there was no need for the Council to consider the USSR draft resolution recommending the admission of a political faction completely lacking all the qualifications and characteristics which made the difference between



a government and a mere *de facto* Power. The parliament of that so-called government had been appointed in 1945 in conditions denounced at the time by all neutral observers and had never subsequently exercised the smallest measure of control over public affairs. All those who before 1946 had dared to oppose that so-called parliament had been arrested and had disappeared. What might remain of it represented only the Vietminh party, the sole party of a bogus State purged of all opposition. Furthermore, he considered that the Security Council's vote on the admission of the State of Viet-Nam constituted a moral sanction both of the existence of that State and of its right to represent the whole of the Viet-Nam nation in international matters. The vote should exclude any possibility of consideration of a draft resolution which, cloaked in non-justified claims, called upon the Council to vote on the candidacy of Viet-Nam for a second time.

172. The representative of the UNITED KINGDOM supported the position taken by the representative of France.

173. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS pointed out that the French Command reportedly kept 188,000 men in Indo-China. Moreover, the Viet-Nam Army Command had stated that over 200,000 enemy soldiers had been killed during the war of liberation against the foreign interventionists. He asked how a non-existent State, army, Government and people could require the presence of such a number of troops or how they could have killed so many. The most convincing argument in support of the application of the Democratic Republic of Viet-Nam was the fact that the French ruling circles, with the assistance of the United States of America, had waged an intensive armed struggle for over five years against the Democratic Republic and its people. That constituted a proof

of the existence of the Democratic Republic of Viet-Nam, of its army, Government and parliament and, above all, of its people.

174. The representative of CHINA said that he would vote against the USSR draft resolution because the persons who had submitted the application contained in document S/2446 had no right to make such an application.

**Decision:** *At the 603rd meeting, on 19 September, the USSR draft resolution (S/2773) recommending the admission of the Democratic Republic of Viet-Nam was rejected by 10 votes to 1 (USSR).*

175. The representative of the UNITED STATES OF AMERICA explained that he had voted against the draft resolution because the so-called Democratic Republic was not a State but simply a name given by Vietminh to their armed rebellion against organized authority.

176. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS stated that the United States of America was now bearing the main burden of the war against the people of Viet-Nam. That was why the Anglo-American bloc was voting against the admission of the Democratic Republic of Viet-Nam.

177. *At its 604th meeting (19 September) the Council decided to submit a special report to the General Assembly (A/2208)<sup>10</sup> on its discussion of the question of the admission of new Members, in accordance with resolution 506 (VI) of the General Assembly. It agreed that that report should state that the Council had not dealt with the applications of the Republic of Korea (S/2452) and of the Democratic People's Republic of Korea (S/2468).*

<sup>10</sup> See Official Records of the General Assembly, Seventh Session, Annexes, agenda item 19.

### Chapter 3

#### APPOINTMENT OF THE SECRETARY-GENERAL

178. With a letter dated 10 November 1952 (S/2846) Mr. Trygve Lie transmitted to the President of the Security Council the text of a letter (A/2253) which he had sent on the same day to the President of the General Assembly. In his letter to the President of the General Assembly he recalled that, in a confidential conversation on 11 September, he had informed the President that he had decided to submit his resignation as Secretary-General of the United Nations. It had been his intention to take that step at the opening of the seventh session of the General Assembly. However, he had delayed doing so until the arrival of the Ministers for Foreign Affairs of the permanent members of the Security Council, in the hope that agreement on the appointment of his successor would thereby be facilitated. He requested the President to propose the inclusion of the following new item in the agenda of the seventh session of the General Assembly: "Appointment of the Secretary-General of the United Nations".<sup>11</sup>

179. In letters dated 6 and 7 March 1953 (S/2948 and S/2947) the representatives of France and the

United Kingdom requested that a meeting of the Security Council should be summoned to consider the recommendation which the Council should make to the General Assembly on this question.

180. The Security Council considered the question at six private meetings held between 11 and 31 March 1953.

181. At the 612th meeting (11 March) the representative of the UNITED STATES OF AMERICA proposed that the Council should recommend the appointment of Brigadier General Carlos P. Rómulo as Secretary-General. The representative of the UNION OF SOVIET SOCIALIST REPUBLICS proposed that the Council should recommend the appointment of Mr. Stanislaw Skrzyszewski. The representative of DENMARK proposed that the Council should recommend the appointment of Mr. Lester B. Pearson.

**Decisions:** *At the 613th meeting on 13 March 1953 these three proposals were put to the vote by secret ballot, but none was adopted. The United States proposal received 5 votes in favour and 2 against, with 4 abstentions. The USSR proposal received 1 vote in favour and 3 against, with 7 abstentions. The Danish proposal received 9 votes in favour and 1 against (the negative vote being that of a permanent member), with 1 abstention.*

<sup>11</sup> The General Assembly decided, at its 396th plenary meeting held on 13 November 1952, to include the item in the agenda of its seventh session.

182. The Council then requested the permanent members to hold consultations concerning the recommendation for the appointment of the Secretary-General and to report to the Council by 3 p.m. on Thursday 19 March.

183. At the 614th meeting (19 March) the representative of the UNION OF SOVIET SOCIALIST REPUBLICS proposed that the Council should recommend the appointment of Mrs. Vijaya Lakshmi Pandit as Secretary-General.

**Decision:** *At the 614th meeting the USSR proposal was put to the vote by secret ballot and was not adopted, 2 votes being cast in favour and 1 against, with 8 abstentions.*

184. The Council requested the permanent members to continue their consultations and to report to the Council by 3 p.m. on 24 March.

185. The Council continued its consideration of the question at the 615th and 616th meetings (24 and 27 March). No nominations were made at those meetings.

186. After further consultations between the permanent members, the discussion was continued at the 617th meeting (31 March). The representative of FRANCE proposed that the Council should recommend the appointment of Mr. Dag Hammarskjöld as Secretary-General.

**Decision:** *At the 617th meeting the Council, voting by secret ballot, adopted the proposal of the representative of France by 10 votes to none, with 1 abstention.*

187. In a letter dated 31 March (S/2975) the President of the Security Council informed the President of the General Assembly of the Council's decision recommending to the Assembly that Mr. Dag Hammarskjöld be appointed as Secretary-General.<sup>12</sup>

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<sup>12</sup> At its 423rd plenary meeting, on 7 April, the General Assembly adopted the Security Council's recommendation that Mr. Dag Hammarskjöld be appointed as Secretary-General. Mr. Dag Hammarskjöld was installed as Secretary-General at the 426th plenary meeting on 10 April.

**PART III**  
**The Military Staff Committee**

**Chapter 4**

**WORK OF THE MILITARY STAFF COMMITTEE**

**A. The status of the work of the Military Staff Committee**

188. The Military Staff Committee has been functioning continuously under its draft rules of procedure during the period under review. It held a total of 26 meetings without making further progress on matters of substance.

**B. Letter dated 30 June 1953 from the Chairman of the Military Staff Committee addressed to the Principal Director in charge of Political and Security Council Affairs**

I have the honour to transmit herewith a copy of the letter which was sent to me by the USSR delegation in connexion with the drafting of the annual report on the work of the Military Staff Committee, which was the subject of my covering letter of 30 June 1953.

(Signed) M. PENETTE  
*Général de Brigade, French Army*  
*Chairman*  
*Military Staff Committee*

LETTER DATED 26 JUNE 1953 FROM THE ACTING CHIEF MILITARY REPRESENTATIVE OF THE USSR IN THE MILITARY STAFF COMMITTEE ADDRESSED TO THE CHAIRMAN OF THE MILITARY STAFF COMMITTEE

At the meeting of the Military Staff Committee on 25 June 1953, during the discussion of the report on the work of the Military Staff Committee (MS/704), the USSR delegation raised the question of the Chinese representation in the Military Staff Committee and made a statement on that question.

Taking into account the importance of this question, I would ask you, Mr. Chairman, to issue instructions that the above-mentioned statement of the USSR dele-

gation, the text of which is enclosed, be issued and included with the above-mentioned report of the Military Staff Committee.

(Signed) M. MARTINOV  
*Colonel, Soviet Army*  
*Acting Chief Military Representative*  
*of the USSR in the Military Staff*  
*Committee, U.N.*

STATEMENT MADE BY THE USSR DELEGATION AT THE MEETING OF THE MILITARY STAFF COMMITTEE, UNITED NATIONS, ON 25 JUNE 1953, ON THE QUESTION OF THE CHINESE REPRESENTATION IN THE SAID COMMITTEE

The Central People's Government of the Chinese People's Republic had stated in the past that it does not recognize the right of the representatives of the Kuomintang Group to represent China and to speak in the name of the Chinese people. The Central People's Government of China had stated that it considered the presence of the representatives of the Kuomintang Group in the organs of the United Nations as illegal and demanded their exclusion from these organs.

The USSR delegation in the Military Staff Committee supports this just demand of the Central People's Government of China.

At the same time the USSR delegation states that it does not recognize the Kuomintang General as a representative of China in the Military Staff Committee and considers his presence in the Committee as illegal.

The USSR delegation states that only persons appointed by the Central People's Government of the Chinese People's Republic can represent China in the Military Staff Committee as well as in the other organs of the United Nations.



## PART IV

### Matters brought to the attention of the Security Council but not discussed in the Council

#### Chapter 5

#### COMMUNICATIONS RELATING TO THE PALESTINE QUESTION

**A. Letter dated 2 September 1952 from the permanent representative of Israel to the President of the Security Council**

189. In a letter dated 2 September 1952 (S/2762) addressed to the President of the Security Council, the representative of Israel drew the Council's attention to pronouncements made by Colonel Shishakly, Chief of Staff of the Syrian Army and Deputy Prime Minister, on 15 and 16 August 1952, allegedly containing threats against the territorial integrity and independence of Israel.

**B. Report of the Chief of Staff of the Truce Supervision Organization concerning the decisions taken by the Mixed Armistice Commissions during the period 1 November 1951 to 30 October 1952**

190. In a letter dated 30 October 1952 (S/2833 and Add.1) the Chief of Staff of the Truce Supervision Organization submitted a report on the decisions taken by the Mixed Armistice Commissions during the period 1 November 1951 to 30 October 1952. The report also examined in some detail the complaints discussed within the four Mixed Armistice Commissions, namely, the Egyptian-Israel Mixed Armistice Commission, the Hashemite Jordan Kingdom-Israel Mixed Armistice Commission, the Israel-Lebanon Mixed Armistice Commission and the Israel-Syrian Mixed Armistice Commission.

**C. Letter dated 28 February 1952 from the Minister for Foreign Affairs of Syria concerning the report of the Chief of Staff of the Truce Supervision Organization**

191. In a letter dated 28 February 1953 (S/2956) the Minister for Foreign Affairs of Syria submitted to the Secretary-General his Government's comments upon the section of the Chief of Staff's report dealing with the Israel-Syrian Mixed Armistice Commission.

**D. Report concerning violation of the cease-fire in Jerusalem**

192. In a cabled report dated 8 May 1953 (S/3007 and Corr.1), the Chief of Staff of the Truce Supervision Organization described violation of the cease-fire in Jerusalem on 22 and 23 April and the action

taken by the Truce Supervision Organization in that connexion.

**E. Report on the results of the inspection held in the demilitarized zone of Mount Scopus**

193. In a letter dated 14 May 1953 (S/3015) the Chief of Staff communicated to the Secretary-General for transmission to the President of the Security Council a report on the results of the inspection held in the demilitarized zone of Mount Scopus on 28-30 April 1953.

**F. Cablegram dated 8 June 1953 from the Chief of Staff addressed to the Secretary-General transmitting a report on the Israel-Jordan Local Commanders Agreement**

194. In a cablegram dated 8 June 1953 (S/3030) the Chief of Staff informed the Security Council that conversations between Israel and Jordan delegates to the Mixed Armistice Commission had resulted in the conclusion, on the same date, of an Israel-Jordan Local Commanders Agreement with a view to suppressing illegal crossing of the demarcation line.

**G. Cablegram dated 19 June 1953 from the Chief of Staff of the Truce Supervision Organization addressed to the Secretary-General**

195. In a cablegram dated 19 June 1953 (S/3040) addressed to the Secretary-General, the Chief of Staff of the Truce Supervision Organization transmitted, for the information of the Security Council, the text of a letter dated 16 June 1953 addressed to him by the Acting Director General of the Israel Ministry for Foreign Affairs concerning the demilitarized area of Mount Scopus.

**H. Cablegram dated 30 June 1953 from the Chief of Staff of the Truce Supervision Organization addressed to the Secretary-General transmitting a report for the Security Council**

196. In a cablegram dated 30 June 1953 (S/3047) Major-General Vagn Bennike, Chief of Staff of the Truce Supervision Organization, informed the Security Council of an agreement made at a meeting on 29 June between the Senior Military Commanders of Israel and Jordan that both parties would take certain measures to curb infiltration.

## COMMUNICATIONS RELATING TO THE KOREAN QUESTION

NOTE: As indicated in the Council's annual report for the period 16 July 1950 to 15 July 1951 (A/1873), the item: "Complaint of aggression upon the Republic of Korea" was removed from the agenda of the Council on 31 January 1951.<sup>13</sup> Communications relating to the Korean question received between that date and 15 July 1952 were dealt with in the reports covering that period (A/1873 and A/2167).

197. During the period covered by the present report, the representative of the United States of America continued to transmit to the Council reports on the course of action taken under the United Nations Command, including information on the armistice negotia-

<sup>13</sup> See *Official Records of the General Assembly, Sixth Session, Supplement No. 2*, chapter 4, section E.

tions which had commenced on 10 July 1951 between representatives of the opposing military commanders in Korea, and which led to the signing, on 8 June 1953, of an agreement on the question of the exchange of prisoners of war. *Communiqués* issued by the headquarters of that Command also continued to be received from the representative of the United States of America during the period under review.

198. By a note dated 1 April 1953 (S/2979), the delegation of the Union of Soviet Socialist Republics to the United Nations transmitted to the Council the text of report No. 5 from the Commission of the Central Committee of the United Democratic National Front of Korea, charging the United States and Republic of Korea forces with perpetrating atrocities in Korea.

## Chapter 7

## COMPLAINT OF FAILURE BY THE IRANIAN GOVERNMENT TO COMPLY WITH PROVISIONAL MEASURES INDICATED BY THE INTERNATIONAL COURT OF JUSTICE IN THE ANGLO-IRANIAN OIL COMPANY CASE

199. As indicated in the last annual report of the Security Council (A/2167), the Security Council decided at the 565th meeting on 19 October 1951 to adjourn debate on the agenda item "Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company case" until the International Court of Justice had ruled on its own competence in the matter of the proceedings instituted in that Court on 26 May 1951 by the United Kingdom of Great Britain and Northern Ireland in connexion with the application of the Agreement of 1933 between the Imperial Government of Persia and the Anglo-Persian Oil Company Ltd.<sup>14</sup>

<sup>14</sup> See *Official Records of the General Assembly, Seventh Session, Supplement No. 2*, chapter 3, section D.

200. On 19 August 1952 the Secretary-General communicated to the members of the Security Council for their information a copy of the judgment of the International Court of Justice,<sup>15</sup> given on 22 July 1952, in which the Court, by 9 votes to 5, found that it had no jurisdiction in the case (S/2746). It was noted that the Court's Order of 5 July 1951 indicating Provisional Measures of Protection in the Anglo-Iranian Oil Company case (S/2239) ceased to be operative upon delivery of this judgment and that the Provisional Measures lapsed at the same time.

<sup>15</sup> Anglo-Iranian Oil Company case (jurisdiction), Judgment of 22 July 1952: I.C.J. Reports 1952, page 43.

## Chapter 8

## REPORT ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS

201. By letter to the Secretary-General dated 2 April 1953 (S/2978), the representative of the United States of America notified the Security Council that, effective 2 April 1953, Bikini Atoll in the Trust Territory of the Pacific Islands was closed for security reasons pursuant to the provisions of the Trusteeship Agreement in order that the United States Government might conduct necessary atomic experiments. Entrance into the closed area would be in accordance with such

regulations as the United States Government might prescribe.

202. On 17 April 1953, the Secretary-General transmitted to the Security Council the report on the Trust Territory of the Pacific Islands (S/2989) for the period from 1 July 1951 to 30 June 1952 received from the representative of the United States of America to the United Nations.

## **Chapter 9**

### **A REPORT OF THE ADMINISTRATION OF THE BRITISH-UNITED STATES ZONE OF THE FREE TERRITORY OF TRIESTE**

203. By letter dated 30 September 1952 (S/2794) addressed to the President of the Security Council, the representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America transmitted a report on the administration of the British-United States Zone of the Free Territory of Trieste. The report covered the period from 1 January to 31 December 1951.

## **Chapter 10**

### **QUESTION OF AN APPEAL TO STATES TO ACCEDE TO AND RATIFY THE GENEVA PROTOCOL OF 1925 FOR THE PROHIBITION OF THE USE OF BACTERIAL WEAPONS**

204. In a note dated 1 October 1952 (S/2802) the representative of the USSR requested the Secretariat to issue as a document of the Security Council and to communicate to all delegations to the United Nations a "Report of the International Scientific Commission for the investigation of the facts concerning bacterial warfare in Korea and China", which his delegation had received from the Secretariat of the World Peace Council.

## **Chapter 11**

### **REPORT OF THE DISARMAMENT COMMISSION**

205. By a letter dated 13 October 1952 (S/2812), addressed to the Secretary-General, the Chairman of the Disarmament Commission, pursuant to paragraph 7 of General Assembly resolution 502 (VI), transmitted to the Security Council the Commission's second report concerning its work.

## **Chapter 12**

### **REPORT OF THE COLLECTIVE MEASURES COMMITTEE**

206. In October 1952 the Collective Measures Committee, established by General Assembly resolution 377 A (V) (section D) of 3 November 1950 and continued under General Assembly resolution 503 A (VI) of 12 January 1952, submitted its second report to the Security Council and the General Assembly (A/2215).<sup>16</sup>

<sup>16</sup> See *Official Records of the General Assembly, Seventh Session, Supplement No. 17*.

## **Chapter 13**

### **APPOINTMENT OF THE MEMBERS OF THE PEACE OBSERVATION COMMISSION**

207. By letter of 20 November (S/2858), the Secretary-General transmitted for the information of the Security Council the text of resolution 696 (VII) adopted by the General Assembly on 6 November 1952, reappointing for the calendar years 1953 and 1954 the same fourteen members of the Peace Observation Commission, established by General Assembly resolution 377 A (V) (section B) of 3 November 1950. The terms of reference of the Commission remained unchanged.

## **Chapter 14**

### **COMMUNICATION FROM THE PERMANENT REPRESENTATIVE OF GUATEMALA TO THE UNITED NATIONS**

208. By letter dated 1 April 1953, addressed to the Secretary-General, the permanent representative of Guatemala described a series of developments since the Guatemalan revolution of 1944 amounting to open hostility and a threat of intervention in the internal affairs of the Republic of Guatemala. Copies of this communication have been transmitted to all Member States and to the members of the Security Council.

209. By letter dated 15 April (S/2988), the permanent representative of Guatemala to the United Nations requested that the above-mentioned communication should be laid before the Security Council as a body at its next meeting so that high authority might take note of the developments described therein.

## APPENDICES

### I. Representatives and deputy, alternate and acting representatives accredited to the Security Council

The following representatives and deputy, alternate and acting representatives were accredited to the Security Council during the period covered by the present report:

#### *Brazil*<sup>17</sup>

M. João Carlos Muniz  
M. Alvaro Teixeira Soares

#### *Chile*

Sr. Hernán Santa Cruz  
Sr. Rudecindo Ortega Masson  
Señora Ana Figueroa  
Sr. Alfredo Lea Plaza  
Sr. Horacio Suárez  
Sr. Gonzalo Montt

#### *China*

Dr. Tingfu F. Tsiang  
Dr. C. L. Hsia  
Dr. Shuhsi Hsu  
Mr. Chiping H. C. Kiang

#### *Colombia*<sup>18</sup>

Dr. Evaristo Sourdis  
Dr. Carlos Echeverri-Cortes  
Sr. Eduardo Carrizosa

#### *Denmark*<sup>18</sup>

Mr. William Borberg  
Mr. Birger Dons Moller

#### *France*

M. Henri Hoppenot  
M. Francis Lacoste (until 22 April 1953)  
M. Charles Lucet (from 22 April 1953)  
M. Pierre Ordonneau

#### *Greece*

M. Alexis Kyrrou  
M. Stavros G. Roussos

<sup>17</sup> Term of office ended on 31 December 1952.

<sup>18</sup> Term of office began on 1 January 1953.

#### *Lebanon*<sup>19</sup>

Dr. Charles Malik  
Dr. Karim Azkoul  
M. Edward Rizk

#### *Netherlands*<sup>20</sup>

Mr. D. J. von Balluseck  
Dr. J. M. A. H. Luns  
Baron D. W. van Lynden

#### *Pakistan*

Prof. Ahmed S. Bokhari  
Mr. M. Asad (until 31 October 1952)  
Mr. Syed Itaat Husain (until 17 June 1953)  
Mr. A. H. B. Tyabji (until 31 October 1952)  
Dr. V. A. Hamdani

#### *Turkey*<sup>20</sup>

M. Selim Sarper  
M. Adil Derinsu

#### *Union of Soviet Socialist Republics*

Mr. Yakov A. Malik  
Mr. Valeryan A. Zorin  
Mr. Andrei Y. Vyshinsky  
Mr. Semen K. Tsarapkin

#### *United Kingdom of Great Britain and Northern Ireland*

Sir Gladwyn Jebb  
Mr. J. E. Coulson  
Mr. P. M. Crosthwaite

#### *United States of America*

Mr. Warren R. Austin  
Mr. Henry Cabot Lodge, Jr.  
Mr. Ernest A. Gross  
Mr. John C. Ross  
Mr. James J. Wadsworth

<sup>19</sup> Term of office began on 1 January 1953.

<sup>20</sup> Term of office ended on 31 December 1952.

### II. Presidents of the Security Council

The following representatives held the office of President of the Security Council during the period covered by the present report:

#### *United Kingdom of Great Britain and Northern Ireland*

Sir Gladwyn Jebb (16 to 31 July 1952)

#### *United States of America*

Mr. Warren R. Austin (1 to 31 August 1952)

#### *Brazil*

M. J. C. Muniz (1 to 30 September 1952)

#### *Chile*

Mr. H. Santa Cruz (1 to 31 October 1952)

#### *China*

Dr. T. F. Tsiang (1 to 30 November 1952)

#### *France*

M. H. Hoppenot (1 to 31 December 1952)

#### *Greece*

M. A. Kyrrou (1 to 31 January 1953)

#### *Lebanon*

Dr. Charles Malik (1 to 28 February 1953)

#### *Pakistan*

Prof. Ahmed S. Bokhari (1 to 31 March 1953)

#### *Union of Soviet Socialist Republics*

Mr. A. Y. Vyshinsky (1 to 30 April 1953)

#### *United Kingdom of Great Britain and Northern Ireland*

Sir Gladwyn Jebb (1 to 31 May 1953)

#### *United States of America*

Mr. Henry Cabot Lodge, Jr. (1 to 30 June 1953)

#### *Chile*

Mr. R. Ortega Masson (1 to 15 July 1953)

### III. Meetings of the Security Council during the period from 16 July 1952 to 15 July 1953

Meeting	Subject	Date	Meeting	Subject	Date
592nd (private)	Report of the Security Council to the General Assembly	August 19 1952	608th	The India-Pakistan question	December 8 1952
593rd (private)	Report of the Security Council to the General Assembly	26 September 1952	609th	The India-Pakistan question	16
594th	Admission of new Members	2	610th	The India-Pakistan question	23
595th	Admission of new Members	3	611th	The India-Pakistan question	23
596th	Admission of new Members	5	612th (private)	Recommendation for the appoint- ment of the Secretary-General of the United Nations	March 11 1953
597th	Admission of new Members	8	613th (private)	Recommendation for the appoint- ment of the Secretary-General of the United Nations	13
598th	Admission of new Members	10	614th (private)	Recommendation for the appoint- ment of the Secretary-General of the United Nations	19
599th	Admission of new Members	12	615th (private)	Recommendation for the appoint- ment of the Secretary-General of the United Nations	24
600th	Admission of new Members	16	616th (private)	Recommendation for the appoint- ment of the Secretary-General of the United Nations	27
601st	Admission of new Members	17	617th (private)	Recommendation for the appoint- ment of the Secretary-General of the United Nations	31
602nd	Admission of new Members	18			
603rd	Admission of new Members	19			
604th	Admission of new Members	19			
		October 1952			
605th	The India-Pakistan question	10			
		November 1952			
606th	The India-Pakistan question	6			
		December 1952			
607th	The India-Pakistan question	5			

### IV. Representatives, Chairmen and Principal Secretaries of the Military Staff Committee

(16 July 1952 to 15 July 1953)

#### REPRESENTATIVES OF EACH SERVICE

<i>Delegation of China</i>	<i>Period of Service</i>
Lt.-General Ho Shai-lai, Chinese Air Force	19 June 1953 to present time
Commodore Kao Ju-fon, Chinese Navy	16 July 1952 to present time
<i>Delegation of France</i>	
Général de brigade M. Penette, French Army	16 July 1952 to present time
Commandant L. Le Gelard, French Air Force	16 July 1952 to 27 April 1953
Capitaine de frégate P. Mazoyer, French Navy	16 July 1952 to 10 September 1952
Capitaine de frégate M. Sanoner, French Navy	11 September 1952 to present time
<i>Delegation of the Union of Soviet Socialist Republics</i>	
Major-General Ivan A. Skliarov, Soviet Army	16 July 1952 to present time
Lt.-General A. R. Sharapov, USSR Air Force	16 July 1952 to present time
<i>Delegation of the United Kingdom of Great Britain and Northern Ireland</i>	
Major General W. A. Dimoline, British Army	16 July 1952 to present time
Group Captain A. M. Montagu-Smith, R.A.F.	16 July 1952 to 17 June 1953
Air Vice Marshal J. D. Breakey, R.A.F.	18 June 1953 to present time
Commander R. H. Graham, R.N.	16 July 1952 to present time
<i>Delegation of the United States of America</i>	
Lt.-General Willis D. Crittenberger, United States Army	16 July 1952 to 31 December 1952
Lt.-General W. A. Burress, United States Army	1 January 1953 to present time
Vice-Admiral A. D. Struble, United States Navy	16 July 1952 to present time
Lt.-General H. R. Harmon, United States Air Force	16 July 1952 to 30 June 1953
Lt.-General L. W. Johnson, United States Air Force	1 July 1953 to present time

## CHAIRMEN AND PRINCIPAL SECRETARIES

<i>Meeting</i>	<i>Date</i>	<i>Chairman</i>	<i>Principal Secretary</i>	<i>Delegation</i>
	1952			
186th	July 24	Commodore Kao Ju-fon, CN	Major Shaw Ming-kao, CA	China
	August			
187th	7	Général de brigade M. Penette	Commandant Georges Brochen	France
188th	21	French Army	French Army	
	September			
189th	4	Colonel M. G. Martinov	Colonel P. T. Gituljar	Union of Soviet
190th	18	Soviet Army	Soviet Army	Socialist Republics
	October			
191st	2	Major General W. A. Dimoline	Group Captain A. M. Montagu-Smith	United Kingdom
192nd	16	British Army	R.A.F.	
193rd	30			
	November			
194th	13	Lt.-General Willis D. Crittenberger	Colonel C. E. Leydecker	United States of
195th	26	USA	USA	America
	December			
196th	11	Commodore Kao Ju-fon, CN	Major Shaw Ming-kao, CA	China
197th	23			
	January			
198th	8	Général de brigade M. Penette	Commandant Georges Brochen	France
199th	22	French Army	French Army	
	February			
200th	5	Colonel M. G. Martinov	Colonel P. T. Gituljar	Union of Soviet
201st	19	Soviet Army	Soviet Army	Socialist Republics
	March			
202nd	5	Major General W. A. Dimoline, British Army	Group Captain A. M. Montagu-Smith	United Kingdom
203rd	19	Group Captain A. M. Montagu-Smith, R.A.F.	R.A.F.	
	April			
204th	2	Lt.-General H. R. Harmon, USAF	Colonel C. E. Leydecker, USA	United States of
205th		Vice Admiral A. D. Struble, USN		America
206th	30			
	May			
207th	14	Commodore Kao Ju-fon, CN	Major Shaw Ming-kao, CA	China
208th	28			
	June			
209th	11	Général de brigade M. Penette	Commandant Georges Brochen	France
210th	25	French Army	French Army	
	July			
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