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**Chairman: Mr. Mario AMADEO (Argentina).**

AGENDA ITEM 20

The Korean question: reports of the United Nations Commission for the Unification and Rehabilitation of Korea (A/4900 and Add.1, A/C.1/858, A/C.1/859, A/C.1/860, A/C.1/861, A/C.1/862, A/C.1/L.300, A/C.1/L.302, A/C.1/L.303, A/C.1/L.304, A/C.1/L.305)

1. The CHAIRMAN opened the debate on agenda item 20 and welcomed the representative of the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK), Mr. Arreglado, to the Committee table.

2. Mr. TSEVEGMID (Mongolia) said that the situation in the Korean peninsula, aggravated by the presence of foreign troops in the territory of South Korea and by the accession to power of a fascist military clique, urgently called for measures to ensure peace and security in the Far East. Mongolia, as an Asian country, could not view with indifference the dangerous turn events were taking; but the parties principally concerned were the peoples of the Democratic People's Republic of Korea and the Republic of Korea. Accordingly, in order that just decisions might be taken quickly to help strengthen peace and security in the Far East and assist the Korean people to solve its domestic problems, his delegation proposed that representatives of the two Korean States should be invited to take part in the consideration of the Korean question. It had submitted a very simple draft resolution to that effect (A/C.1/L.300).

3. The United States delegation, however, in its draft resolution (A/C.1/L.304), did not propose that a representative of the Democratic People's Republic of Korea should be invited to attend, although the existence of two Korean States had been recognized by the United Nations, which, in the spring of 1961, had invited those two States to take part in the discussion on the Korean question at the resumed fifteenth session of the General Assembly. The United States itself recognized the existence of the Democratic People's Republic of Korea, since it was mentioned in the United States draft resolution. As to the legitimacy of one or the other of the two States, there was certainly reason to doubt whether the military fascist régime that had assumed power after a military "coup d'état", dismissed Parliament and prohibited the activities of all

political parties, represented the population of South Korea. However, since that régime was in power, its representative would have to be heard. The Government of the Democratic People's Republic, for its part, had been chosen by the people and served its interests. It was justified in demanding that its representatives should take part in the discussion of the Korean question.

4. With regard to the undertaking which the United States delegation thought the Democratic People's Republic of Korea should assume before being permitted to send a representative, it was difficult to understand why that State should be bound in advance by any obligation other than that of complying with the provisions of the Charter of the United Nations. The Government of the Democratic People's Republic quite properly refused to accept any resolution which had been adopted by the Assembly without its participation and which was contrary to the interests of the Korean people. That attitude was perfectly consistent with the Charter. A State that had declared its acceptance of the provisions of the Charter had no need to make any further statements about its conduct, for the Charter nowhere provided that a State not a Member of the United Nations should not be allowed to express its views in the General Assembly unless it undertook in advance to accept Assembly resolutions adopted in defiance of its interests and of the Charter and without its own participation. In the telegram he had addressed to the President of the General Assembly on 17 April 1961 (A/C.1/838), the Minister of Foreign Affairs of the Democratic People's Republic of Korea had confirmed that his Government had always respected and supported the Charter of the United Nations. What more could be asked of the Government of an independent and peace-loving State?

5. The Mongolian delegation hoped that the great majority of delegations would recognize the necessity of inviting representatives of both Korean States to take part in the discussions.

6. The CHAIRMAN suggested that the question of the invitation to be sent to the representatives of the two countries concerned should be dealt with first. When that preliminary question had been decided, the Committee would consider the substance of the Korean question.

7. Mr. YOST (United States of America) recalled that since 1948 the United Nations had had a special responsibility with regard to the Republic of Korea, which alone had a lawful Government based on free and properly conducted elections that had been observed by the United Nations. In 1950, the United Nations had come to the aid of the young Republic when it had been threatened with extinction by armed aggression from the north. The United Nations Korean Reconstruction Agency had helped to repair the ravages of that aggression. The Republic of Korea, for its part, had repeatedly expressed its support for the principles

of the United Nations Charter and unequivocally accepted the competence and authority of the United Nations in settling the question of Korean reunification. That position had been reaffirmed by Choi Duk-Shin, the Minister for Foreign Affairs, on 24 October 1961. But the régime in power in North Korea, instead of participating from the very beginning in the development of a united and peaceful republic, had denied United Nations competence, refused United Nations representatives access to the territory over which it exercised its authority, attacked the United Nations for its role in Korea and carried on an aggressive war against United Nations forces for a period of three years, with enormous loss of life and enormous damage in both North and South. It had not modified its attitude even when, at the fifteenth session of the Assembly, it had sought to participate in the discussion of the Korean question. Invited to accept unequivocally the competence and authority of the United Nations as a condition for its participation, it had maintained its position in a most discouraging reply (A/C.1/838). Its most recent communications indicated no change of views. In those circumstances, the presence of representatives of the North Korean régime would make a mockery of the Committee's deliberations. The point was not, as the Mongolian representative had suggested, that the North Korean régime had accepted the Charter, or that it should not be obliged to accept in advance decisions of the United Nations, but simply that it had not accepted the competence and authority of the United Nations to deal with the Korean question. For those reasons the United States delegation had submitted its draft resolution (A/C.1/L.304).

8. Mr. ZORIN (Union of Soviet Socialist Republics) said that it was improper for the United States representative to express doubts concerning the stability or legitimacy of the Government of the Democratic People's Republic of Korea. That Government had been elected by the Korean people and had succeeded, within the space of a few years, in bringing order and prosperity to the country; the same could certainly not be said of the fascist military dictatorship which was maintaining itself in power in South Korea with the support of the United States and of the United Nations Commission for the Unification and Rehabilitation of Korea. When the Committee took up the substance of the matter, his delegation would give a detailed account of the political events which had taken place in South Korea and would call attention to the intolerable attitude taken by UNCURK.

9. The position of the United States delegation was completely illogical. At the previous session, that delegation had appeared to feel that the Korean question could not be discussed without the participation of the Democratic People's Republic. Now, however, it was maintaining from the outset that the debate could take place even if that part of the country was not represented in the Committee. If the United States delegation was reversing its position, that was no reason for the United Nations to follow suit. The United States had, of course, asserted that the Government of the Democratic People's Republic had rejected the proposals for its participation and that its reply had been discouraging. But it was clearly stated in that reply (A/C.1/838) that the Government of the Democratic People's Republic of Korea "has always respected and supported the United Nations Charter" and that it would send a representative if the Korean question was discussed in the United

Nations. Thus, the reply was in no sense negative or discouraging. The Government of the Democratic People's Republic had, it was true, added that it would not recognize "any unjust resolution adopted in the United Nations without the participation and approval of its representative"; but that was not an unreasonable statement for the Government of an independent, sovereign State to make.

10. It was difficult to see how measures relating to a country could be discussed in the absence of that country's representatives or how the two parts of a country could be united if their representatives were not asked on what terms they would agree to unification. Many representatives in the Committee, particularly those of the new Member States, failed to understand how it was possible to pretend to be unaware of the existence of a Government which was to be the subject of discussion. In point of fact, the United States was still seeking to prevent any discussion of the substance of the Korean question, even though the Government of the Democratic People's Republic of Korea had clearly indicated its willingness to take part in such a discussion. Obviously, however, that Government could not pledge itself in advance to recognize and respect decisions taken without its consent or, *a fortiori*, in its absence.

11. The Committee now had before it a new communication (A/C.1/861), in which the Government of the Democratic People's Republic requested the right to take part in the discussion of the Korean question. That was a perfectly legitimate request, which must be granted if an objective debate was to be held. Despite the events that had taken place in South Korea, events which cast doubt on the legitimacy of the régime established in that part of the country, Mongolia was taking a realistic attitude in proposing in its draft resolution (A/C.1/L.300) that representatives of the Democratic People's Republic of Korea and of the Republic of Korea should be invited to take part in the discussion of the Korean question without right of vote. His delegation urged all members of the Committee to vote for that reasonable proposal, which would open the way to an equitable solution of the problem.

12. The amendments proposed by Greece and Thailand (A/C.1/L.306) to that draft resolution prejudged the position of the Government of the Democratic People's Republic of Korea with regard to its participation in the debate, and would in fact serve to prevent that Government from being represented—which was contrary to the principles of the United Nations Charter and to common sense. His delegation would therefore vote against the amendments.

13. Mr. PLIMSOLL (Australia) said that he disagreed with the views expressed by the Mongolian and Soviet representatives concerning the South Korean Government and the authorities in North Korea. The United Nations had been trying to solve the Korean problem for the past fourteen years. In 1947, when North Korea had been under Soviet occupation and South Korea under United States occupation, the General Assembly had attempted to transform the country into a unified, democratic and peaceful State. It had established for that purpose the United Nations Temporary Commission on Korea, composed of representatives of many countries with different political systems. Since the Commission, which had been able to operate freely in South Korea, had not been permitted to enter North Korea, a Government had been established in the South

following elections observed by the United Nations and recognized by the General Assembly. At about the same time, a Government had been established in the North without international observation of any kind. Thus, since 1948 the country had been divided into two parts: one under United Nations observation and the other an area from which the United Nations was totally excluded.

14. The United Nations could not, of course, be held responsible for the actions of the Korean people. It could only use its influence in an effort to create conditions in which States and peoples could exist. However, UNCURK had at least been able to submit detailed reports each year on conditions in South Korea, and even those who were opposed to the régimes in South Korea could cite the Commissions's reports, whereas no information was available on conditions in North Korea. Moreover, the North Korean authorities had committed an act of aggression in 1950 by invading South Korea, and the United Nations, acting in pursuance of Security Council resolutions, had assisted the South Korean people. Thus, the North Korean Government had not merely excluded the United Nations from its territory; it had waged war against the United Nations.

15. Today, as compared with 1947 when the United Nations first took up the Korean question, it was becoming increasingly difficult to create a unified, peaceful and democratic Korea now that a particular political philosophy had been imposed in North Korea. That situation was primarily due to the inability of United Nations representatives to make contact with the North Korean authorities, to send representatives into North Korea, or to bring about contacts between representatives in the two parts of the country. He questioned the desirability of seating in the Committee representatives of a régime which had consistently defied the United Nations. His delegation therefore supported the United States draft resolution (A/C.1/L.304); on the other hand, it would be obliged to vote against the Mongolian draft resolution (A/C.1/L.300). The amendments proposed by Greece and Thailand (A/C.1/L.306) appeared to be directed towards objectives which his delegation would support.

16. Mr. BITSIOS (Greece) noted that the Committee had already set a precedent, with regard to participation in its work by the Republic of Korea, in a uniform series of resolutions showing clearly and unequivocally the course to be taken. However, there were still difficulties in connexion with participation by the North Korean régime. The question had only been partly settled by the decision taken by the Committee at the fifteenth session (1146th meeting) because, in the opinion of several delegations, including his own, which thought the principle of legitimacy extremely important, there were many reasons other than those reflected in the resolution of 12 April 1961 (A/C.1/837) why the North Korean authorities should not participate in the discussions. In any case, the condition laid down by the Committee was a minimum condition. Yet certain delegations had expressed doubts—which had been repeated at the present meeting—about the justice of and reason for that condition *sine qua non*, on the pretext that preliminary conditions had never before been laid down for participation in a debate by an interested party without the right to vote. That might be true, but it was also true that no party had ever before claimed—as the North Korean authorities had done in their reply of 17 April 1961 (A/C.1/838)—a "fair and square" right to take part in

the Committee's discussions, while denying the competence and authority of the United Nations to deal with the subject of those discussions. Moreover, under Article 35, paragraph 2, of the Charter of the United Nations, parties to a dispute were required to accept in advance the obligations of pacific settlement provided in the Charter. As the representative of Cyprus had pointed out at the fifteenth session (1143rd meeting), it was necessary to know whether both parties were ready to give an assurance that they would accept and implement the resolutions of the Committee and of the Assembly, because any party appearing as a litigant before a court was presumed on that account to recognize the jurisdiction of that court and to be willing to accept its decisions.

17. In the reply it had sent on 17 April 1961 (A/C.1/838), the North Korean régime had stated: "To attach any condition in inviting a party concerned to participate in the discussion of questions in the United Nations is a shameful act, which has no precedent in the history of the United Nations, and an unjust action entirely running counter to the principles of the United Nations". Apart from its lack of respect and courtesy towards the Assembly, that sentence revealed the mentality of its authors and proved how wise the decision to make that preliminary condition had been. It was not hard to imagine the probable effects of unconditional participation by a régime which presumed to teach the Committee how to interpret the history of the Organization and to apply the principles of the Charter. It was true that the North Korean régime said in its reply that it had always respected and supported the Charter. That, however, was not the point, for the need at the moment was to obtain an assurance that that régime unequivocally accepted the competence and authority of the United Nations to take steps in order to make Korea, by peaceful means, a unified, independent and democratic country.

18. The North Korean régime had said that it would not recognize "any unjust resolution adopted in the United Nations without the participation and approval of its representative". That statement was borne out by UNCURK, which regretted that there had been "no indication of any readiness on the part of the communist authorities concerned to accept established United Nations objectives laid down in the relevant resolutions of the General Assembly" (A/4900, para. 21). In the circumstances, there was no reason why the Committee should change its resolution of 12 April 1961 and should now send the North Korean authorities an unconditional invitation, as proposed in the Mongolian draft resolution (A/C.1/L.300). That was why Thailand and Greece had submitted amendments (A/C.1/L.306) to that draft resolution, in order to bring its text into harmony with the spirit and the letter of the resolution of 12 April. They had also thought it necessary, and completely justifiable, that the Committee should note that the Republic of Korea had repeatedly stated its acceptance of the conditions laid down in the resolution of 12 April, and they had proposed that a second preambular paragraph to that effect should be added to the Mongolian draft resolution.

19. Mr. DE VOOGD (Netherlands) thought that the principles adopted by the Committee at the previous meeting were still valid, namely, that representatives of the Republic of Korea, as well as of the North Korean régime, might be admitted to the Committee's discussions, provided that they accepted the competence and authority of the United Nations as defined in the Committee's resolution of 12 April (A/C.1/837).

The Government of the Republic of Korea had repeatedly declared that it accepted the competence and authority of the United Nations. It had also declared its firm belief that the unification of Korea should be achieved through free elections held throughout the country under United Nations supervision, in accordance with the decisions of the Assembly. That was confirmed by a large number of official statements and documents, including a resolution adopted by the House of Representatives of the Republic of Korea on 2 November 1960 (A/4900, annex IV), a statement made on 24 June 1961 by the Minister for Foreign Affairs, a document published by the Government on 5 July 1961, the statement made at Washington on 14 November by the Chairman of the Supreme Council for National Reconstruction of the Republic of Korea and the memorandum submitted to the United Nations by the Republic of Korea on 4 December 1961 (A/C.1/859), from which he read extracts.

20. The North Korean régime, on the other hand, had not only refused to accept the competence and authority of the United Nations, but had repeatedly insulted the United Nations Commission for the Unification and Rehabilitation of Korea in the most violent terms. In that connexion, he quoted from a broadcast made by the Pyongyang station on 14 June 1961, in which UNCURK had been called a tool of aggression of the United States, and its members human rubbish who would do anything to win dollars. He also quoted from an official statement published as a United Nations document (A/C.1/823)<sup>1/</sup> and from the latest memorandum submitted by the North Korean régime (A/C.1/861). In the circumstances, it was astonishing that the Minister for Foreign Affairs of the North Korean régime had demanded, in his statement of 1 December 1961 (A/C.1/858), that representatives from North Korea should take part in the Committee's discussion, since he had said in the same statement that his Government would not recognize any resolution to be adopted at the General Assembly without the participation and consent of the representatives of the Democratic People's Republic of Korea.

21. Until the North Korean authorities declared that they were prepared to accept the competence and authority of the United Nations, the Netherlands delegation would oppose participation in the discussion by their representative. However, it had no objection to a representative of the Republic of Korea being invited to participate, as it had consistently recognized the authority and competence of the United Nations.

22. Mr. LIU (China) said that the 38th parallel had never been intended as a territorial boundary for the division of Korea. It had been by setting up a puppet régime to the north of that parallel that the Soviet Government had turned a temporary military arrangement into a political instrument for the establishment of a communist régime in the Korean peninsula. From the outset that puppet régime had opposed the efforts of the United Nations to establish a unified and independent Korea and, aided by its Soviet and Chinese partners, had launched an unprovoked attack on the Republic of Korea, engaging in conflict with the United Nations. In the circumstances, it seemed the height of absurdity to give that régime, which had been described by the United Nations Commission on Korea

as "the creature of a military occupant",<sup>2/</sup> equal status with the Republic of Korea, for whose freedom and independence the United Nations had assumed a special responsibility since the second session of the General Assembly. At the resumed fifteenth session, the First Committee had decided for the first time to invite the North Korean Communists, provided that they accepted the competence and authority of the United Nations, which they had refused to do. UNCURK had stated that there had been "no indication of any readiness on the part of the communist authorities concerned to accept established United Nations objectives laid down ... to achieve a settlement in Korea" (A/4900, para. 21). In the circumstances, it would be futile to renew the invitation made in April, which should not have been sent in the first place.

23. It was entirely appropriate to invite the representative of the Republic of Korea, particularly as the question had not been discussed at the previous session and significant changes had taken place in Korea since the last debate. Moreover, the fact that the Republic of Korea, which had been created by the United Nations, had not yet been admitted to membership was an anomaly and an injustice which demanded immediate rectification.

24. It would be insulting to place the Republic of Korea and the North Korean Communists on a footing of equality. Even if it were argued that the proposed invitation to the North Korean Communists was merely a procedural matter, it should not be forgotten that procedural decisions often had far-reaching consequences. In the matter under discussion, the Committee could be guided only by the purposes of the Charter of the United Nations and by previous resolutions of the General Assembly; and the principles laid down by the United Nations for the establishment of a unified, independent and democratic Korea were still as valid today as they had been fourteen years ago. Moreover, any proposal to invite the North Korean Communists was likely to be prejudicial to the Korean people and to the Government of the Republic of Korea, the only lawful Government in the country. It might have the effect of perpetuating the partition of Korea and thus working against the basic objective of the United Nations. It would also reward the North Korean Communists for their negative attitude towards the United Nations and impair the moral standing of the Organization. Accordingly, the Chinese delegation would oppose any such proposal.

25. Mr. BRUCAN (Romania) considered that the real issue in the debate could be reduced to the very simple question whether the Committee wanted to settle the Korean problem, and whether it was prepared to put an end to the discriminatory, negative, illogical and war-mongering practice of inviting only one of the parties to the dispute.

26. Some time ago, the United States representative had customarily argued, to justify his position and ensure that only the representatives of South Korea were invited, that the Syngman Rhee régime had come to power as a result of free elections and was a representative Government. Now, the United States no longer pressed that point. It merely stated in its draft resolution (A/C.1/L.304) that South Korea had already accepted the competence and authority of the United Nations and that North Korea had not. It might well be asked whether the phrase "the competence

<sup>1/</sup> Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 26.

<sup>2/</sup> *Ibid.*, Fourth Session, Supplement No. 9, chap. IV, para. 27.

and authority of the United Nations" meant the United States General commanding the United Nations forces in Korea. What was the good of asserting that South Korea respected the Charter and the resolutions of the United Nations when the nature and activities of the régime in power were categorically opposed to the letter and spirit of the Charter? While the proclaimed objective of the United Nations in Korea was unification, the primary aim of the South Korean military junta was to liquidate all political leaders, journalists, writers, scientists and students advocating unification. The trial of the editors of the newspaper Minjok Ilbo was one case in point, among many others.

27. If the Committee invited the representative of South Korea and barred the representative of North Korea, it would be indicating that instead of seeking a solution of the Korean question, it wished to bolster the fascist, military régime of General Park, however damaging such an endorsement might be to United Nations prestige. It would be encouraging the military adventures which the South Korean junta, having failed in all its political, economic and social undertakings, was preparing against North Korea. A military adventure was all that could be expected from the kind of relationship which existed between the United States and the military junta.

28. If the goal of the Committee was the unification and rehabilitation of Korea, the representatives of North Korea should be invited as well as those of South Korea, for the question could never be settled without the consent and participation of the Democratic People's Republic of Korea. No Government worthy of the name would accept a decision affecting its country taken in its absence. The Committee should therefore adopt the Mongolian draft resolution (A/C.1/L.300).

29. Mr. WIRJOPRANOTO (Indonesia) supported the Mongolian draft resolution because all parties to any dispute should be given the opportunity to participate in the deliberations relating to that dispute.

30. The United States draft resolution would invite the representatives of South Korea alone; and in addition it introduced yet another contentious factor by asserting that the Democratic People's Republic of Korea had not accepted the competence and authority of the United Nations. The fact was that in its reply

of 17 April 1961 (A/C.1/838) to the Committee's conditional invitation, the Government of the Democratic People's Republic had affirmed its respect for the Charter and its intention to send representatives to the United Nations. The participation of the two parties directly concerned was absolutely essential in seeking peaceful settlements of problems of that kind. Experience showed that the participation of only one of the parties, while it might avert acrimonious debate, could not bring any closer the real goal of the United Nations in Korea, which was the establishment of a peacefully unified, independent and democratic Korea.

31. Furthermore, substantial and significant changes had taken place in Korea itself. The Committee had not discussed them adequately in previous years, and now, once again, they would probably not be given the attention they warranted. But things happened rapidly: the governmental structure of South Korea had undergone profound changes, and new proposals for reunification had been made by North Korea. The United Nations itself had greatly changed: it now had forty-three more Members than in 1953. But if the United Nations failed to take action, the question might arise whether it was not being outstripped by the political, economic and social developments in Korea; and that could only be detrimental to its prestige and distressing to the Korean people.

32. In the opinion of the Indonesian delegation, the solution lay neither in adopting the United States draft resolution nor adopting that submitted by Mongolia. The latter would be a move in the right direction, but such an invitation, coming towards the end of the current session, would probably not serve the useful purpose for which it was designed.

33. The best course would therefore be to adopt a resolution calling for a conference on Korea, under the aegis of the United Nations, to be held in some neutral city such as Geneva. The participants should include the two parties directly involved and the countries primarily concerned in a settlement of the question. The conference could study the entire situation in Korea and seek a peaceful settlement through negotiation. It would report on its work to the General Assembly at the seventeenth session.

The meeting rose at 1.5 p.m.